

**THE PROPOSED ASSOCIATED BRITISH PORTS (EASTERN RO-RO TERMINAL)
DEVELOPMENT CONSENT ORDER**

DEADLINE 2

Comments on behalf of the Harbour Master, Humber
on submissions made at Deadline 1

PINS Reference Number	TR030007
Interested Party Reference Number	IMRO-OP001
Document Ref.	HMH 3
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Date	5 September 2023

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1. Introduction

1.1. This submission is made on behalf of the Harbour Master, Humber (**HMH**) in respect of the following documents submitted at Deadline 1:

1.1.1. Issue Specific Hearing 2 (ISH2) – Post Hearing Submissions (including written submissions of oral case) from CLdN Ports Killingholme Limited;

1.1.2. Summary of case made at Issue Specific Hearing 2 (ISH2) – from DFDS Seaways Plc; and

1.1.3. ISH2 Written submission of oral case – from Immingham Oil Terminal Operators

2. **HMH comments on Issue Specific Hearing 2 (ISH2) – Post Hearing Submissions (including written submissions of oral case) from CLdN Ports Killingholme Limited**

2.1. HMH agrees with the need for construction and operation to be carried out safely with minimal impact on current operations.

2.2. It is worth noting that the CLdN facility is at some distance from the location of the proposed Immingham Eastern Ro-Ro Terminal (IERRT) although traffic to and from CLdN's facility at Killingholme does pass the Immingham Oil Terminal jetty.

3. **HMH comments on Summary of case made at Issue Specific Hearing 2 (ISH2) – from DFDS Seaways Plc**

Selin S incident

3.1. Information regarding the "Selin S" incident has been shared with DFDS to the extent that the HMH considered appropriate.

3.2. The incident was reported as occurring at 1810 hours on 28 July 2022 and was properly recorded and investigated.

3.3. It was confirmed that there was no damage to the vessel or the buoy. The cause of the incident was established as Master/Pilot error and subsequent action related directly to individuals. It was not considered necessary to make any changes to procedures.

3.4. The incident data contributes to the quantitative element of subsequent Risk Assessments for this area.

Liaison meetings

3.5. Humber Estuary Services (**HES**) holds regular liaison meetings with Immingham jetty operators as part of a programme of Stakeholder engagement encouraged by the Port Marine Safety Code. Associated Petroleum Terminals (Immingham) Limited (**APT**) are standing attendees and HMH is also usually present. At these meetings, incidents such as the Selin S incident are subject to scrutiny as part of the overall aim of continuous improvement. This incident was discussed on 4th August 2022 with APT representatives, other stakeholders, and HMH present. The outcomes of incident investigations are also subject to peer review by pilots at a separate Safety of Navigation Review Committee to check that investigations are being carried out robustly, fairly and transparently by

management and to ensure that they are scrutinised using group experience. The Selin S incident was reviewed at one such meeting on 23 February 2023.

- 3.6. With regard to DFDS's concern about wind data, the HMH does not believe the wind data adversely affects safety or the outcome of the NRA or Simulations. The wind measurements concerned merely indicate statistically over a year how often various wind speeds are experienced. In other words, how often over the course of a year various wind conditions can be expected to occur. The actual safety parameters (that is, maximum wind from a certain direction in which the berth could operate or tugs be required) would be set up using worst case scenarios through further simulations and, therefore, safety is not compromised. The choice of the wind-recording station is not significant as these are long term trends and those used in the simulations and the NRA were broadly in line with HMH's experience of prevailing conditions in the Humber.
- 3.7. With regard to DFDS's concerns regarding the tidal regime, HMH shared with the project team his own concern that the tidal data used in the first simulations and the proposed orientation of the jetty at that time were not what HES would have expected based on collective experience of navigating in the vicinity (but not the actual location) of the proposed jetty. In HMH's view, the tide would be flowing in a direction of approximately 10 degrees to the NW/SE. In response to his feedback, the project team carried out further "real life" measurements across the area. HMH also understands that the accuracy of the simulation data was re-checked by HR Wallingford. As a result of this work, the tidal flows then used were correct in the locality of the proposed jetty, the orientation was appropriate, and the conditions of the simulation were fit for purpose. HMH was present when the revised data was used at the stakeholder simulations in November 2022 and the changes were explained to those present.
- 3.8. There was also a valid concern raised about wind sheltering. As HMH understands it, HR Wallingford initially decided not to use the "wind-sheltering" effect (when a vessel passes another). This is available as part of the simulation programme but the Harbour Master, Humber believes it was the view of those present that conditions would generally be more challenging without the effect. Whilst this is correct in some ways, it was pointed out that, in real life, more challenges are presented when vessels are moving partly in or out of such effects. Again, the project team listened, and the simulation conditions were changed to allow this scenario to be tested during the Stakeholder trials in November 2022.
- 3.9. HMH understands that DFDS remains concerned about the discrepancy between the simulated tide north of the Immingham Oil Terminal and experienced real-life conditions. HMH is satisfied that this has no material bearing on the outcome of the trials which were primarily focussed on manoeuvring to and from the potential new infrastructure rather than on movements within the area north of IOT where there is already ample experience of vessels manoeuvring today.
- 3.10. The purpose of early simulations of this nature, apart from informing the applicant's assessment of the likely impacts of the proposed scheme, are to test the feasibility of introducing new infrastructure and to identify the operating parameters within which it can operate safely. When movements to and from a new facility are being simulated, it is expected that there will be a number of fails and aborts as manoeuvres are worked up, and refined, and operational parameters and requirements are established. This is a necessary part of the process. From a navigational perspective, control measures and operational parameters can be formulated in the safety of a simulator that mean the facility operates safely in real life.

- 3.11. HMH was not present for run 59 but, in his view, it is clear that the vessel was allowed to set too far across the tide on a strong northerly wind. This was not good seamanship and the effects experienced were to be expected. In practice, vessels of this size and type regularly transit the area concerned and this dramatic manoeuvre does not normally occur. In the view of HMH, this was likely to be the result of the human factors involved in simulations, both in pushing boundaries and inserting time pressures into repetitive runs. HMH also considers that over-use of bow thrusters would be another symptom of this, noting that the issue of bow-thruster use was addressed at the stakeholder runs in November 2022 at which he was present. Another unrealistic factor in simulation is that the mariner with navigational conduct of the simulated vessel is being critically observed by others, is under unrealistic pressure and is also without a number of control factors that normally exist; in particular, the likelihood of challenge from another member of the simulated ships bridge or towage team.
- 3.12. HMH has no concerns that the outcome of Run 59 would be likely to occur in real-life. The aborted simulation is typical in the process of feasibility simulations of this type for many projects on the Humber which are now operating safely, where there are any number of fails or aborts which inform the learning process and refine parameters, procedures and manoeuvring techniques.

4. HMH comments on ISH2 Written submission of oral case - from Immingham Oil Terminal Operators

- 4.1. HMH notes the case made by the Immingham Oil Terminal Operators regarding the validity of the NRA. HMH was present as a stakeholder at the HAZID workshops on 7 April and 16/17 August 2022 where all parties including both APT and DFDS consultants were given significant opportunity to raise their concerns direct to the workshop lead. While HMH recognises that significant differences still exist regarding methodology it is his opinion that the actual output fairly reflects the risks associated with the new project and the potential for future control measures is clearly identified and recorded.
- 4.2. HMH believes that the concerns regarding the simulations including tidal direction, wind sheltering, gusting, tanker movements and vessel breakdown were covered at the stakeholder simulations in November 2022 to the broad satisfaction of those APT staff and consultants that were present.

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