

NAME OF COMMITTEE	Salcombe Harbour Board
DATE	26 September 2011
REPORT TITLE	MINOR COLLISIONS
REPORT OF	Salcombe Harbour Master
WARDS AFFECTED	All South Hams

Summary of Report

To raise the issue of the number of minor collisions which go unreported within the harbour to enable a discussion on the issue and consider a strategy to address the problem.

RECOMMENDATION

That the Harbour Board RESOLVES to follow the measures in paragraph 2.4 in an attempt to encourage responsible use of the estuary, where all collisions no matter how minor are reported.

1. BACKGROUND

- 1.1 The Harbour Board agreed the introduction of a range of Performance Indicators (PI) in December 2006 (SH26/06). Following concern over the number of minor collisions the Board agreed the introduction of an additional PI to record the number of minor collisions for the 2008/09 season and beyond (SH29/08).
- 1.2 There have been a number of collisions during the early part of this season when vessels have not reported the fact that they have been involved in a collision with a moored boat, leaving the boat owners without the option of pursuing an insurance claim with the perpetrator's insurance company.
- 1.3 The Harbour Authority has byelaw provisions for the reporting of collisions:

1.3.1 Salcombe Harbour Bye-Law 14 Notification of collisions etc.

The master of a vessel which

- (a) *has been involved in a collision with any vessel or property or has been sunk or grounded or become stranded in the in the harbour or*

- (b) *by reason of accident fire defect or otherwise is in such a condition as to affect its safe navigation or to give rise to danger to other vessels or property or*
- (c) *in any manner gives rise to an obstruction to a fairway*

shall as soon as reasonably practicable report the occurrence to the Harbour Master and thereafter provide the harbour Master with full details in writing and where the damage to a vessel is such as to affect or be likely to affect its seaworthiness the master shall not move the vessel except to clear the fairway or to moor or anchor in safety otherwise than with the permission and in accordance with the directions of the Harbour master.

- 1.4 Salcombe Yacht Club have Sailing Instructions, a copy is at Appendix 1 with special Instructions for the Regatta week at Appendix 2. The relevant paragraph of the Salcombe Yacht Club Sailing Instructions is:

SAFETY REGULATIONS 17 - A boat that retires from a race shall notify the race committee as soon as possible. Consideration is to be given to all users of Salcombe Estuary especially non racing boats as there are many pleasure and commercial craft afloat who do not understand the racing rules. Always sail safely. If you are in a Collision with a non competing boat whether it be underway or moored you must report the incident to the Harbour Office and fill out the appropriate Form. If you are seen to have a collision that is not reported with such a boat you will be disqualified from the Race.

- 1.5 The Harbour Authority requires all boats navigating within the estuary to have third party liability insurance to the value of £3,000,000.

2. ISSUES FOR CONSIDERATION

- 2.1 Reported collision data is as follows:

	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
2008/09	2	38	1	0	41
2009/10	4	27	0	0	31
2010/11	6	8	1	0	15
2011/12	0	29 ¹	-	-	

- Numbers of minor collisions fell between 2008 and 2010. This can be attributed to the strength of the wind or lack of wind in regatta weeks. The stronger the wind the more minor collisions occur.
- Sailing dinghies are responsible for the majority of minor collisions but by no means all of them.
 - Analysis of the 29 incidents in 2011
 - 21 sailing dinghies
 - 4 Power
 - 2 Sailing yachts
 - 1 Dragged anchor
 - 3 Hit and Run, collision not reported by perpetrator

¹ To 22 August which includes SYC and Town Regatta weeks.

- The wind during SYC Regatta week 2011 was challenging for many competitors, most of the collisions occurring on the Monday when wind speeds were gusting 20 knots.
- Following two unreported collisions with one boat in early 2011, SYC were encouraged to emphasise the requirement to report collisions to the Harbour Office at the first practicable opportunity. This heightened awareness seems to have been successful in educating sailors of their responsibilities.
- Whether or not to sail in heavy weather conditions must be the responsibility of the helm

2.2 Whilst dinghy racing is allowed to take place throughout the harbour there will be accidents and collisions. What is essential is that Harbour customers have the confidence to know in the event of a collision with their moored boat, that the incident will be reported.

2.3 The majority of boat owners are responsible and do report collisions, however recently there have been a number of unreported collisions, which is unacceptable.

2.4 Continued education of the requirements to report collisions is required. This can be achieved by:

- Salcombe Yacht Club to their members and to visitors before open events
- Island Cruising Club to members and to the dinghy instructors.
- Article in the 2011 Harbour newsletter.
- Vigilance of the Harbour Staff whilst afloat

3. LEGAL IMPLICATIONS

3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).

3.2 Salcombe Harbour Byelaws cover the requirement to report collisions.

4. FINANCIAL IMPLICATIONS

4.1 There are no new financial implications as a direct result of this report.

5. Risk Assessment

5.1 The risk management implications are:

Risk/Opportunity	Issues / Obstacles	Mitigation
Following a collision, the collision is not reported	The boat owner does not know damage has been inflicted unless the collision is reported	Education of all estuary users is required to ensure all collisions are reported

Salcombe's reputation as a safe harbour will be damaged by high number of collisions causing damage to resident and visiting boats	Los of income because visiting boats stay away from Salcombe because of fear of damage to their boats	Education of dinghy sailors to sail within their capabilities and not to go afloat when the weather conditions are severe.
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Corporate priorities engaged:	CP2: Good Jobs CP3: Retain the districts character CP5: An accessible Council CP6: Value for money
Consideration of equality and human rights:	There are no equality or human rights issues with this report
Biodiversity considerations:	None
Sustainability considerations:	None
Crime and disorder implications:	None
Background Papers:	Performance Indicators (SH26/06). Performance Indicators (SH29/08). Salcombe Harbour Bye-Law 14 – Notification of Collisions.
Appendices attached:	1. SYC Sailing Instructions 2. SYC Competitors Letter

Ian Gibson
Harbour Master

Salcombe Harbour Board
26 September 2011