

Minutes of the meeting of the Commissioners held on Monday 21st January 2019 at 2.00pm in the Lymington Town Sailing Club, Bath Road, Lymington.

Present: Richard Jenner (Chairman) (RJ), Bob Mitchell (BM), Bill Peach (BP), Alison Towler (AT), Jane Challener (JC), Paul Martin (PM), Andrew Richards (AR), Tim Harford (TH), Chris Lisher (CL)

Officers present: Ryan Willegers (RW) (Harbour Master & Chief Executive), Sarah Maynard (SM) (Administrator)

In Attendance: Andrew Wilkes (AW) (LHAG)

1. APOLOGIES FOR ABSENCE

1.1 No apologies received.

2. DECLARATIONS OF INTERESTS

2.1 PM declared that his company had tendered to supply a new outboard engine to LHC. RW confirmed that the Operations Manager had already covered the contract award decision in his report so there was no further consideration by the Board.

3. MINUTES OF THE LAST MEETING

3.1 The minutes of the meeting of the 19th November 2018 were approved.

4. MATTERS ARISING

4.1 Agenda Item 4.1 (Matters Arising – Life Jacket Lockers) – RW reported that the lockers and fabricated frame to house them had been delivered. A ‘use’ agreement had also been signed with the RNLI. Discussions had been ongoing about a mechanism for dealing with lost keys outside of office hours. The RNLI had proposed that a local security company be appointed with customers who lose the key having to pay approximately 50% of the £65.00 plus VAT call out cost with the RNLI and LHC splitting the difference. The RNLI had indicated that based on experience at other sites, very few callouts were expected. RW had indicated his agreement subject to review in 12 months. The RNLI would now manufacture the signage with a view to going ‘live’ before Easter.

5. LYMINGTON HARBOUR ADVISORY GROUP (LHAG)

5.1 LHAG Meeting – AW reported that the LHAG meeting had been brought forward to the 5th February so the commercial fisherman’s representative could attend. The meeting would be held at the St Barbe Museum.

5.2 Provision of Non Tender Dinghy Moorings – RW reported on the conclusions of the Mooring Committee who had been asked by the Commissioners to look at whether LHC should provide shore

accessible non-tender dinghy moorings on the river. In summary, the Committee came to the following conclusions: -

- Because of the shortage of tender mooring spaces (there was a waiting list), it was not appropriate to give up tender spaces for non-tender dinghy moorings.
- The lack of available space for shore accessible moorings meant that there were limited options available without compromising existing mooring provision.
- As an immediate option, the Committee recommend that LHC create two trial tender dinghy moorings in the existing tender mooring area (intertidal) by the railings at Undershore Road to see if there was take-up. A proposed fee of £60.00 per annum would apply.
- An option to extend the Fortuna dinghy pontoon further south was feasible albeit there was an argument that this option would be better employed to reduce the waiting list for tender moorings. A business case demonstrated a ten-year payback was possible based on the provision of 10 non-tender dinghy berths and 5 tender berths. However, the mooring committee recommend that any decision should be taken in the context of a longer-term strategy and given consideration as part of the next Strategic Plan. This should include a review of the whole Fortuna mooring area to consider whether LHC were maximising the potential for all moorings in this area. It was also agreed to consider whether dry stacking might form part of a wider dinghy storage solution.

Commissioners were invited to consider the recommendations arising from the Mooring Committee meeting. The Commissioners agreed with the recommendations of the Mooring Committee. **Action: RW**

6. OFFICERS REPORTS

- 6.1 Harbour Masters Report - Questions were invited on the items within the report that were not listed for consideration as an agenda item. There were no questions arising.
- 6.2 Operations Manager Report – Questions were invited on the items within the report that were not listed for consideration as an agenda item. There were no questions arising.
- 6.3 Treasurers Report – Questions were invited on the items within the report that were not listed for consideration as an agenda item.

TH noted that YTD LHC were showing a surplus in excess of budget of circa £57k. RW indicated that there were still potentially some expenditure timings that will affect the year end result that but he still anticipated a positive variance to budget year end.

CL asked if material adverse variances to budget could be highlighted by means of colour coding. RW indicated he would ask the Treasurer to introduce. **Action RW**

7. SAFETY & PORT MARINE SAFETY CODE (PMSC)

- 7.1 Safety Meeting – RW reported that the next four monthly safety review meeting was scheduled for the 24th January, 2019.
- 7.2 PMSC Interim Review – RW reported that an interim review of the operation of the safety management system was undertaken by the independent Designated Person (Mr Nicholson) on the 22nd November 2018. This time the interim review focussed on a detailed examination of the incident reporting, recording, investigation, risk review and enforcement procedures for compliance with PMSC guidance. Mr Nicolson also met with Chris Lisher as the Commissioner

responsible for the Safety Portfolio to discuss his findings. The review showed that procedures were compliant with current guidance and that the Marine Safety Management Plan was working effectively. A copy of Mr Nicholsons report is circulated with meeting papers.

- 7.3 Navigating in Restricted Visibility – Following the incidents in the latter part of 2018 involving Red Funnel ferries when operating in poor visibility in Cowes harbour, RW explained that in collaboration with Wightlink he had now concluded a review of W Class ferry operations in restricted visibility. Although the Marine Accident and Investigation Branch (MAIB) were still investigating the Red Funnel incidents, the Cowes Harbour Master had completed his investigations and had made his report available (in confidence) to brief the key recommendations arising.

Arising from the review, Wightlink had implemented some changes to their operational guidance to Masters. The review also considered the placement and spacing of Aids to Navigation (AtoN) in the river and concluded that it would be beneficial to introduce an additional lit starboard mark in Horn Reach and to light the northern most yellow buoy marking the small boat channel in Horn Reach. LHC were awaiting feedback from Wightlink on the most beneficial placement for the proposed new starboard mark. Once finalised LHC will consult Trinity House Lighthouse Service (THLS) on the proposed changes. Subject to THLS consent, LHC will implement in 2019.

Following the review, RW had issued a Local Notice to Mariners (LNTM No 5, 2018) providing guidance on vessel movements in restricted visibility, including leisure craft. Once the MAIB publish their report into the Cowes incidents, LHC will give careful consideration to any further recommendations that may arise.

TH noted that there had been some discussion in the past about Short Reach and the occasions of groundings outside of the channel on the eastern side of the river in that area and asked whether it was worth considering putting an additional AtoN in that location. RW explained that this had previously been considered in consultation with Wightlink, the River Users Safety Committee and THLS as part of a full review of AtoN in the river. The review initially concluded that an extra mark would help better define the corner between Cage Boom and No 11. However, following a trial using a temporary marker there was a shared concern that a new AtoN would unnecessarily constrain navigation at times of High Water and therefore increase risk. This proposal was therefore aborted. LHC review their risk assessment for AtoN on an annual basis and the number of reported groundings from leisure craft that leave the channel in this area remain negligible in the context of total boat movements.

AW noted that all Aids to Navigation (AtoN) light characteristics were the same and wondered whether it would be helpful to persons who did not know the river or who rarely transited at night if the characteristics were different. RW understood the point but observed that there was no evidence base to show that boats were getting into difficulty at night. RW indicated that if this were to be taken forward, the logical location to change the characteristics would be where the channel changes direction. BP commented that as a person who makes regular night transits, a change to the lighting characteristics where the channel turns to starboard at the end of Long Reach (Tar Barrel/No 8) might be beneficial to a less experienced user. RW agreed to consider as part of the next AtoN risk review. Any change would require the consent of THLS. **Action: RW**

- 7.4 Wightlink (Wight Sky Engine Failure) – RW referred to his report which briefed Commissioners on the incident involving the Wightlink ferry Wight Sky on the 14th December when she experienced a catastrophic engine failure on the approach to the berth at Lymington.

This was the third similar engine failure in approximately 15 months and although the MAIB had published their report on the probable cause of the first incident which occurred on the 12th September 2017 on the approach to Yarmouth, this will be revisited as part of their ongoing investigations into the two subsequent incidents.

Immediately following the emergency phase of the operation Wightlink suspended all operations by W Class vessels until they had undertaken additional research and consulted with the MCA, MAIB, Lloyds's Classification Society and engine manufacturer's representatives. Following that process and with the support of the above organisations and the approval of the MCA, a range of risk mitigation actions have been incorporated into an Interim Safe Operating Procedure (SOP) which allowed the vessels to recommence service on the 17th December 2018 pending conclusion of the full investigations. The Interim SOP introduces a range of measures to reduce loads (stresses) on the engines and to enhance the engine monitoring regime. RW had sought further clarification on several areas and was in the process of trying to agree a meeting date. This matter will be kept under review by the Safety Committee.

AR enquired whether the revised wind speed limits were 20 knots (Mean) gusting 25 knots as he had checked the wind speed limits after seeing a recent sailing depart and they appeared to be over. RW confirmed the limits were as stated based on the readings recorded at the Starting Platform. Masters would also base their decision on the last reading uploaded before departure.

Post meeting note: The sailing was identified as the 19.00 sailing from Lymington on the 18th January. Analysis of the last wind speed reading before scheduled departure showed that at 18.50 hours the wind mean speed recorded for the previous 10 minutes was 19.3 knots with a maximum gust of 23.3 knots recorded, i.e. within SOP limits. The 19.00 recordings which would have been uploaded shortly after departure showed the mean wind speed remaining unchanged with the maximum gust recorded at 27.2 knots before wind speed eased in subsequent readings.

RJ asked whether there had been other incidents involving this type of engine elsewhere. RW indicated that through informal channels he had heard of one but preferred to wait for the results of the formal investigations rather than risk potential hearsay informing public record.

CL and JC enquired what the harbour dues arrangements were for Wightlink. RW confirmed Wightlink pay a compound harbour due that provides for a volume discount on the published tariffs.

BP asked if Wightlink had looked at providing alternative foot passenger services when the car ferry service could not operate. RW confirmed his understanding that at commuter times Wightlink had provided some foot passenger services through contracting small boat charters. RW confirmed he had agreed that Wightlink could use LHC's Harbour Master and Town Quay commercial pontoon landings at no additional charge.

- 7.5 Emergency Plan Exercise – RW reported a desk top exercise of the emergency plan was conducted on the 13th December to test the emergency arrangements. RW was hoping to undertake a joint exercise with Wightlink towards the latter part of 2019 to test the joint response arrangements for a ferry going aground in the harbour. He had mentioned this to the Wightlink Head of Safety and had received a favourable response.

8. AOB

- 8.1 Sea Wall North of RLymYC – AW asked if LHC had received an update on the situation regarding the damaged seawall between RLymYC and the slipway. RW reported that he had received no further news since the update from NFDC's Coastal Engineer which was reported at the Commissioners

November meeting. AW agreed to ask the NFDC Coast defence representative to provide an update to LHAG's February meeting.

9. DATE OF NEXT MEETING

9.1 The next meeting will be held on Monday 18th March 2019 at 14.00 hours.