

Appendix 2

TOR BAY HARBOUR AUTHORITY

PILOTAGE DIRECTIONS

Tor Bay Harbour Authority (the Authority) as the Competent Harbour Authority for the purpose of the Pilotage Act 1987 (the Act) and in pursuance of its powers under Section 7 of the Act and in the interests of safety makes the following Pilotage Direction:

1. Coming into Force

- 1.1 This Pilotage Direction which comes into force on 1st August 2003 revokes all Pilotage Directions previously made by the Tor Bay Harbour Authority.

2. Purpose

- 2.1 Tor Bay Harbour Authority is committed to complying with its legal obligations and to complying with the Port Marine Safety Code.

3. Compulsory Pilotage

- 3.1 Pilotage shall be compulsory within the area described in paragraph 4 of this Direction (the compulsory pilotage area) for all vessels except:
- i) any ship of Her Majesty's Royal Navy or Royal Fleet Auxiliary, subject to paragraph 5.2;
 - ii) foreign warships navigating in the harbour for the purpose of taking up or leaving an anchorage, subject to paragraph 5.2;
 - ii) any vessel of less than 36m LOA not carrying a cargo of dangerous goods or marine pollutants;
 - iii) any vessel engaged in towing where the length of such vessel aggregated with the length of the tow is less than 36m;
 - iv) any fishing vessel less than 47.5m LOA;
 - v) any vessel proceeding to or departing from a designated anchorage as defined in paragraph 6 provided such vessel has been forced by stress of weather to seek shelter and subject to paragraph 5.1.
- 3.2 Vessels subject to compulsory pilotage shall while under way in the compulsory pilotage area be under the pilotage of a pilot authorised by the Authority or a holder of a valid pilotage exemption certificate issued by the Authority.

4. Compulsory Pilotage Area

4.1 The area to which this Direction applies shall be within the entire limits of the harbour as prescribed in Sec. 5 of the Tor Bay Harbour Act 1970 and as shown on the attached chartlet.

5. Radio communications

5.1 Any vessel seeking shelter in the outer harbour in accordance with paragraph 3.1(v) is directed that it must contact Bay Reporting Services on VHF Channel 09 before entering harbour limits and again on departing harbour limits.

5.2 Any vessel navigating within Tor Bay Harbour limits in accordance with paragraph 3.1 (i) or (ii) is directed that it must contact Bay Reporting Services on VHF Channel 09 before entering harbour limits and again on departing harbour limits.

5.3 Any vessel or fishing vessel regardless of its length that:

- i) is on fire or has recently been on fire and/or
- ii) is defective such that the manoeuvring capability or the safe navigation of the vessel is affected and/or
- iii) has been involved in a collision, grounding or other event that has affected the watertight integrity and/or stability of the vessel and/or
- iv) creates any risk not normally associated with the safe passage of such vessel

is directed that it must contact Bay Reporting Services on VHF Channel 09 before entering harbour limits.

6. Designated Anchorages

6.1 For the purposes of paragraph 3.1 (v) the designated anchorages co-ordinates are as follows:-

	Lat	Long
Alpha	50 27.0 N	003 32.0 W
	50 27.0 N	003 30.0 W
	50 26.0 N	003 30.0 W
	50 26.0 N	003 32.0 W
Bravo	50 26.0 N	003 32.5 W
	50 26.0 N	003 30.0 W
	50 25.0 N	003 30.0 W
	50 25.0 N	003 32.5 W

Foxtrot	50 30.2 N	003 30.0 W
	50 29.0 N	003 30.0 W
	50 29.0 N	003 28.7 W
	50 30.2 N	003 29.3 W

In addition to the areas indicated above, there are three anchorage circles, which are 5 cables in diameter centre points being at: -

	Lat	Long
Charlie	50 26.5 N	003 28.5 W
Delta	50 26.0 N	003 28.5 W
Echo	50 25.5 N	003 28.6 W

as shown on the attached chartlet and on appropriate Admiralty Charts.

7. Definitions

7.1 For the purposes of this Direction unless the subject or context otherwise requires:

“the Act” means the Pilotage Act 1987;

“the Authority” means the Tor Bay Harbour Authority;

“dangerous goods” means dangerous goods as defined in Regulation 2 of the Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997 (SI 2367/97);

“fishing vessel” means a fishing vessel as defined in Section 313 of the Merchant Shipping Act 1995;

“LOA” means length overall where length means the overall length from the foreside of the foremost fixed permanent structure to the aftside of the aftermost fixed permanent structure of the vessel.

“length of tow” means the length of the tow measured from the foremost fixed permanent structure of the towing vessel to the aft side of the aftermost fixed permanent structure of the vessel being towed;

“marine pollutants” means marine pollutants as defined in Regulation 2 of the Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997 (SI 2367/97);

“Tor Bay Harbour Authority” means Torbay Council acting in its capacity as Tor Bay Harbour Authority.

“underway” means that a vessel is not at anchor, or made fast to the shore, or aground;

“vessel” means every description of vessel, however propelled or moved and includes anything constructed or used to support persons or goods on the water and includes hovercraft, non-displacement craft, floating rigs and platforms and seaplanes.

8. Procedure for Pilotage

- 8.1 The procedure that must be followed by Masters of Vessels requesting pilotage services provided by the Authority are contained in Tor Bay Notice to Mariners No 12/03 and any Notice to Mariners replacing such Notice and such procedures are also reproduced in the Admiralty List of Radio Signals Volume 6(1).

9. Penalties

- 9.1 Not to comply with any part of this Pilotage Direction is an offence by virtue of Sections 15(2) and 15(3) of the Pilotage Act 1987 and Masters in contravention of this Direction may be prosecuted.

Note: *BA charts affected:* 26, 1613 & 3315
 Publications affected: *NP 286 Admiralty List of Radio Signals,*
 Volume 6
 NP 27 - Channel Pilot

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