

### The independent voice of the Boat Charter Industry

Last AGM was held at The Holiday Inn in Southampton on Thursday 7<sup>th</sup> March 2019. With 18 attendees and two using the on-line facility. Started 1330 concluded 1545hrs

The Chairman welcomed everyone present and explained the online facility Graeme Sign was monitoring. Introduction of directors present and committee

Apologies' for absence

Richard Ward, Kevin Redbond, Iain Elliot, Peter Atkinson, Akis Zississ, Robin Milledge, Sue McLagan, Nadia and Peter Pond, Peter Matcham, Richard Caves and Neil White. No other apologies received

The minutes from 2018 AGM that had been circulated were agreed and signed off and there were no matters arising not on the agenda, Proposed by John McKenzie and seconded by Nick Trainer, No one against

**The Chairs report-** Ian Winson then updated those present of the last years work as follows-

- Public thank you for Graeme Sign and his membership work and also to Hamble Point Yacht Charters for allowing an address for PCA 2014 Ltd with their business premises.
- Directors liabilities stand at £100 between the three directors having moved from YDSA into a limited company
- The PCA changed our website management company from MCB Creation who we had been with for 7 years and move to TLC-Online under John and Jaki who had been an absolute dream to work with and were always on top of our requests and changes. We had one glitch during the winter over Xmas where the website was not working properly due to a licence issue that was addressed as quickly as possible. We continue to work with TLC on Line and very happy with their support and work. Great investment
- In March 2018 – we chased up the RYA and MCA regarding the rewrite of “High Speed Passenger Vessel Guidance Documentation Review” after we submitted responses in August 2017

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- The position with the PCA and the MCA is that we have a position at the table as part of the working groups and we are expected to send representatives to all meetings relating to code and legislation changes. Enforcement by MCA on the water is minimal to none with no apparent agreement with local police forces to get MCA officials out on the water, In general their enforcement has been good from shore side.
- In April- we were still chasing IOW authorities on issues relating to licensing of vessels and qualifications for said vessels in three locations on the Island We have asked for a meeting with their licensing dept but nothing forthcoming, that remains the same to the day of the AGM with IOW licensing not wishing to meet with our representatives'. We have a paper trail of all communications showing our involvement and offers of our help which so far is ignored.
- In the same month - We reported of unlicensed Lymington Vessel offering trips via closed social media networks, reported to MCA and also NFDC for enforcement, the chair met with the authorities on the day they attended the boat yard. This owner/user received advice.
- In March/April we continued to monitor a court case at Winchester Crown on Cheeki Rafiki deaths aboard a coded yacht in mid atlantic. The case concluded with the company owner being found not guilty of manslaughter by gross negligence of the 4 sailors but in an earlier hearing had been found guilty of failing to operate a yacht in a safe manner and given a suspended prison sentence. We attended as often as possible to hear laws argued from both prosecution and defence. Followed by MCA official meeting plans
- In May- reports of Boats acting unlicensed in Lymington and also Scotland. Both matters referred to MCA,
- May- report of BAR in Portsmouth using their RIBs for commercial activities- not coded- sent to MCA who again sent advice to them and also the BBC.
- June further meetings and communication with MCA on issues of uncoded vessels

- On June 21<sup>st</sup> The new website went live under new SEO tlonline.co.uk
- June – continued to see ongoing discussions with IOW authorities ref their requirement of skipper licences asking for Boatman when that is less than advanced commercial and instructor qualifications. This matter still seems to be an issue
- In July we had a meeting with Border Force at Portsmouth regarding use of charter vessels for illegal activity, newsletter article was sent out. Very helpful and also have direct link to them now. How to report suspicious activities on the water via 101 Op Kraken
- In August we identified a company using the PCA logo without being members, this was pursued and the logo removed
- In the same month another uncoded vessel identified in Ocean Village operating which was investigated and dealt with by the MCA
- In September we had meeting with the MCA and RYA over proposed for new IPV codes being drafted and under review. These cover Brokers, deliveries, surveying, repairs and boat yards, this was discussed a little more in detail about who the codes are aimed at and not a lesser route to allow charters to be carried out. IPV codes are enforceable in law. Nick Trainer requested updates on the IPV codes and why they have been introduced- all around MGN 280 not being enforceable in law where as the new code will be- Boats not involved in leisure, used for business or on water in line of work- Temporary use being the main word, self assessments in place to comply
- Sept- Ongoing communications with IOW boat licensing about skills required for skipper as they were ignoring anything which was a higher qualification- Ongoing
- We spoke about the issue of GDPR, we have to adhere to the principles but being a non profit making members association we are exempt from registering with the IOC, unlike our members businesses that must be registered
- In October Oct- we had email contact with Scottish Government and RYA Scotland in relation to reports of a charter operator being unfairly treated by

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creel fishing nets causing problems for his business. Reasonable feedback but was not resolved but option on reporting by those concerned.

- October saw us meeting with IIMS (Certifying authority) chair Mike Schwartz and review of our position, Both companies now link in by websites. They are keen to improve standards and are introducing a national assessment for boat surveyors.
- In October we saw the final draft of The Workboat code being released to us as a stakeholder and a meeting to go through any changes before release this year is being held in November, Great help from Richard at C Power Training in Scotland taking time to review for us to take to meeting that month with the MCA- a big thank you for his input and proactive work for new members Issues of training to get workboat skippers up to advanced level with the new code. As new code became law then those on MGN 280 will at renewal have to move over and any new codes will be under the new code
- Report of RIB charter operator on The Hamble uncoded – vessel identified and dealt with by the MCA giving advice after the RYA had said this RYA yachtsman could operate his boat under IPV regulations
- We have spoken at length with a broker Dean Shaw about an insurance policy for PCA members, this remains under review and possible addition of Insurer paying for member fees too. This looks like a great move forward to also increase our membership. His company will pay the PCA members annual fee.
- Peter Matcham who works in the marine insurance world is a member as a qualified skipper will offer advice to members on insurance liability cover issues
- Raised during this chairs report was a discussion about holding a reserve fund for the PCA, effectively top slicing the bank funds to hold a reserve. Due to the bank issues and charges and also the ease to hold a set amount as a reserve it was decided to keep funds in one account and hold at least £3000 for emergencies. This was the general feedback with no one present asking to the reserve fund top slicing. A notional amount to be held in main account.





# Professional Charter Association

- There was then a discussion about having a Committee codes of conduct policy, the chair has written one and will be reviewed again to look at whether this will be added as a PCA policy document. (discussion doc?)
- In December we emailed to MCA regarding BBC showing Countryfile presenters using uncoded vessels again on programme 9-12-18- Follow up with MCA and Local authority who stated no further action, challenged from MCA letter. The matter was then closed, We remain proactive in reporting unlicensed boats
- Simon Miles raised a recent approach from BBC to have a data base of coded, licensed, insured vessels. This is ongoing, maybe use The Christensen Lloyd register website? ( free to members as a members benefit, paying an annual fee to that service) Direct them at PCA website? Nick Trainer explained what is held on the register, before being added on full register you must send in annual documents which are checked before inclusion
- Question from the floor on what is required to carry photographers- explained that the usual certification has added – workboat endorsement- some Certifying Authorities will charge. If you carry someone who is at work carrying out their business then certification is required. Easiest was to have this added is at annual renewals /inspections to reduce costs for surveyors, The main change being lifejackets must be worn and a hand held DSC must be in use as well. This is not a full workboat code but an endorsement
- December 2018 saw a Draft High-Speed Guidance notes issued by RYA for last consultation- initial concerns identified areas not covering large number of operators only safari type boats. This was the long-awaited document from 2 years ago and the PCA along with other parties were given Xmas to review and then the RYA intended to publish- Unfortunately a large area of the RIB market for commercial operators were ignored despite The PCA inputs. A firmly worded letter to the RYA to remove the PCA if the changes were not included resulted in the changes to said document



- The start of 2019 saw two new pieces of coding legislation The IPV Codes and then the workboat codes 2 edition released
- In January- Update from MCA after we reported that the rise of Boat clubs where companies offer boats for a monthly fee and they are not owners do require to be coded, this included two local companies advertising on South Coast, MCA ensuring they are compliant.
- In February two of the Directors of the PCA attended the annual working group with the MCA on Small Commercial Technical groups involving some 15-20 marine organisations  
The changes coming to the MGN 280 documents were being now brought forward we think due to recent court cases where we saw legal arguments that MGN 280 was not enforceable and only advisable. The Workboat Code 2 (brown code) was completed first and made legally enforceable with a period of change over to that document as the renewals or new inspections occurred for work boats.
- Following this the remainder of the codes Yellow, Blue and Red will be ongoing changing MGN 280 over to the legally enforceable documents. These changes are just beginning to be reviewed and the PCA are part of that consultative group. Slowly there is a plan at present to do it chapter at a time but we envisage problems here as many chapters will refer to later and earlier chapters. April is the first meeting to start this process. Nick Trainer explained the background to changes and the delays they are concerned about, MCA were challenged about this method by many present and the discussion was closed down. This may become a problem area as the new codes are developed. Our discussions would support a complete code rewrite then role out not chapter by chapter

- Changes to ISO 9650 regulations for life rafts are under review, with the planned acceptance of rafts up to 16 persons being authorised- the changes will also see that float free will be the only standard acceptance under coding whether with hydrostatic or just float free. Dedicated lockers will be allowed but operators will need to show why and also how quickly they can be deployed. The same issues will exist where for example a raft is stowed high up on a cabin roof and cannot be easily and timely deployed will need the operator to change or adapt. Sea trials with British Marine, RNLI, MCA continue and discussions about a time to deploy raft.
- Update from Nick Trainer- MGN -Marine Guidance Note, MSN- a marine statutory note which is the enforceable one
- Question raised on Valise and Cannister. Servicing dates and times. Liferaft service centres have dates, 9650- 3 yrs for first 9 years and then annually, expiry dates of medicals are to be noted and checked annually – Awaiting the changes on liferafts and any rule changes
- There are a few new challenges for high speed craft as the MCA has concerns about high speed operations-  
So many passenger boats in the leisure world now have high speeds from cruisers, yachts and ribs. Yachts foiling are seeing 50knts now and reviews are ongoing on ensuring there are directions/notices on these types of craft-ongoing
- At a recent meeting we met with the directors of The Passenger Boat Association and plan future meetings and are looking at how both associations can act together on important code safety regulations and reviews
- Also discussed a recent accident- do we keep emergency contact numbers of those aboard your vessel ? Do your bookings have 10 people and 8 turn up for trip- future changes could come in on what we store before going afloat.



After this input we stopped on the hour for a comfort and coffee break

### **Treasurers report John Mckenzie-**

John raised a thank you to the chair for his diligence and work.

Financially sound, year end 31<sup>st</sup> March, copy of accounts placed on overhead, Since break away to an independent company we have 2 ½ times more money in our accounts as we are managing our own expenses.

Half expenditure on website, 21% to membership treasure costs, few other expenses.

No pressure on PCA to increase member subscriptions and encourage member get member. Accounts passed around room for review.

### **Membership report from Graeme Sign**

Our membership dropped in last year as we lost some 19 companies, either closed, or decided not to renew. We chased a few companies and could not encourage renewals from some. Get member scheme still working well. Annual renewals will be sent out soon.

### **Vice Chair Power report- Simon Miles**

Simon thanked the chair for the work that goes on behind the scenes.

RIB safety forum with the RYA was opened due to an accident despite our regular updates, It was good that MCA, MAIB and RYA asked our association to participate, They listened to our input. Acknowledge our independent role





The BBC database will be followed up as mentioned earlier. Simon stated he will be happy to offer to stand again on the committee

It has been a good year with our invites and influence of our association to all meetings

### Training Vice Chair- Input Ali Jones

Ali had visited a rib operator in North Wales and seen first hand the development of an APP for their skippers to input for every trip. APP adapted to what they do, checklist is signed off and sent to their office.

A need for PCA to look at APP options, digital use appears to put operators ahead. PCA will consider the APP option- weather, check lists, briefing, passenger lists

An APP will be added for passenger manifest by Wetwheels soon.

It was suggested that maybe a buy into the licence of one of these APPs. Maybe a PCA driven APP for members. RYA have Safetrax but does this need our input to look at options and developments. Safetrax replaces CG66- Safetrax records numbers on boats but not details of individuals, that may change due to accidents

How can we help single boat operators? The larger operators have started to develop these electronic options.

PCA will look at options and development of such production. Ali will speak to RIB RIDE over their APP

Election of officers

Vice Chair membership elected first Graeme Sign- Ian Winson nominated, seconded by John McKenzie

Graeme then managed the remaining posts as each person stood down

Chair- Ian Winson- Proposed by John Mckenzie and seconded by Mike Lilly

Vice Chair Power Simon Milo Proposed by Mike Lilly and seconded Alan Smith

Vice Chair Training Ali Jones Proposed Ian Winson and seconded Simon Miles

Vice Chair Treasurer John McKenzie Proposed Ian Winson and seconded Nick Trainer

Vice Chair Sailing – we do not have a present person to cover this role and have lost a very active sailing member this season as they sold up to travel. We are keen to develop this position and David Arnold knows a member who was an active yachtsman and will make an approach.

### **Agenda article raised**

Membership Grading discussion introduced by Simon Miles, do we need to look at a member colour code, silver, bronze, gold etc?

Can the PCA look at skills profile for membership grading, some issues raised about managing this and also who assessing this. Do we introduce a members grade so 1-3 yrs a Bronze, 4-6 Silver, etc etc.

Nick Trainer, ideas are good, we have few skipper only members, we also have to police the new grades. If done on self certification then we would all make ourselves platinum. This places a barrier in place

If you employ skippers who are not members? How would we grade these members.

Could it be a membership grading not a skills grading like the RYA do?

This will need future reviews and committee discussions as low support in meeting.



# PCA

## Professional Charter Association

If the PCA issued a platinum membership and that person had an accident then PCA will be challenged on how this grade was reached.

### Subscription Fees

No need to change fees as identified by Treasurer report and these are set out on the membership pages

### AOB

Ian Winson-

- PCA flags, please fly for recognition and MCA recognise us and we have a memorandum of understanding for at sea inspections, If you need to replace the flag collect today or contact us if not present

Nick Trainer-

- Firefighting equipment in engine room- Surveyor assumes that extinguishers are good enough to put out fire on remote? Now a consideration to have one to put out whole fire and if more that they are linked to one pull system. Second and third auto release ones might not work as fire reduces heat to release auto fire. Mike Lilley asked how enforceable it is now- Explained surveyors will decide and it is not law but a recommendation. MCA cannot introduce rules if it has a massive increase for costs to operators
- Christensen Lloyd – new annual stickers, 1600 on register, no longer a separate number but will have a year only. You have to email in the SCV 2 to ensure boat is certified for the year. You are obliged to notify if code changes in year
- A membership benefit as part of members fee is paid to have your boats added to it. MCA regularly use this now when out an about
- Freepost address scrapped

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# PCA

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- PCA marketing on social media was discussed. Most presently done by chair as he sees posts and reshares or retweets. PCA will contact a marine marketing company who deal with social media to look at costs to employ a firm- Idea to increase PCA presence and brand awareness, maybe recommend the company to PCA members to reduce costs

Meeting brought to a close. Thankyou to all attendees.



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