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

DEADLINE 3

Response on behalf of the Harbour Master, Humber

to

Deadline 2 Submissions by

DFDS

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1. Introduction

1.1. This is a written submission made on behalf of the Harbour Master, Humber (**HMH**) in respect of documents submitted at deadline 2 by [insert full name] ("**DFDS**")

1.2. The documents addressed in this submission are:

1.2.1. DFDS – Schedule of correspondence between DFDS and the Applicant and/or HMH

1.2.2. DFDS – written representation

1.2.3. DFDS – Responses to ExQ1

1.3. The fact that HMH has not responded to any particular point does not mean that he agrees with it or accepts that it is correct. HMH has limited his responses to matters that are directly relevant to his areas of responsibility and where he thinks he can assist the Examining Authority.

2. DFDS - Schedule of correspondence between DFDS and the Applicant and/or HMH

2.1. DFDS 29 August letter

2.1.1. With regard to the first paragraph of this letter, HMH would just like to make it clear that he expressed his understanding of DFDS's concerns around risk at the relevant time, as appropriate for an independent third party to the process, but he did not suggest that he personally had concerns that the proposal was dangerous. That is not a word he would use in this context and was not reflective of his opinion at that time, or now.

3. DFDS - written representation

3.1. Para 24 et seq. – The Complex Navigational Environment

3.1.1. Paragraph 31 – HMH notes that a tanker does not manoeuvre as well astern as a modern RoRo vessel. These vessels are regularly required to "back up" to a ramp and are designed to manoeuvre accordingly.

3.1.2. Paragraph 38 – DFDS makes a great deal in its representation about stemming on the Humber by reference to plans and Notice to Mariners SH22. HMH is concerned that the representation does not accurately represent how stemming actually works in the context of traffic management. Notice SH22 applies only to vessels bound for Immingham dock. Non-dock vessels are managed more flexibly. Stemming plans show a moment in time whereas, in reality, situations are not static, but are dynamic with multiple vessels in movement. There are, therefore, any number of potential stemming scenarios managed by HES. HMH would also point out that when a vessel is leaving the

lock, it is safer to stem “uptide” of the lock as per the guidance on page 121 of the Humber Pilot Handbook.

3.1.3. Paragraph 39 – again, this text is not factually correct. A vessel could stem off the west jetty and stemming at the east jetty would be planned accordingly. In practice, vessels accommodate one another for the benefit of all. It is not a “first come first served” situation. In other words, stemming is just one tool used in traffic management on the Humber. Stemming is not the only driver for vessel movements – rather, vessel movements dictate whether and where vessels may stem. Safety will always be a priority over expediency.

3.1.4. Paragraph 46 – HMH considers that the language used in this paragraph is overly dramatic. The conditions in the Humber are indeed challenging but vessel movements have been, and will continue to be, managed safely by HES. That will be just as much the case with the proposed new infrastructure as it is at present.

3.1.5. With regard to paragraph 50, whilst this is not a matter with which HMH has been involved, what he can say is that the effects of a potential removal of the East Jetty Tug Barge would need to be considered but it need not have the consequences attributed to it by DFDS should alternative arrangements be put in place.

3.1.6. Paragraph 97 – HMH considers the sub-heading here “*The Unrealistic Use of Tugs*” to be unnecessarily dramatic and potentially misleading. Although it is correct that, 70t tugs were used in the simulations, it does not follow that reduction of risk to ALARP will necessarily entail use of 70t tugs. As already described in HMH’s written representations, if the proposed scheme is authorised, HES will work up appropriate requirements and parameters. It is entirely usual to use 50t tugs for Ro-Ro operations in the Humber.

3.1.7. As a general point in relation to DFDS’s comments on the simulations, HMH would refer the Examining Authority to paragraph 31 of his Written Representations and also to his response to the Examining Authority’s written question NS. 1.14 (HMH 6).

3.1.8. With regard to paragraph 98 et seq. (The effect of ship’s wash on a tug”), HMH notes that this was not raised as an issue by the tug operators, either at the simulations at which HMH was present, or to him separately. HMH would expect potential bow wash effects to be managed in practice by the setting of appropriate parameters to reduce risks to ALARP, as is current practice.

3.1.9. Paragraph 111 – HMH notes that he has done many simulations with DFDS over the years and that the criteria set out in this paragraph, which DFDS asserts ought to have been used by ABP, have not been used by DFDS in its own simulations with which HMH has been involved; for example, assessments of DFDS Humber simulations carried out with HES at South Tyneside in relation to their own facilities.

3.2. Navigational Risk Assessment

3.2.1. Paragraphs 133 et seq. – HMH has read the additional Navigational Risk Assessments produced on behalf of IOTT and DFDS. It seems to him, that in broad practical terms, despite the technical differences in approach and methodology, the important elements of hazard identification and ranking of risk are broadly similar with

each other and that of the NRA produced for ABP. Each ranks very similar highest risks and identifies similar potential control measures.

3.2.2. It seems to HMH that the main difference of significance is that the two shadow NRAs require the implementation of the Impact Protection Measures and relocation of the finger pier in order to reach ALARP, rather than just identify as a potential future control. There are a number of other potential controls which are identified in all three NRAs.

3.3. Vessel congestion

With regard to paragraph 142 – DFDS appears to assume that IERRT vessels will move freely whilst all other vessels are inconvenienced. This is simply not correct. In practice, as now, vessels would move around to accommodate one another under HES management. Common sense and flexibility will be applied, taking into account the situation and needs of each vessel.

3.4. Conclusion

3.4.1. HMH has responded to DFDS's points around navigation, the simulations and the NRAs in this and his other submissions so will not rehearse them here.

4. **DFDS - Responses to ExQ1**

4.1. NS. 1.1 – the HMH has already expressed his view in paragraphs 28 and 30 of his written representations (HMH 1) about the wide attendance at, and active participation of stakeholders during the HAZID workshops associated with the process.

4.2. NS. 1.14 –the answer provided by DFDS is one scenario, but it is incorrect to state this is the "most likely" outcome of an abort. Please see HMH's response to this question in his document HMH 6.

4.3. NS. 1.20 – HMH has already given his views on the simulations

4.4. NS. 1.21 – HMH does not share the residual concerns expressed by DFDS at this stage because HES have ample real-life experience of manoeuvring in this area.

4.5. NS. 1.22 – HMH has given his view on this in paragraph 32 of his written representations (HMH 1).

4.6. NS. 1.23 - HMH agrees with the information about the tide direction, but the point is that tide direction in the area to the north of the IOT was not a concern for the purpose of the simulations because those participating in the simulations already have ample experience of managing traffic and manoeuvring in this area.

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