

# **Lymington Harbour Commissioners**

## **New Ferries River Trials Information Update to Stakeholders – No 2**

### **Introduction**

On the 18<sup>th</sup> November Lymington Harbour Commissioners released a statement to update stakeholders on the progress of the risk assessment trials. We indicated that the results to date had indicated some areas of concern and that LHC had met with Wightlink in order to discuss those concerns and to attempt to find ways in which they could be mitigated.

We also indicated our disappointment with Wightlink's response both during the meeting and in subsequent correspondence received which is summarised as follows:

1. They informed us that, contrary to their previous position, they can operate a commercial service without the need to modify the loading arrangements.
2. They have stated that they will not support the trials to their full conclusion in advance of commencing commercial service.
3. They have informed us that, prior to the completion of the risk assessment process they "consider it to be entirely safe for the Wight Class vessels to now enter service, and as stated at the meeting, we will be progressing plans for their introduction in early December"

Our statement also gave details of the Commissioners response which we were progressing as a matter of urgency.

### **Progress**

1. We have asked BMT SeaTech (our marine risk consultants) to provide an evidence based 'interim' safe operating profile for the W Class based on an assessment of the information that they have gathered to date.
2. We have written to Mr Huw Irranca-Davies MP, the Minister for the Natural and Marine Environment, Wildlife and Rural Affairs requesting that he uses his influence to ensure a speedy determination of Natural England's environmental advice and to the completion of the 'Appropriate Assessment'.
3. We have written to both the MCA and the Department for Transport advising them of our concerns about Wightlink's stated plans and requesting their assistance in ensuring that Wightlink do behave responsibly and operate their vessels in accordance with the provisions of a 'safe operating profile' implemented by LHC based on the risk assessment recommendations arising out of the Phase 2 'live' river trials. We have also sought clarification on enforcement powers for any regulation required outside of the provisions of our current byelaws.

4. We have instructed legal advisors to ensure that we have identified the most effective way in which to enforce an ‘interim’ safe operating profile.
5. We have written to Wightlink to advise them of the action we are taking and to ensure they fully appreciate our determination to regulate for the safety of navigation and protection of the environment, in accordance with our powers and duties under the Port Marine Safety Code.
6. Mr Willson, Wightlink’s Chief Executive issued a press statement yesterday (20<sup>th</sup> November) in which he indicates that Wightlink will support the Phase 2 trials to their final conclusion. Mr Willson also indicates that “...*until the final trials are concluded Wightlink will work within the parameters of an interim safe operating profile.*” The Commissioners welcome this commitment albeit still remain concerned about the availability of W Class vessels to conclude the trials in the near future.

However, the Commissioners feel obliged to point out that part of Mr Willson’s statement is misleading. He states that “*With the vast majority of the findings of the sea trials before us, we can now be completely confident that the new ferries can operate safely within the Lymington River.*”

This is not the case. The only ‘findings’ that have been put before Wightlink are the concerns related to certain aspects of operating the new vessels that we sought a meeting with them to discuss. BMT SeaTech are still formulating their considerations and the Commissioners do not expect to receive their draft report for several weeks.

As previously stated this is likely to be a fast moving situation and we will continue to keep you informed of any significant developments as appropriate.

Peter Griffiths  
Chairman – Lymington Harbour Commissioners

20<sup>th</sup> November 2008