

---

# Commercial Boating Policy for the Isles of Scilly



Council of the  
ISLES OF SCILLY

---

Last revised: 18/12/2019

---

Ratified by Licensing Committee

Review date

Responsible officer

Date:

December 2020

Senior Officer:

Licensing

Version 7.1 December 2019

VERSION HISTORY			
Date	Version	Author/Editor	Comments
20.06.2019	1.0	Linda Banfield	
20.06.2019	2.0	Nicola Stinson	
24.06.2019	3.0	Michael Coates	
04.08.2019	4.0	Michael Coates	
14.08.2019	5.0	Michael Coates	Final consultations and amendments
21.08.2019	6.0	Michael Coates	Pre sign off amendments
17.12.2019	7.0	Michael Coates	Amended as per previous meeting
18.12.2019	7.1	Linda Banfield	Final Draft for sign off

EQUALITY IMPACT ASSESSMENT (EQIA) RECORD					
Date	Is this an existing, revised or new/proposed policy?	Type of assessment conducted	Summary of actions taken & decisions made	Approved by	EqIA review date
	NEW				

DOCUMENT RETENTION	
Document retention period	Until superseded

Version 7.1 December 2019

Introduction .....	4
Purpose .....	5
Legislation .....	5
Regulatory framework for UK commercial boating .....	6
Policy Details .....	7
1. Competency for Masters/Skippers .....	7
2. Regulating Local Knowledge Endorsements (LKEs).....	9
3. Applications.....	10
4. Boatman’s Licence Syllabus.....	11
5. Determination.....	11
6. Enforcement.....	12
7. Policy management.....	13
8. Evaluation and review .....	13

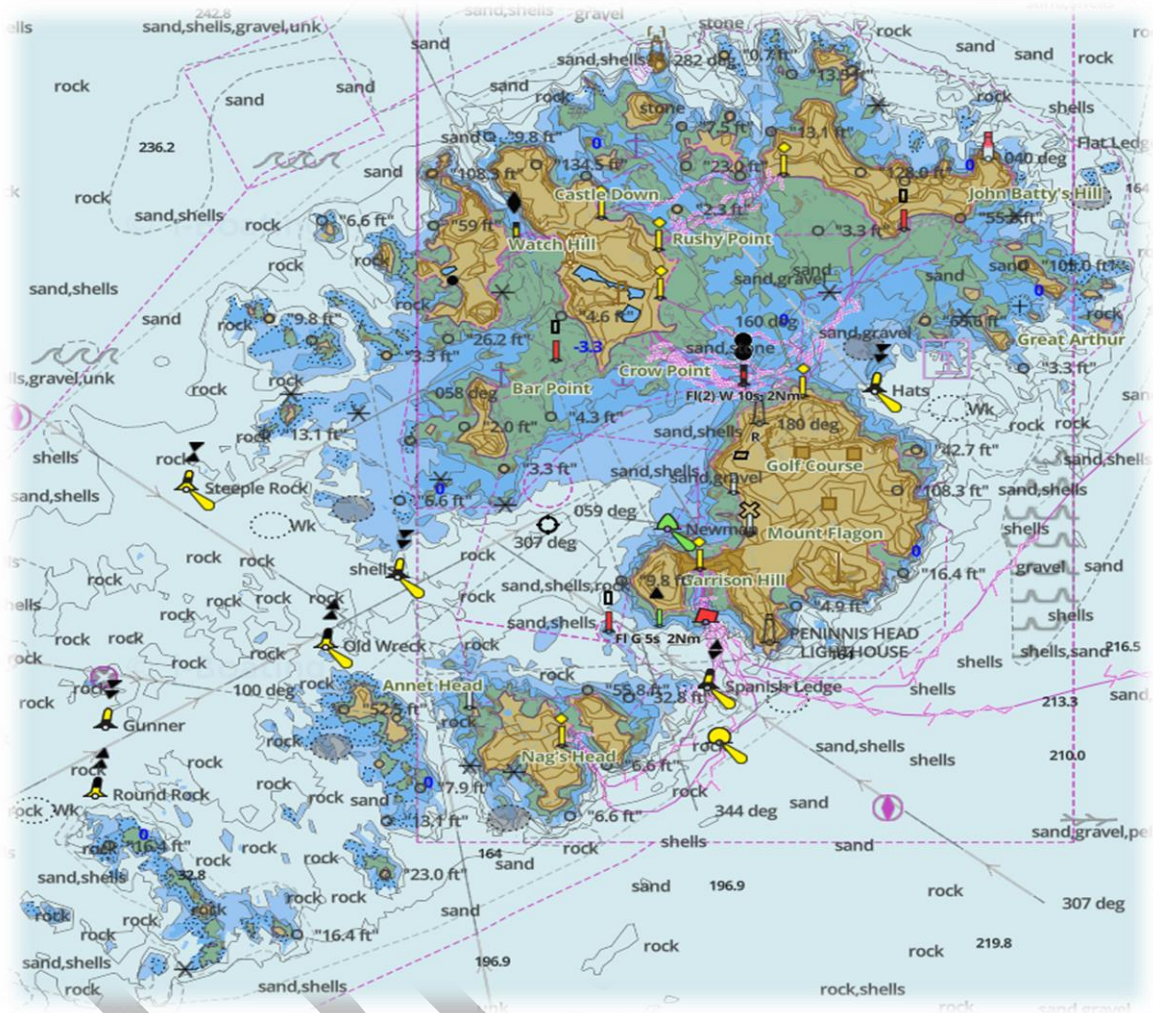
**Annexes;**

Annex 1: About the Islands

Annex 2: The Council of the Isles of Scilly Boatman’s License Syllabus 2019/20

Version 7.1 December 2019

## Commercial Boating Policy for the Isles of Scilly, Version 7.1



**“Isles of Scilly- the waters defined within a line drawn from Bishop Rock Lighthouse to Scilly Rock, Round Island, White Island, Hanjague and the South East of St Mary’s” (MSN 1853)**

### Introduction

This policy sets out the regulatory framework for commercial boating licensing, incorporates the boatman’s syllabus and provides the basis for the Council overseeing and enforcing boatman’s licenses. A brief history of the Isles of Scilly and boating is shown at Appendix 1.

## **Purpose**

The purpose of this policy is to provide clear guidance to applicants, examiners, surveyors and licensing officers on the level of compliance required before a license can be issued.

This Policy has been produced following consultation with relevant agencies, professional bodies and license holders including boatman's associations to ensure that the criteria detailed below is fair to all operators and the safety of the passengers are not compromised.

## **Legislation**

### **Local government responsibility**

The Council is empowered to issue pleasure boat licenses and has powers of enforcement under section 94 of the Public Health Acts Amendment Act 1907.

Under this Act local authorities may grant upon such terms and conditions as they may think fit for licenses for pleasures boats and pleasure vessels to be let for hire or to be used for carrying passengers for hire, and to the persons in charge of all navigating such boats and vessels and may charge for each type of license such annual fee as appears to them to be appropriate. The only exception to this requirement is for boats or vessels licensed under any regulations of the Maritime & Coastguard Agency of the Department for Transport.

The Act does not provide any specific guidance on what is required to be achieved prior to the license being issued for either pleasure boats, pleasure vessels or those individuals in charge of or navigating such vessels.

The Act allows each local authority to set the terms and conditions which they feel are appropriate for their area.

No boat will be operated by persons under the influence of drink or a drug as outlined in The Merchant Shipping Act 1995. A person guilty of an offence under the Act shall be liable to conviction.

## **Guidance**

This Policy has been created using the following guidance documents and regulations including but not limited to;

Version 7.1 December 2019

- Maritime and Coastguard Agency-GOV.UK
- MSN 1853 (M) Boatmaster's Qualifications, Crew and Hours of Work
- MSN 1837 (M) Amendment 2 Categorisation of waters
- MGN 203 (M) Crew training for domestic passenger vessels
- The Code of Practice for the safety of small vessels in commercial use for sport or pleasure operating from a nominated departure point (the Red Code)
- MGN 280 (M) Construction Standards for small vessels in commercial use
- The Workbook Code - Edition 2

## **Regulatory framework for UK commercial boating**

It is important to know the regulatory framework which governs relevant maritime activities in the UK.

### **MCA Responsibilities**

The Maritime and Coastguard Agency (MCA) is an executive agency sponsored by the Department for Transport, based in Southampton. They work to prevent the loss of life on the coast and at sea. They produce legislation and guidance on maritime matters and provide certification to seafarers.

They provide a 24 hour maritime search and rescue service around the UK coast, and international search and rescue through HM Coastguard.

They are responsible for;

- the safety of everybody in a vessel in UK waters
- the safety of all seafarers on UK flagged vessels
- making sure all equipment on UK vessels is fit for purpose
- making sure all seafarers on UK vessels have correct documentation
- the environmental safety of UK coast and waters
- the accuracy of hydrographic data on UK charts
- overseeing coastal rescue volunteers, hydrographics, seafarer certification and the port state control inspection regime

<https://www.gov.uk/government/organisations/maritime-and-coastguard-agency/about>

### **Vessel Classification and Certification**

All seagoing vessels registered in the UK are assigned to a specific class, which defines their type of permitted use, determines which certification they must hold and specifies the inspection and survey regime required to comply with this

Version 7.1 December 2019

certification. These classes are established and assigned by the Maritime and Coastguard Agency.

All UK-registered passenger ships must have a;

- *passenger ship safety certificate*
- *safety management certificate*
- *small commercial vessel certificate* if under 24 metres in length

Passenger-carrying ships are classified primarily on whether they operate inshore or on short or long international voyages.

Class III - Passenger-carrying ships can operate up to 70 miles (by sea) from their point of departure, though not more than 18 miles from the coast of the UK (Class III), provided it is in favourable weather and during restricted periods.

Class VI - Passenger-carrying ships can operate up to 15 miles from their point of departure, no more than 3 miles from land (Class VI), with no more than 250 passengers.

Class VI (A) – Ships carrying not more than 50 passengers for a distance of not more than 6 miles on voyages to or from isolated communities on the islands or coast of the United Kingdom and which do not proceed for a distance of more than 3 miles from land. Type of vessel construction standard survivability and equipment are different- not all Class VI can operate as VI (A).

The operation of small commercial vessels in the UK is covered by the Small Commercial Vessel Codes of Practice. The Codes define small commercial vessels as those of less than 24 metres load line length (or under 150 tonnes if built before 21 July 1968) which are engaged at sea and are not pleasure vessels, these vessels are classed as Class III (A).

It should be noted that compliance and certification with all of the above is the sole responsibility of the MCA who organise annual certification inspections. Certification is completed by the MCA's Plymouth Marine Office.

In the course of inspections the MCA can highlight deficiencies that need to be rectified by the operator. In some cases a 'temporary' certification for a vessel is issued, and can restrict use to operational 'Modes' under which they can use that vessel.

## **Policy Details**

### **1. Competency for Masters/Skippers**

Version 7.1 December 2019

‘Competency’ can only be determined by a Competent Authority issuing a *Certificate of Competence*. This is issued by the MCA, or any other organisation that is granted such status by the MCA.

The competency requirements for masters/skippers of Class VI passenger vessels are set out in the Merchant Shipping (Boatmaster’s Qualifications, Crew and Hours of Work) Regulations 2015.

The minimum age of skippers is 17.

Further guidance on the structure and requirements of the Boat Masters’ Licence (BML) system and the regulations are provided by the MCA in its Merchant Shipping Notice (MSN) 1853(M).

The BML structure is based on a two-tiered system: Tier 1 (National) and Tier 2 (Local area). A Local Knowledge Endorsement (LKE) is required for areas which due to its features and characteristics can present a hazard to safe navigation. The waters where the Secretary of State has determined that an LKE is required include the Isles of Scilly.

Holders of Tier 1 BML are required to undertake a Local Knowledge Examination (LKE) which supplements the national BML. Holders of Tier 2 BML are required to demonstrate local knowledge for the area of operation the BML relates to.

The following table shows the difference in the tiers of certificate, what areas they are required for and if they need the extra requirement endorsement of the LKE.

The generic syllabus for specialist passenger operations requires candidates to demonstrate knowledge of operational procedures for the safe carriage of passengers.

**Table 1 – The BML two tiered system. \*limited coastal area = ‘no more than 5 miles from land and 15 miles from the point of departure’**

GENERIC BML	Area of Operation	Water Categories	LKE requirement
Tier 1 – level 2	National licence valid for operating a vessel anywhere on the UKs inland waterways except where Local Knowledge requirements apply.	A-D and limited coastal areas	YES >12 passenger vessels
Tier 1 – level 1		A,B and non-linked C	NO <12 passenger vessels
SPECIFIC BML			



Tier 2 – level 2	Restricted license valid for specified areas.	A <sup>18</sup> - D and a limited coastal area	Does not require separate local knowledge or specialist operation endorsements as they will be examined for specific waters and operations for their T2 BML (MSN 1853 (M) 5.5) Specific waters; “Within the archipelago of the Isles of Scilly and not more than 3 miles to seaward of a line joining Bishop Rock Lighthouse to Scilly Rock, Round Island, White Island, Hanjague and around the south east of St. Marys. The holder must also comply with the restrictions described in their Isles of Scilly Boatman’s Licence.”
Tier 2 – level 1	Restricted license valid for all category A canals and specified areas.	A,B, non-linked C	

## 2. Regulating Local Knowledge Endorsements (LKEs)

The MCA does not have a dedicated examiner for the Isles of Scilly LKE, therefore the examination is conducted by an examiner who is appointed by the CIOS and is currently a qualified Pilot as defined under the Pilotage Act 1987. The examination is conducted by the examiner and is invigilated by a nominee of the council.

The Council of the Isles of Scilly was granted Competent Authority status by the MCA to issue certificates of competency for small vessels (up to 24m in length) through approval number BL/Comp/002, in 2000. The LKE was agreed in 2006 as a requirement for commercial passenger carrying vessels.

The Council requires the skippers and crew of all Domestic Passenger Vessels and Small Commercial Vessels operating in the Isles of Scilly to hold its *local boatman’s licence as in the introduction of the syllabus as section (ii) only refers to small commercial vessels.*

### BML certification

Version 7.1 December 2019

The skippers of over 12 passenger vessels must have an MCA BML certificate and have the addition of the Council's Local Knowledge Endorsement (LKE). Crews of these vessels can then be trained by the skippers who will maintain records for each crew person (MGN 203).

The MCA BML is endorsed by the Licensing Department of the Council of the Isles of Scilly, with a requirement to comply with the restrictions described in the Commercial Boating Policy for the Isles of Scilly.

### **Small Commercial Vessels**

For Small Commercial Vessels (SCVs) (under 24m in length, and carrying less than 12 passengers), the local boatman's licence alone is a sufficient qualification for a skipper. There is a range of accredited qualifications under the SCV Codes of Practice for the under 12 passenger vessels, operating from a nominated departure point as listed in Appendix A page 17 however they have to hold a local boatmans license as required under the Syllabus introduction section (ii) and the Licensing Departments Policy.

The local boatman's licence is issued and regulated by the Licencing Department of the Council of the Isles of Scilly.

## **3. Applications**

For an application to be deemed valid, enabling an individual to apply for and receive a local boatman's license from the council they should ensure that the following requirements are submitted as part of their application;

- A completed application form downloaded from [www.scilly.gov.uk](http://www.scilly.gov.uk)
- A recent passport sized photograph
- A current relevant medical certificate (ENG1) for skippers or ML5 for crews
- Application fee
- Required certificates medical and insurance forms

A photo card will be issued along with the paper copy of the licence and will be required to be carried when operating or in control of a vessel. Licence holders will be expected to show the licence on request of the responsible authority or the Harbour Authority. The Harbour Authority can check license holders with the council within the confines of data protection.

- Boat operators will be required to renew their licence every 5 years;
- Boat operators and their crew will be required to provide the authority with valid medical certificates outside of the renewal period.

Version 7.1 December 2019

- ENG1 Medicals are valid for 2 years
- ML5 Medicals remain valid while under the age of 45 unless medical condition has changed and valid 5 years from age 45-60
- BML certificates are valid for 5 years

New applicants will be required to submit a photograph at the time of application. All photographs will need to be renewed every 10 years.

A record of all boat licence holders will be held detailing the level of qualification achieved, date when the test was taken, the medical expiry date and the contact details of the holder.

Subject to the Data Protection Act 2018 the Council of the Isles of Scilly website will hold an updated list of persons with the Local Knowledge Endorsement.

#### **4. Boatman's Licence Syllabus**

The purpose of the syllabus is to ensure that all boat operator and their crew have demonstrated satisfactory competence and proficiency in order to operate safely in the waters surrounding the Isles of Scilly.

The Authority has worked alongside the MCA and the examiner appointed by the Council of the Isles of Scilly, a Pilot (with extensive local water knowledge) to develop a concise boatman's licence syllabus (Appendix 2). This syllabus will be reviewed every 5 years. The next review will be in November 2024 in readiness for the 2025 season.

The syllabus will be referred to in the event of any boating incidents that may require enforcement along with the guidelines as set out by the MCA and the Marine Accident Investigation Branch (MAIB).

The MAIB are an independent unit within the Department for Transport based in Southampton. They investigate marine accidents involving UK vessels worldwide and all vessels in UK territorial waters to determine the cause of accidents, and then publish reports that include recommendations for actions.

They consider their role to be the prevention of further avoidable accidents from occurring, and not to establish blame or liability.

#### **5. Determination**

Version 7.1 December 2019

In normal circumstances the Senior Officer: Licensing will always determine an application and there is a review process.

In some circumstances the Senior Officer: Licensing may refer an application to the Licensing Committee for a decision.

In these circumstances the applicant and the council may invite any persons who support their case to attend the licensing committee. These persons will be given the opportunity to address the committee during the hearing.

Prior notice will be given to both the applicant and those persons who will be attending the hearing at least 10 working days prior to the date of the hearing.

If a license application is refused by the licensing committee the applicant will be given written confirmation detailing the reasons for refusal with the right of appeal within 21 days through the Magistrates Court.

## **6. Enforcement**

It will be the boat owner/operator who will be responsible to ensure that all crew members employed by them hold the licence relevant to their level of employment and the area of water where they will be operating.

Failure of a boatman or operator to comply with the conditions of the license may give rise to suspension or revocation of the license and/or to the prosecution of a license holder.

The Council can suspend or revoke a license at any time that it is in the interest of public safety to do so. Any action taken will be in accordance with the Council of the Isles of Scilly Licensing and Gambling Enforcement Policy 2017.

Any serious incident will be referred to the MCA and the MAIB for further investigation and will ordinarily result in suspension pending investigation.

A recommendation for the licence to be revoked will only be made where no other option is considered suitable to address the individual problems. This could occur as a result of a history of non-compliance where enforcement action, including previous reviews, has failed to resolve the problems, or where the nature of the problems is considered serious enough to merit the licence being revoked (Ref 4.25).

The licensing department will keep in close liaison with the Duchy of Cornwall's Harbourmaster/Assistant Harbourmaster. The Harbourmaster has enforcement authority under the Merchant Shipping Act for Harbours, however potential

breaches of a boatman's license will be reported to the Licensing Department for further investigation.

## 7. Policy management

The Senior Manager Strategic Development in consultation with the Chairman of the Licensing Committee may undertake amendments of an administrative nature as are necessary, or to secure continuing compliance with the law. Any amendments will be communicated to the Council's Officer: Policy & Scrutiny and subsequently throughout the Council using appropriate communication channels (including via the Council's policy dissemination tool where appropriate) and will be available on the Council's Shared Drive.

## 8. Evaluation and review

This Policy will be reviewed annually by the Licensing Department of Strategic Development in consultation with all key stakeholders.

## 9. Further information

For further information, please contact the licensing department [licensing@scilly.gov.uk](mailto:licensing@scilly.gov.uk).

To contact the Council of the Isles of Scilly please call 0300 1234 105

### **We want to ensure that your needs are met.**

If you would like this information in an audio format, Braille, large print, any other format or interpreted in a language other than English, please contact:

Officer: Policy & Scrutiny  
Council of the Isles of Scilly  
Town Hall  
St Mary's  
Isles of Scilly TR21 0LW  
Telephone: 01720 424524  
E-mail: [diversity@scilly.gov.uk](mailto:diversity@scilly.gov.uk)

## Annex 1

### About the islands

The Isles of Scilly is a group of geographically-isolated low-lying islands which are located some 28 miles from the coast of the UK mainland, West-South-West of Land's End in Cornwall.

There are five inhabited islands; St Mary's, St Agnes, St Martins, Tresco and Bryher.

St Mary's is the de-facto administrative 'capital' of the group of the islands, with over 1,600 of the 2,300 population of the archipelago living and working there.

The Duchy of Cornwall has owned title to the Isles since 1337.

The islands have independence from Cornwall in terms of governance with the islands having the status of a Unitary Authority, though the islands are grouped together with the St Ives constituency in Cornwall for purposes of voting in general elections.

The islands are highly-dependent on tourism which generates a vast proportion of its income each year. As such, many businesses are involved in providing services for these visitors between March and October of each year, which is considered to be the 'tourist season'.

Due to the geography of the area commercial boating is a key aspect of island life. Many of the inhabitants of the four 'off-islands' will regularly travel to St Mary's each week for various needs, be they shopping, or medical, or educational, or travel onto the mainland, for example. Very few people use their own private boats to do this and instead they rely on a network of commercial boat operators who charge a fee per journey.

There are many commercial operators, some of which 'hire' boats to visitors, but most operate a passenger service from point A to point B, much like a taxi service would operate. Some other commercial operators will offer trips which venture to different locations in a single trip, looking for wildlife, or fishing, for example.

## Annex 2

# The Council of the Isles of Scilly Boatman's Licence Syllabus 2019/20- 2023/24

## CONTENTS

### Section

1. Introduction
2. MCA Boatmaster's Licence, Local Knowledge Endorsement Requirements and Syllabus and ancillary training requirements
3. Generic requirements for a local licence if applicant does not hold an alternative qualification to skipper small commercial vessels.
4. Main Channel
5. Boat hand/Crew Licence
6. Quay to Quay
7. Within the main islands
8. Throughout the islands (excluding Bishop & Western Rocks)
9. Anywhere within the area of the islands

## 1. Introduction

Boatman's Licences issued by the Council of the Isles of Scilly fulfil a number of functions:

- (i) For vessels carrying more than 12 passengers an MCA Boatmaster's Licence is required with a Local Knowledge Endorsement. The local licences are accepted by the MCA to fulfil the local knowledge part of the Boatmaster's Licence. The local license fulfils the local knowledge requirements for both Tier 1 and Tier 2 BMLs.
- (ii) There are a number of qualifications accepted by the MCA to operate Small Commercial Vessels (up to 12 passengers). In these circumstances the Council of the Isles of Scilly also request the skipper to hold a local boatman's licence to operate commercially within the islands. The Duchy actively promotes and fully supports the LKE.
- (iii) The Council of the Isles of Scilly are authorised by the MCA to issue Local Authority Licences to skipper Small Commercial Vessels as a standalone qualification. If an applicant for a Local Boatman's Licence does not hold an alternative qualification to skipper, then they will also be examined on the generic requirements detailed in section 3 as part of their boat test. These Licences are limited to Category 6 areas, defined by the MCA as:  
Area Category 6 - to sea, within 3 miles from a nominated departure point(s) named in the certificate and never more than 3 miles from land, in favourable weather and daylight with the exemption of those that can operate at night under the MCA Workboat Certificate ( At Night- Pier to Pier services not more than 1 mile from shore).
- (iv) Vessels carrying more than 12 passengers are required to carry a 2<sup>nd</sup> crew member. The CIOS require this member to hold the Boathand /Crew license unless crew training has been undertaken by the boat operator in this case the authority will require evidence of a current ML5 Medical Certificate for the Crew Member.
- (v) Each vessel requires specific crew training to be recorded in a log book as required by the MCA under MGN 203.

## **2. MCA Boatmaster's Licence: Local Knowledge Endorsements: Requirements**

The Merchant Shipping (Boatmaster's Qualifications, Crew and Hours of Work) Regulations 2015 puts in place a requirement for Local Knowledge Endorsements (LKE) to be applied to waters, which due to their features and characteristics can present a hazard to safe navigation.



Version 7.1 December 2019

The Isles of Scilly has waters deemed to require an LKE for waters “within a line drawn from Bishop Rock Lighthouse to Scilly Rock, Round Island, White Island, Hanjague and around the South East of St Mary’s”

Boatmasters who intend to operate within these waters are required to undertake additional training beyond that required for a generic boatmaster’s licence.

## **2.1 MCA Boatmaster’s Licence: Local Knowledge Endorsements: Syllabus**

The local knowledge syllabus will include the following as appropriate to the area(s) of waters concerned:

- A thorough knowledge of local regulations and byelaws (essential for all areas);
- Knowledge of navigation authority publications;
- Local signals and traffic regulations;
- Local marks including buoyage, lights, leading lights and marks;
- Local dangers to navigation – depths over banks, obstructions, current and abnormal tidal streams
- Local safe havens and landing places in differing weather conditions;
- A knowledge of the times and heights of tides;
- Safe courses in and out of local harbours;
- Locations of and means of communication with the nearest Coastguard centre and other emergency services;
- Local language terminology (including radio communications where appropriate);
- Local knowledge VTS and traffic control;
- Knowledge of local traffic density and patterns;
- Types of traffic to be encountered;
- Any other item of local knowledge which an examiner may deem to be necessary (e.g. current notices to mariners on temporary works) and;
- Fixed items and air draft hazards (e.g. bridges).

In addition, where waters comprise difficult/complex tides and streams, knowledge of the general direction of tides, streams and overfalls will be assessed and where particular physical hazards (and the technical difficulty of negotiating them) are present applicants must demonstrate an awareness of the rocks, ledges and sand bars and the depth of water over them.

## **2.2 MCA Boatmaster's Licence: Ancillary Safety Training Requirements**

One element of the competency requirements for obtaining a Boatmasters' Licence concerns ancillary safety training, comprising three one day basic safety courses in;

- Personal Survival;
- Fire Safety;
- First Aid.

These courses must be successfully completed by all applicants for a Boatmasters' Licence. Training must be undertaken at an MCA approved training provider. A list of MCA approved training centres is available on [www.gov.uk](http://www.gov.uk) (<https://www.gov.uk/guidance/boatmasters-approved-training-providers-atp>).

## **2.3 MCA Boatmaster's Licence: Qualifying Service Time**

All applicants for a Boatmasters' licence must have completed a Qualifying Service Time (QST) of 6 months experience in the Isles of Scilly including at least 60 days service, with the last day of service being undertaken not less than 6 months after the first day.

Full details of the requirements for obtaining an MCA Boatmasters Licence are found in MSN 1852(M).

## **3. Generic requirements for a local licence if applicant does not hold an alternative qualification to skipper small commercial vessels**

When an applicant for a DD licence (or a DD Plus - AA Plus licence or a safety Boat Operator or Diver's Area Test) does not hold an alternative qualification to skipper a vessel, then in addition to the appropriate local knowledge examination, they will be required to show proficiency in the following: -

- A working knowledge of the Internal Regulations for Preventing Collisions at Sea, including knowledge of lights, shapes, sound signals and distress signals;
- A working knowledge of the IALA "A" System of Buoyage
- Boat handling, to include mooring, anchoring and heavy weather procedures;
- Basic chart work, to include taking a latitude and longitude from the chart and calculating a course between two points;

Version 7.1 December 2019

- Basic meteorology, including sources of weather forecasts and their interpretation, understanding the Beaufort Scale, and synoptic charts;
- Causes and effects of Variation and Deviation on a magnetic compass;
- Operation of vessel, to include routine checks (including engine checks), safety briefings operations of electronic navigational aids and VCHF radio;
- Emergency procedures, including location and use of safety equipment-
  - Firefighting
  - Grounding
  - Flooding
  - Medical Emergency
  - Towing and being towed
  - Man-Overboard
  - Engine breakdown

### 3.1 Alternative Qualifications to Skipper

- MCA Certificates of Competency as a deck officer;
- MCA Boatmaster's licences;
- RYA Yachtmaster or coastal Skipper certificate;
- RYA Advanced Powerboat certificate.

Additionally the MCA require that all skippers of small commercial vessels must hold a Radio Operators Licence, a Basic Sea Survival Certificate and a First Aid Certificate.

## 4. Licence Type: Main Channel Licence (MC)

Applicants must demonstrate the ability to navigate safely within the defined area below, both **with** and **without** electronic navigation aids.

- **Into and out of St Mary's Harbour via the North-West Passage and St Mary's Roads or via St Mary's Sound and St Mary's Roads.**

This will be limited to the following passages and channels:

- St Mary's Sound only using the channel to the North East of the Spanish Ledge Buoy and the North Bartholomew Buoy;
- North West Passage;
- St Mary's Roads and the approach to St Mary's harbour via the channel to the South of the Bacon Ledge only.

Version 7.1 December 2019

For each of these passages and channels applicants will be required to show adequate knowledge of:

- Depths of water, including the minimum height of tide from tide tables and/or visual tidal references for using each channel;
- The compass course for major channels;
- Dangers and areas to be avoided in and near the channel;
- Visual marks and transits;
- Navigation marks and lights;
- Tidal streams affecting the channel;
- The suitability of the channel in different conditions of wind, swell and tidal currents;
- The suitability of the channel for use in varying conditions of visibility or darkness;
- Relevant local information, including Local Notices to Mariners and Harbour Regulations;
- Use that can be made of echo sounder information, radar and GPS, particularly GPS plotters, including their limitations and the limitations of the electronic charts used in the plotters.

## **5. Licence Type: Boat hand/crew Test (EE)**

Applicants for the Crew's licence will be questioned on the following topics. The test will take place on the vessel on which the applicant first intends to crew.

This is now an option, but not compulsory. The MCA allow the BML skippers to train their own crews provided they follow MGN 203 guidelines and keep a record of the training. This only applies to crews of over 12 passenger vessels.

The authority will require that training be taken on all boats that crew intend to operate and recorded

- Stowage and donning of lifejackets;
- Location and use of Pyrotechnics;
- Launching and boarding procedures for life rafts if carried;
- Man-overboard procedures;
- Location and use of fire extinguishers;
- Use of engine room firefighting equipment if fitted;
- Emergency steering procedures;
- Stowage and use of anchor;

Version 7.1 December 2019

- Emergency use of VHF;
- Knowledge of Safety Management System and responsibilities of crewman;
- Knowledge of Emergency Training Manual;
- Location of First Aid Kit;
- Mooring and unmooring, use of ropes and associated dangers;
- Passenger embarkation/disembarkation;
- Bilge pumping arrangements;
- Knots;
- Basic collision avoidance rules;
- Consideration for other craft – fenders and wake;
- Operation of dinghy/inflatable with outboard and/or oars.
- The authority will require evidence of current ML5 medical certificate for all crews

**The above is the minimum knowledge required for issue of a Council Crew's Licence. It does not replace the further training required by the MCA specified in MSN 1869 (M) Safety Management Code for Domestic Passenger Ships and MGN 203 (M) Crew Training for Personnel Serving on Domestic Passenger Ships.**

## **6. Licence Type: Quay to Quay Licence (DD)**

By direct routes between any of the following locations, using safe channels, but not to the North of Tresco:

- St Mary's Harbour;
- Porth Conger, St Agnes;
- Rushy Bay, Church Quay and Anna Quay Bryher;
- New Grimsby Quay, Carn Near Quay and Old Grimsby Quay, Tresco;
- Hotel Quay and Highertown Quay, St Martins;
- The landing beach on Samson.

The DD licence may be extended to include passage between New Grimsby and Old Grimsby via the North of Tresco. This must be requested at the time of booking your assessment and will incur an extra charge.

The applicant must demonstrate their ability to navigate safely within the defined area, both with and without electronic navigation aids. This will include, but not be limited to the following passages and channels.

Version 7.1 December 2019

- Approaches to St Mary's Harbour to the South of Bacon Ledge, between the Bacon Ledge and the Cow and between the Cow and the Calf;
- Approaches to Porth Conger, St Agnes, both to the East and West of the Cow;
- Passages to the South and West of Samson, but to the North of Great Minalto ledges and to the East of Bream Ledge;
- The approach to Tresco Channel to the West of the Hulman and the East of Little Rags Ledge;
- The approach to the landing beach, Samson to the North and West of Puffin Island
- The approaches to Rushy Bay;
- Passage to the East of Crabs Ledge and Merrick Island but West of Plump Rocks and Plump Island;
- Approaches to New Grimsby Harbour;
- Approaches to Church Quay, Bryher, to the North of Haktide bar;
- Approaches to Anna Quay Bryher, to the East of Queens Ledge;
- Approaches to Carn Near Quay, both East and West of Conger Ledge;
- Passages to the North of the Mare Ledges and to the South of the Pots;
- Channel to Old Grimsby, Tresco, to the East of Diamond Ledge, West of Tea ledge and West of Lump of Clay Ledge;
- Approaches to Old Grimsby Quay, Tresco;
- Passages from Old Grimsby Tresco, to Lower Town St Martin's, to the North of Little Cheese Rock, North of Hedge Rock and South of Tean;
- Approaches to Lower Town Quay, St Martin's;
- Passage from St Mary's Roads to Lower Town, St Martin's, passing East of East Craggyellis, East of West Board Ledge and West of John Martin's Ledge;
- Passage from Lower Town St Martin's to Higher Town St Martin's using channels both to the East of Broad Ledge and to the West of Higher Ledge and Lower Ledge of Guthers;
- Passage from St Mary's Roads to Higher Town St Martin's to the South of Crow Bar and to the North of Damasinnas;
- Approaches to Higher Town Quay, St Martin's.

For each of these passages and channels applicants will be required to show adequate knowledge of:

- Depths of water, including the minimum height of tide from tide tables and/or visual tidal references for using each channel;
- The compass course for major channels;
- Dangers and areas to be avoided in and near the channel;
- Visual marks and transits;
- Navigation marks and lights where appropriate;
- Tidal streams affecting the channel;

- The suitability of the channel in different conditions of wind, swell and tidal currents;
- The suitability of the channel for use in varying conditions of visibility or darkness;
- Relevant local information, including Local Notices to Mariners and Harbour Regulations;
- Use that can be made of echo sounder information, radar and GPS, particularly GPS plotters, including their limitations and the limitation of the electronic charts used in the plotters.

## 7. Licence Type: Within the Main Islands (CC)

The applicant must demonstrate their ability to navigate safely within the defined area, both with and without electronic navigation aids. This will include, but not limited to the following passages and channels. As this licence will allow the applicant to undertake wildlife and sightseeing tours, it is important that the applicant recognises the parts of the licence area where they do not have sufficient knowledge to navigate safely:

Anywhere within the area enclosed by an imaginary line joining:

Browarth Point on St Agnes; Little Minalto; Rushy Bay; Bryher; the South and East coast of Bryher, Shipman Head to Cromwell's Castle, Tresco and thence Southwards along the West. South East and North East coast of Tresco to Old Grimsby Quay; Northwethal; St Helen's Quay; the South West coast of Tean; Lower Town, St Martin's and thence along the Southern coast of St Martin's to Higher Town, to include Eastern Isles; thence within a line drawn to permit sufficient sea room down the East coast of St Mary's to the Gilstone; to the Kittern, St Agnes and thence along the North Coast of St Agnes to Browarth Point.

The applicant must also demonstrate knowledge of all passages and channels outlined for the DD licence plus:

- Passage over Samson Flats;
- Further passages in Tresco Channel including to the West of Great Crabs Ledge and to the south and west of Merrick";
- Further passages to the South and East of Tresco;
- Passages into and around St Helen's Pool;
- Great and Little English Island Necks;
- Passages in and around the Eastern Isles, to include Chimney Rock, Hanjague and the Hats, but not the Hard Lewis Rocks;

Version 7.1 December 2019

- Safe Passage along the East and South coasts of St Mary's;
- The entrance to old Town Bay, including passage to the North of the Gilstone Ledges
- The entrance to Porthcressa Bay;
- Passage along the North Shore of St Agnes;
- Georges Neck and approaches.

For each of these passages and channels applicants will be required to show adequate knowledge of:

- Depths of water, including the minimum height of tide from tide tables and/or visual tidal references for using each channel;
- The compass course for major channels;
- Dangers and areas to be avoided in and near the channel;
- Visual marks and transits;
- Navigation marks and lights where appropriate;
- Tidal streams affecting the channel;
- The suitability of the channel in different conditions of wind, swell and tidal currents;
- The suitability of the channel for use in varying conditions of visibility or darkness;
- Relevant local information, including Local Notices to Mariners and Harbour Regulations;
- Use that can be made of echo sounder information, radar and GPS, particularly GPS plotters, including their limitations and the limitations of the electronic charts used in the plotters.

## **8. Licence Type: Throughout the Islands but excluding the Bishop and Western Rocks (BB)**

The applicant must demonstrate their ability to navigate safely within the defined area, both with and without electronic navigation aids.

Anywhere within the Islands except of Westward of an imaginary line drawn from Maiden Bower to Mincarolo to Annet Head, to include the Norrard Rocks and thence along the East coast of Annet and from Minmow South through Menpingrim (to permit passage through Smith Sound and to the South of St Agnes but NOT among the Western Rocks).

This will include, but not be limited to the following passages and channels. As this licence will allow the candidate to undertake wildlife and sightseeing tours within the



Version 7.1 December 2019

area, it is important that they recognise the parts of the licence area where they do not have sufficient knowledge to navigate safely:

The applicant must demonstrate knowledge of all passages and channels outlined for the CC license plus:

- Passage to the East of Gugh but West of the Spanish Ledges;
  - Passage to the South of Gugh;
  - Approaches to the Cove;
  - Passage to the South of St Agnes and to the East of the Lethegus Rocks;
  - Passage through Smith Sound;
  - The approaches to Periglis, St Agnes;
  - The South and East coasts of Annet;
  - Passage to the West of Broad Sound Ledge and the Castinicks and around Roaring Ledge;
  - Passages in and around the Norrard rocks and the West coast of Bryher;
  - Passage to the North of Tresco and Bryher, both North and South of the Kettle;
  - Approaches to New Grimsby Sound;
  - Approaches to Old Grimsby Sound;
  - Beef Neck;
  - Passage between Northwethel and Foreman's Island;
  - Passage to the North of Golden Ball, Men-a-Vaur and St Helen's;
  - Passage between Gap Rocks;
  - Approaches to Tean sound, including channels to the East and West of Black Rocks;
  - Passage to the North of Lion Rock and to the North and East of White Island;
  - Passage to the North of St Martin's both to the North and South of Great Merrick Ledge, Mackerel Rocks and Santamana Ledges;
  - Passage East of St Martin's, both East and West of Chapel Rocks;
  - Passages around the Hard Lewis Rocks. For each of these passages and channels the applicant will be required to show adequate knowledge of:
- 
- Depths of water, including the minimum height of tide from tide tables and/or visual tidal reference for using each channel;
  - The compass course for major channels;
  - Dangers and areas to be avoided in and near the channel;
  - Visual marks and transits;
  - Navigation marks and lights where appropriate;
  - Tidal streams affecting the channel;

Version 7.1 December 2019

- The suitability of the channel in different conditions of wind, swell and tidal currents;
- The suitability of the channel for use in varying conditions of visibility or darkness;
- Relevant local information, including Local Notices to Mariners and Harbour Regulations;
- Use that can be made of echo sounder information, radar and GPS, particularly GPS plotters, including their limitations and the limitations of the electronic charts used in the plotters.

## 9. Licence Type: Anywhere within the area of the Islands (AA)

The applicant must demonstrate their ability to navigate safely within the defined area, both with and without electronic navigation aids. This will include, but not limited to the following passages and channels.

As this licence will allow the candidate to undertake wildlife and sightseeing tours within the area, it is important that they recognise the parts of the licence area where they do not have sufficient knowledge to navigate safely:

- All passages and channels outlined for the BB licence plus;
- Passage through Annet Neck and to the South and West of Annet;
- Passage to the North and West of Annet, including Broad Sound;
- Passage to the North and South of Luitreth;
- Passage through Muncoy Neck;
- Passage through Gorregan Neck;
- Passage through Broad Neck;
- Passage in and around the Western Rocks, including the Bishop Rock.

For each of these passages and channels applicants will be required to show adequate knowledge of:

- Depths of water, including the minimum height of tide from tide tables and/or visual tidal reference for using each channel;
- The compass course for major channels;
- Dangers and areas to be avoided in and near the channel;
- Visual marks and transits;
- Navigation marks and lights where appropriate;
- Tidal streams affecting the channel;

Version 7.1 December 2019

- The suitability of the channel in different conditions of wind, swell and tidal currents;
- The suitability of the channel for use in varying conditions of visibility or darkness;
- Relevant local information, including Local Notices to Mariners and Harbour Regulations;
- Use that can be made of echo sounder information, radar and GPS particularly GPS plotters, including their limitations and the limitations of the electronic charts used in the plotters.

Fishing Practices – All boatman will be aware and steer clear of buoys and floating ropes.

For further information, please contact the licensing department [licensing@scilly.gov.uk](mailto:licensing@scilly.gov.uk) .

To contact the Council of the Isles of Scilly please call 0300 1234 105

DRAFT