



Wick Harbour Authority

Safety of Navigation Policy

Wick Harbour Authority (WHA) has a duty of care to harbour users for ensuring navigational safety and will:

1. Provide & maintain Aids to Navigation (AtoN) to ensure safe navigation for all harbour users.
2. Comply with NLB's policy of recording outages, providing maintenance and complying with audit requirements.
3. Provide an environment for all sectors to use the harbour in safety through the application of local rules and Directions and, where applicable, permits and licences.
4. Apply restrictions and controls in accordance with formal risk assessments for specific activities, and will where practicable, consult with user groups in identifying and imposing control measures. Many of these controls are applied through the Conservancy Policy and other policies.
5. Maintain up to date secondary legislation (byelaws and general directions as appropriate) in consultation with port users and enforce them so as to effectively regulate harbour use.
6. Enforce all relevant statutory Harbour legislation, Health and Safety regulations, the Merchant Shipping Act and Harbour byelaws as necessary.

Powers

WHA recognises its duty to make proper use of powers to give Directions and to regulate all vessel movements in its waters, and if necessary, its powers to make byelaws as required. These powers shall be exercised in support of the policies and procedures developed in WHA Marine Safety Management System and are used to manage the navigation of all vessels.

The Harbour Master has powers of direction to regulate the time and manner of ships entry to, departure from and movement within the harbour waters, and related purposes. These powers are given for the purpose of giving specific directions to specific vessels for specific movements, unless the powers have been extended for other purposes.

Harbour Master's directions may be referred to as 'Special Directions' to distinguish them from 'general directions' given by the authority itself. Special directions are not for setting general rules but relate to specific vessels – or in an emergency, to particular vessels.

The powers of direction are also exercisable by all WHA Duty Officers (trained as per the WHA Training Policy and Matrix) as well as other suitably trained patrol staff notified in writing by the Harbour Master. LHB Duty Officers carry identify badges which document their delegation of the power of Special Directions.

It is an offence not to comply with directions but the master – or pilot – of a vessel is not obliged to obey directions if he believes that compliance would endanger the vessel. It is the duty of a Harbour Master in exercising these powers to consider the interests of all shipping in the harbour.

Dangerous Vessels

Under the Dangerous Vessels Act 1985, the Harbour Master (or appointed Deputy) may give directions prohibiting the entry into, or requiring the removal from, the harbour of any vessel if, in his opinion, the condition of that vessel, or the nature or condition of anything it contains, is such that its presence in the harbour might involve a grave and imminent danger to the safety of persons or property or risk that the vessel may, by sinking or foundering in the harbour, prevent or seriously prejudice the use of the harbour by other vessels.

The Harbour Master must have regard to all the circumstances and to the safety of any person or vessel. Directions given under the Dangerous Vessels Act 1985 may be overridden by the Secretary of State. This power is likely to be exercised through SOSREP, having assumed powers of intervention relating to the salvage of the casualty.

Vessel Traffic Management

Wick Harbour is not manned 24 hours per day; therefore a Vessel Traffic Management Service for Wick Harbour would be inappropriate and excessive; instead the harbour has adopted a protocol where an "All Ships" call is transmitted by any vessel entering or leaving the port on VHF CH14. This will alert any other vessels in the area of the other vessels intended movement and enable contact to be made between vessels to ensure safe navigation.

Organisers of recreational events proposed within harbour limits (e.g. within Wick Harbour to a line between the North and South Heads of Wick Bay) must ensure that they consult with the Harbour Master for prior approval and about the need for risk assessments. The need will be proportional to the activity; the Harbour Master may be able to agree that formal assessments are not needed for some low-key leisure activities.

Harbour Users

Wick harbour is a multi-functional port and hosts Windfarm & Cargo Operations, as well as fishing & leisure vessels. The Harbour Master will liaise on safety issues with all Harbour Users to ensure safety within the harbours.

When required for navigational awareness the Harbour Master, or his Deputy will issue either a Notice to Mariners (NtM) or a local Port Information Notice, whichever is most relevant to the situation.

Passage Plans

There is no requirement for any vessel in Wick Harbour to file a port passage plan. The Board has a power of Special Direction under the Pilotage Act, 1987 should it be required in specific circumstances. If they were appropriate in a particular case, powers of Direction would be used to require the use of a port passage plan.

Patrols

The Harbour maintains a patrol presence around the Harbour to enforce byelaws and other directions from 0800-1700 Monday to Friday year-round. Out of normal hours, a designated member of staff will carry out inspection rounds, which include operational checks on all AtoN's.

Incident Investigation

Major incidents are subject to immediate investigation to establish cause and to validate control measures. The reporting requirements of RIDDOR and of the MAIB are followed.

Any incidents, accidents, complaints and near misses will be recorded in the Harbour Office, along with any pertinent information, statements, etc. This log records follow-up action where appropriate and is used to identify any trends:

