

PLA RIVER USERS CONSULTATIVE FORUM (UPPER)

NOTES OF THE MEETING HELD AT BAKERS' HALL ON TUESDAY 16TH NOVEMBER 2010

PRESENT

David Phillips (DP)	Harbour Master Upper
Terry Lawrence	Deputy Harbour Master Upper 1
Steve Rushbrook	Deputy Harbour Master Upper 2
Darren Knight	Harbour Master Upper Operations Coordinator
Julian Parkes	Harbour Master Safety Management Systems
Tim Prior	Marine Surveyor
Adrian Bates	MCA SAR Manager
Rod Shaw	MCA
Colin Woodward	Environment Agency – Water Recreation
Russell Robson	Environment Agency – Recreation
Janet Kelly	RNLI Station Manager
Larry Holyoake	LFB Station Commander
Andy Griffiths	LRS General Manager
Michael Shefras	ATYC RYA Thames Region
Peter Finch	River Thames Society
Steve Davies	RYA N. Kent
Roger Flitter	Passenger Boat Association
Phil Wilkinson	London Home & Water Safety Council
Neil Caborn	Cory Environmental Lighterage Manager
Scott Neicho	CPBS
Mark Thomson	Thames Clippers
Derek Mann	Thames Clippers
Andy Roberts	City Cruises
Richard Bain	City Cruises
Dean McGlinchey	Thames RIB Experience
Charlie Matheson	London RIB Voyages
Alan Clifford	London Duck Tours
Mark Brooks	Thames Executive Charters
Alex Hickman	Thames Practitioners Group
Jim Howard	Woods River Cruises
Bob Prentice	Crown River Cruises
Jeremy McCarthy	Serco Woolwich Ferry Operations Manager
John Potter	Lower Thames & Medway Passenger
Adrian Evans	Thames Festival Director

APOLOGIES

Alex Brown	Assistant Harbour Master Upper Richmond
Martin Garside	PLA Corporate Affairs Manager
Bryan Hopkins	MCA Surveyor in Charge
David White	MCGA RCCM London
David Cottrell	MPU
Christine Connolly	Port Health
Colin Middlemiss	CWL
Kevin East	British Canoe Union
Errol Cox	LCCM General Manager
Ed Langley	WPSA
Sean Collins	Thames Clippers

Paul Wilson
Chas Newens
Chris Livett
Robert Coleman

City Cruises
Newens Marine
Livett's Launches, TLC, Bennett's Barges
Woods River Cruises

1. Apologies for Absence
2. Minutes of Previous Meeting
 - a. Accepted
3. Matter Arising
4. PLA
 - i. Regulatory Update
 - a. BML LKE revalidation progressing, however more an MCA issue.
 - The second consultation is currently out with a 6-week deadline for responses.
 - A question was raised about what the criteria is, to be an LKE Assessor.

Action: HMU to discuss this issue directly with John Potter.
Post Meeting Note: HMU met with John Potter and MCA (Rod Shaw) immediately after the meeting and subsequently met with Company of Waterman & Lightermen (CWL) representatives (Colin Middlemiss, John Redmond and Paul Ludwig) later on 16 Nov. As a result of these meetings the BML LKE issues will be reviewed again between the PLA, CWL and MCA, including reviewing the selection of BML LKE Assessors
 - b. Navigational Safety Management System Update
 - i) Still in the process of updating the PLA Byelaws and has been a slow process. The new byelaws are with the DfT and hopefully will get passed before the end of the year, following that they will then go out for public consultation.
 - ii) Following last years review and some small additional amendments, General Directions will go out for consultation shortly.
 - iii) Currently reviewing the 'Craft Towage Operations on the Thames' and any feedback would be grateful. The updated 'Ship Towage Operations on the Thames' will be published shortly.
 - iv) The 'Recreational Users Guides' have been well received over the last two years and the PLA will be issuing a 2011 edition.
 - c. Certificate of Compliance.
 - i) Explanation was given about the issuing of a Certificate of Compliance, following a number of incidents.
 - ii) The MCA is still currently writing recommendations about seating arrangements on RIBs. However the PLA wants to implement this to ensure passenger safety on the Thames through proposed Thames Byelaws. These will go public consultation and Julian Parkes offered to assist those people unable to locate where these consultation documents may be found.
 - iii) Derek Mann raised concerns over the definition of 'High Speed Craft' under the High Speed Craft (HSC) Code; he also asked why the PLA required Thames Clippers vessels, which are already coded under the HSC Code, additionally to obtain a Certificate of Compliance (CoC)? David Phillips acknowledged that careless use of the phrase 'high speed craft' could

cause confusion with HSC Coded vessels. Julian Parkes reiterated that the PLA as the Statutory Harbour Authority with responsibility for navigational safety on the Thames was seeking to impose a 12 knot speed limit from Wandsworth to Margaretness in addition to the existing limit down to Wandsworth in order to reduce the risk and consequences of a collision. The CoC was a procedure to enable vessels that had met specific criteria, to exceed the 12 knot limit under specific circumstances. In the case of Thames Clippers this was essentially HSC Code compliance and submission of a passage plan in accordance with General Directions 8 and 12, other vessels such as RIBs had to meet other requirements.

iv) Charlie Matheson inquired if a RIB Forum/Committee could be established. The PLA would happily meet with all the operators individually or collectively.

***Action:** HMU will consider the need to establish a committee for this group of operators once the byelaws are established and implemented.*

ii. Rowing & Recreation

- a. In the past year – www.boatingonthethames.co.uk – has been established and well received.
- b. Everyone needs to remember to keep a proper lookout, showing their navigational lights and staying on the starboard side of the river in accordance with COLREG Rule 9. Notice to Mariners M47 of 2010 and Portwide Notice to Mariners 24 of 2009 refer.

iii. Environmental Issues – no specifics

iv. Port Security

- i) Port Security remains at Level 1.
- ii) There has been a number of ‘Operational Boatman’ recently.
- iii) The 2012 Olympics will lead to greater security levels.
- iv) London will not become a Port Security Authority and will continue with its current system security arrangement.
- v) A general reminder was given that everyone in the port should hold and carry their ISPS cards.

5. MCA District Safety Update

a. The following points listed below are out for public consultation at present:

- Legislation - 1.1 Alcohol abuse / limits
- Personal Watercraft
- Inland Waters - Hire Boat Code
- Inland Waters Small Passenger Boat Code
- National Standards for Inland Waterways (non-passenger) Vessels
- EC Directive for Inland Waterways Vessels
- Boatmaster’s License
- Disability Access
- Emissions
 - Non-Road Mobile Machinery Directive
 - Fuel Quality Directive
- Code of Safe Working Practices for Merchant Seamen – Carriage on Small
- Passenger Ships
- Other issues of interest

- Radio Spectrum Liberalisation
 - Wind farm Developments
 - Vessel Traffic Monitoring and Information System Directive (VTMIS)
 - Fishing Vessel Exemption from Pilotage Act
 - DMSC links with Search and Rescue Committees
 - MCA Recreational Safety Update
 - Civil Hydrography Programme (CHP)
 - Smoking on Ships
- b. European Fuel Quality Directive
- a. Discussions are still ongoing.
 - b. It was originally thought that red diesel, gas oil would be faded out from being used in category C & D waters; however this now seem unlikely following recommendations of the consultation.
6. Navigational Safety
- i. Incidents
 - General and lessons identified
 - i) Introduction of the new incident reporting database, 'PERSPECTIVE'; this new system is much better at analysing incidents. It was also requested that all incidents are reported to make the database more accurate and enable more detailed incident analysis.
 - ii) 6 RIB incidents
 - 3 inappropriate navigation
 - 3 wash complaints
 - PLA will continue focus on RIB Operations in view of a previous MAIB report (CELTIC PIONEER) and a current investigation into a RIB incident on the Thames.
 - iii) 6 Man Overboard incidents
 - 2 jumpers from vessels
 - 1 passenger sitting on the rail of a vessel at a pier
 - 1 scaffolder at Southwark Bridge
 - 2 from workboats
 - All were successfully rescued, river users reminded of the importance of wearing lifejackets at all times as they are a proven life saver.
 - iv) 3 Transits through Closed Arches incidents
 - 1 by a recreational user, through ignorance
 - 2 by commercial users
 - It appears that by suspending the closed arch sign to break the silhouette of the arch is working.
 - v) 6 Inappropriate Navigation incidents
 - These range from pulling off a berth in front of another, passing rowers too fast or too close or navigating on the wrong side of the channel or mid channel Kayakers / scullers.
 - vi) 6 Breakaway incidents
 - 2 PLA disk floaters moored off London Yard
 - 1 barge nearly struck Fords Jetty Dagenham in July
 - 1 almost struck Downing Roads
 - vii) 15 Wash Complaint incidents
 - 6 of these were unsubstantiated. 4 because the complainant did not follow up with a written report and in 2 cases the wash and speed was determined to be well within limits that people should expect in Category C waters.

- All were reminded that in category C waters, wave heights up to 1.2 metres must be expected and to follow up with written reports.
 - viii) 4 Contact incidents
 - 1 with identified baulks of timber
 - 1 berthing contact
 - 2 vessels hit large buoys, simply failure to keep a proper lookout in accordance with COLREGS Rule 5.
 - 4 fouled propellers caused by unidentified objects.
 - ix) 6 Collisions and near miss collisions incidents
 - 3 involving racing yachts, seemingly not understanding that racing yachts are obliged to comply fully with COLREGs, Byelaws and General Directions.
 - 1 minor contact between a naval ship and escort tug whilst securing the tug.
 - Near miss reports are vital to enable lessons to be identified and prevent further incidents!
 - x) 2 Grounding incidents
 - 1 Class V departing Richmond lock, despite being warned by the lock keeper there was not enough water.
 - 1 yacht running aground at Saundersness.
 - xi) 10 Mechanical Failure incidents
 - there was a big improvement on last year, especially considering the increase in traffic from the winter period.
 - Incidents varying from drive shaft failure through to fuel blockages.
 - All incidents clearly demonstrate the need for contingency planning, hence our Notice to Mariners No 5 of 2010 concerning not navigating inside the dolphin off Surrey Entrance and the moorings at Shadwell Basin.
 - xii) 1 Shiphandling Misjudgement incident
 - This resulted in contact with a pier or other vessel alongside while manoeuvring at a pier.
 - xiii) 7 Security incidents
 - 6 were an 'Operational Boatman' and 1 of unauthorised access to an aggregates berth.
 - xiv) Terry Lawrence reiterated that the PLA always welcomes and encourages reporting of all incidents, which are all closely analysed and show where to focus attention and where changes need to be made to assist in preventing their reoccurrence and thus improving safety on the river and reducing costs.
- MAIB reports
 - i) It was explained that the useful Safety Digests are currently being reviewed about their future report format and have been temporary suspended.
 - ii) It was explained that most incidents are reported to the MAIB and especially if a passenger injury is involved.
 - iii) MAIB investigations are between the investigation team and the parties involved in the incident. MAIB only make recommendations and their reports cannot be used for prosecutions.
- ii. **Authorised Channel – Rule 9**
- i) It was explained that current indicators show a significant rise in commercial and recreational activity on the Thames, trends that are likely to continue and the river must be managed in such a way that its potential use

is maximised while at the same time enabling further development and growth.

ii) DP explained that enforcing COLREGs Rule 9 (Vessels navigate on the starboard side of the river) and ensuring that river works and other developments and moorings are not permitted to intrude into the authorised channel, should provide more capacity for safe navigation. Essentially, commercial vessels should normally navigate within the authorised channel and recreational vessels should remain outside. Inevitably, commercial vessels may need to move outside the channel when safe to do so, in order to overtake safely, go *directly* to or from a pier or mooring, or in emergency. Equally, there are several places, for example at the London Eye, where recreational vessels will have to navigate within the authorised channel in order safely to pass piers, moorings etc. Instances, such as happened recently of vessels transiting along the north side through Central London, inside moorings or dolphins will not be tolerated (Notice to Mariners M5 of 2010 refers). On departing piers or moorings and in as short a space and time as is safe, vessels must move directly and without delay into the authorised channel.

iii) River users are reminded that the principles above are already being applied during the current central arch closure at Tower Bridge – this will be applied everywhere on the river.

iv) Richard Bain informed the meeting of a Master of one of their vessels requesting permission to use another arch due to the low tidal level and was refused to do so by the duty VTS officer. DP will look into this incident. Nevertheless, the marine environment is uncertain and rules cannot apply in every case, if the ordinary practice of seamen or the special circumstances of the case require a departure from byelaws or directions, then Masters will usually be given the benefit of doubt (as time may be short) to take the necessary action but should be prepared to explain their reasons later (COLREGs Rule 2 and Port of London River Byelaws 2 (2) part (a)). Certainly, in situations such as that described by Richard Bain the Master should be permitted to take a different arch.

v) Bob Prentice discussed the issue for Thames Clippers at Blackfriars pier and thought this issue should be formally addressed.

vi) It was discussed that St. Katherine's Dock have issues with their lock gates and can now only be operated for approximately an hour to an hour & half over the high tide period. This causes major congestion in the tide way outside the entrance. DP to discuss these issues when he visits the dock shortly.

***Action:** DP agreed to arrange a Navigation Assessment Panel (NAP) to discuss and address the issues formally arising out of the situation at St. Katherine's Dock, Embankment and Blackfriars, which will lead to recommendations for future navigational safety.*

vii) Derek Mann suggested having a website where Passage Plans are held, so that they can be reviewed by all and everyone knows where every vessel should be bound for.

viii) Both Derek Mann and John Potter raised issues with VHF communications and stressed the importance of keeping a good listening watch as is required under COLREG Rule 5.

***Action:** DP to raise this issue with VTSO's and promulgate a Notice to Mariners reminding mariners of their responsibilities with regard to VHF.*

7. Other Updates

i) Police

a. Operation Yuletide, the Marine Police Unit Christmas campaign will be running again this year between 1st December until 1st January and ties in the following activities;

- Drink drive afloat - Railways and Transport Safety Act - Positive enforcement and zero tolerance on alcohol and professional boat crews
- Licensing visits - A series of high profile licensing visits to party boats/vessels, to support operators and provide key messages -
- Cab wise - Safe journeys home afterwards
- Drugs and alcohol awareness issues - doping of drinks, etc

ii) Coastguard

- Industrial action still ongoing.
- Coastguard-wide cuts are going to affect the organisation in the near future but it is hoped they will not affect the London Coastguard.
- 4 new members of staff have been recruited locally for London operations.
- 'Exercise ORANGE TREE' went well, LCG are still making their list of recommendations, which should be available shortly.
- Cameras are very effective.
- Since Wapping closed, the Coastguard has seen a significant increase in the number of incidents.

RNLI

- Calls have gone up recently. There have been more jumpers, bodies found on the foreshore and more broken down privately owned vessels.
- Completed and assisted in various Class V's in Man Overboard exercises, using the RNLI dummy.
- Matthew Parris' article in the Times was not helpful to the need to maintain safety of life on the river.
- A reminder was given that PAN PAN should be used when reporting individuals in the water.

iii) LRS

- Are working with Dolphin Marine on a project to catch passenger numbers as they board and disembark vessels, being done in consultation with the operators.
- Festival Pier has temporarily closed until the Christmas period begin as it will be open during December but towed away in January for a major refit.
- A river works license application will soon be made to the PLA for a roof to be installed on Greenwich pier.
- Tower pier extension project still being considered, have looked at including the SS Robin pontoon into the extension however have now decided against this. Works still continue.
- Have noticed a great improvement in mooring practice.
- Are working with all parties on Olympic issues and a form is being circulated for operators to fill in to assist in the planning elements of pier bookings during this period.
- Concerns over a large Dutch contingent turning up during the games and taking over the river & piers.

iii) Fire – No update.

iv) EA

- a. Enjoy Water – consultation complete, findings will be out in January 2011. A brief overview was given however comments regarding wild swimming were of concern to HMU.
- b. Water Framework Directive is progressing and currently implementing this.
- c. The new government is reviewing the work of the British Waterways and Environment Agency and possibly looking to combine them in a new entirety. The EA is assisting DEFRA in this process but currently there are no firm plans.
- d. Russell Robson, paid tribute to Colin Woodward for the many years service he has given to this forum and his achievements over the years. Colin is taking retirement shortly and was congratulated by the forum.

v) Port Health – No update.

8. River Works

i. Central/Navigational Channel Arch Closures

- a. Works are currently progressing well at Tower, Southwark & Blackfriars; there will be closures of the centre arches at these bridges throughout the winter months – details in relevant Notices to Mariners.
- b. Albert bridge - No 2 arch should open just before Xmas, No 3 Arch will then close immediately after New Year, see Notices to Mariners for details.
- c. DP thanked everyone for their assistance in managing the current situation regarding arch closures in Central London and also thanked the many river users that assisted HMU in writing the notice for Tower Bridge and drawing up the procedures that so far are working well.

ii. Thames Water – Thames and Lea Tunnels

- a. The consultation document is currently out and everyone was encouraged to review and to respond to the consultation document which closes on 20th December 2010. In order that it may assist river users, and maintain its navigational safety responsibilities, the PLA asked to be copied on responses if commercial and other sensitivities permitted.
- b. DP informed the forum that the vast majority of materials and spoil will have to be transported on the river, providing an enormous and very exciting opportunity for commercial river development, which will require significant numbers of additional craft and qualified people. The PLA will be working very closely with the CWL, MCA and other organisations as appropriate to do all that is possible to meet the demand for human and material resource needed to complete this project.
- c. DP made clear the PLA's position, which recognised that the tunnel must be built but the river must remain open and existing operations, businesses and activities must continue, but all users should expect disruption that will have to be accommodated to achieve the 'greater good'. The PLA will be encouraging use of the river while at the same time doing all that it may to prevent river users' activities being unduly compromised.
- d. Passenger operators were asked to keep TfL/LRS informed of their objections/responses as they are in the same position as the PLA of trying to assist everyone.

- e. DP said that the PLA were encouraging Thames Water to form working groups including all interested parties from the river community, these will hopefully be established soon.

9. **Commercial Vessels**

- i. **Stern Markings – General Direction 9**
 - a. Portwide Notice to Mariners 10 of 2010 is currently valid, river users are reminded of the need to comply with General Directions 9 and that the MCA will assist the PLA in enforcing this GD at routine inspections.
- ii. **Port Passage Plans**
 - a. Individual operators are currently dealing with this.
- iii. **Vessel Identification – PLA Byelaw 46**
 - a. The vast majority comply with this byelaw, but some need to identify their vessels properly; this Byelaw will be enforced.
- iv. **River Taxi services during the Olympics**
 - a. DP informed the forum that there will be a demand for water taxi's during the Olympics, to transfer people ashore from their moorings on the river. This is an opportunity for all operators and the PLA would like to see local people being used for this.

10. **Future Events**

- i. **Olympics**
 - a. Traditional Thames Events – have been communicated to the relevant organisations so they shouldn't be affected but let HMU know as soon as possible, the dates of these events so that Olympic organisations are informed well in advance.
 - b. All events must be registered with LOCOG / GLA as it is part of the Olympics agreement that no event will clash with major Olympic events on any particular day during the Olympic Games period.
 - c. The scale and/or opportunity is going to be significant.
 - d. Torch Relay – is likely to happen on the Thames on day of the opening ceremony – Friday 27th July 2012. PLA will assist with this but no further details regarding this yet.
 - e. The PLA is aware that 2,000 narrow boaters could be displaced from their regular moorings during the Olympic Games period (Limehouse to West India).
 - f. The PLAs Olympic mooring strategy is 'No mooring, don't come' to put it simply and will be published shortly; however the PLA needs a contingency and the PLA is currently investigating where additional moorings could be placed.
 - g. Sail Greenwich – a brief was given and a beach will be located on the shore at Delta Wharf in 2011. In 2012 they are planning a major event with 20 tall ships, 120 yachts and they expect 40,000 Dutch visitors a day during the Olympics.
 - h. There will shortly be a dedicated Olympics officer, who will work from Bakers Hall.
- ii. **Queens Diamond Jubilee**
 - a. DP introduced Adrian Evans, the Thames Festival Director and now leading the Queen's Diamond Jubilee Flotilla event.

- b. Adrian gave a brief overview of what is being planned for the Queen Diamond Jubilee Weekend, 2nd to 5th June 2012.
- c. Explained that there would be a major event happening on the River Thames on the 3rd June 2012 and the Thames Festival team is working closely with the PLA. This would involve a flotilla of every imaginable vessel taking part on the day with the Queen aboard a newly commissioned Royal barge.
- d. All river users would be welcomed to be involved and the aim is to make this the biggest event on the river since the 17th century. This will be a momentous celebration for the Queen and of the river.
- e. DP explained that to assist the organisation of this event a number of working groups will be put together shortly to achieve it safely.

II. AOB

- i. Boatyards continue to be of concern and forum members believe we need more facilities on the Thames.
- ii. It was requested to have Alan Cartwright's papers regarding the European Fuel Directive to be attached to these minutes to assist all those present at the forum.

12. Date of Next Meeting

Tuesday 17th May 2011