THE PROPOSED ASSOCIATED BRITISH PORTS

(EASTERN RO-RO TERMINAL) DEVELOPMENT CONSENT ORDER

DEADLINE 5

Response to Action Point 20 from ISH3

Provide an update clarifying the anticipated controls to be applied to the Proposed Development to reduce all navigational risks to "As Low As Reasonably Practicable", with particular regard to the operation of the IOT.

submitted on behalf of Captain Firman, Harbour Master, Humber

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1. The Harbour Master, Humber (HMH) explained in HMH 14 [REP4-030] in response to the Examining Authority's Action Point 19 how operating parameters for the authorised development would be set, using a "soft start" approach.

2. This note addresses other control measures that would be applied to the Proposed Development, as appropriate, to reduce navigational risks to "As Low As Reasonably Practicable" (ALARP), including with regard to the safe operation of the Immingham Oil Terminal. As described further below, control measures to be applied to the Proposed Development or for the protection of IOT would be identified through formal risk assessment, conducted using a specialist software package (in consultation with stakeholders including the Immingham Dockmaster and Jetty operators) and applied through the Statutory Conservancy and Navigation Authority's (SCNA) Marine Safety Management System (MSMS), in compliance with the Port Marine Safety Code (PMSC).

3. It is worth rehearsing that ABP's responsibilities, as SCNA for the river Humber, are concerned with navigational safety including the provision of navigable channels and removals of physical obstructions and impediments. Hence this note is concerned solely with the SCNA's navigational safety controls, although the list in the Appendix does make reference to some controls that are the responsibility of the port's Dockmaster rather than the SCNA.

4. The PMSC applies to all Statutory Harbour Authorities and Competent Harbour Authorities. It requires risk assessment to ensure all marine risks are formally identified and are eliminated or reduced to as low as reasonably practicable, in accordance with good practice. In common with many other ports and harbour authorities, HES uses the MarNIS risk management software, produced and sold by ABPmer, which is specifically designed to assist with the assessment and management of risk in compliance with with the PMSC. The MSMS is regularly audited both internally and externally (including Health Checks by the Maritime and Coastgaurd Agency) to ensure both that it is fit for purpose and that it is compliant with the PMSC.

5. Through MarNIS, hazards in the Humber together with their causes, potential impacts and potential control measures are identified. Both inputs and outputs can be interrogated as well as monitored over time and reviewed. The outputs from MarNIS are used to identify current and potential controls which will develop and inform the SCNA's Marine Management Safety

System for the Humber. If something changes in MarNIS – as would be the case when any new infrastructure is constructed – elements of the MSMS may be updated accordingly.

6. Control measures in the MSMS may be physical (such as lighting) or matters of good practice and training. They include those measures set out in, for example, notices to mariners, harbour bye-laws and directions, the pilot handbook and pilotage directions and vessel passage plans.

7. The list of controls in the Appendix to this note is taken from a more extensive list of potential controls in MarNIS that are available to the SCNA. As the MarNIS assessment covers the entire area for which the SCNA is responsible, some of the many potential controls in the MarNIS toolkit will either be irrelevant to the Proposed Development or are controls, or variations of controls, that already apply in the river through, for example, the existing bye-laws and notices to mariners. The list is illustrative rather than exhaustive.

8. Further, as referred to in HMH's response to Action Point 19, operating limits for IERRT would be established over a period of time to ensure they are ALARP, commencing with a precautionary soft start. The controls applied to IERRT would take the presence of other port infrastructure, such as the IOT into account. They would also take into account factors including wind speed, tide (consideration of ebb or flood tide). Thus, vessel movements around IERRT would be kept to ALARP by working up operating controls from a starting point of daylight, benign weather conditions, slack water and use of tugs and pilotage.

9. Training is just one of the control measures anticipated to be used by the SCNA. A vital element of this relates to the training and authorisation of pilots and PECs, built up through simulation training and cascaded by experienced pilots. HMH would also need to consider simulation training involving vessels for the IOT finger pier southern berths using whatever new infrastructure is provided. The list in the Appendix also demonstrates that there are other forms of training that would effectively be applied as risk control measures as a matter of course, although they may be secured by measures outside the remit of the SCNA or HMH.

10. The existing Standard Operating Procedures on the Humber set out required best practice and is a body of good practice built up over very many years. This includes existing controls on the Humber for the management and regulation of vessels such as Humber VTS and notices to mariners.

11. Physical aids (marking lights or buoys etc.) are also risk control measures, and HMH anticipates that lights would be required for purposes of assisting navigation at night. It is noted that paragraph 8 (navigational lights/buoys, etc.) of the draft protective provisions for the Statutory Conservancy and Navigation Authority requires ABP to exhibit such lights, lay down such buoys and take such other steps for preventing danger to navigation as the Statutory Conservancy and Navigation Authority may from time to time reasonably require at or near every tidal work.

12. In addition to the opportunity to impose controls through the measures described in the Appendix, the Statutory Conservancy and Navigation Authority can impose conditions on its approval of tidal works, pursuant to paragraph 3 (tidal works: approval of detailed design) including conditions as to the relocation, provision and maintenance of works, moorings, apparatus and equipment necessitated by the tidal work.

13. HMH would like to stress that it would not be appropriate for any particular controls – or the suite of possible MarNIS controls - to be regulated by means of the DCO itself. It is the SCNA that has statutory powers – through Parliament – to regulate for, and maintain, the safety of vessels using the Humber.

APPENDIX TO HMH 18

The following are listed in the order in which they appear within MarNIS and the explanations are provided by HMH:
Prohibited anchorage areas Explanation - this control exists already and HMH anticipates that it would be unaffected by the presence of the Proposed Development.
Mooring studies & plans Explanation – vessels should be properly moored in accordance with prior analysis for all conditions to prevent breakaway. HMH envisages that this particular control would be applied by the Dockmaster through the Immingham MSMS, in consultation with HES and stakeholders.
Communications - dock/jetty and traffic Explanation – DM and HES will determine in consultation, and prior to the operation of the Proposed Development whether an additional channel would be required specifically for vessels using IERRT and provide for liaison between HES and Dockmaster as to who would monitor each stage of the vessel's journey.
Communications - other port users Explanation – HMH anticipates the use of notices to mariners to advise port users of construction works and operational changes.
Communications - port and agents Explanation – ensuring communication lines between agent, terminal, Dockmaster and VTS.
Bridge resource management training Explanation – part of training for pilots and PECS to ensure best practice in managing the team on the ship's bridge, and requirements for training in the use of equipment and other resources.
Fatigue & health monitoring Explanation – specified hours of work for crew, tugs and pilots – HMH would not expect this to change in relation to IERRT, but it covers, inter alia, required rest periods for pilots.
Pilot boarding point Explanation – is designated and as appropriate for size of vessel.
VTS Explanation – responsible for traffic management and monitoring of vessels in the Humber.
Passage planning (Pilot/PEC) Explanation – vessel passage must be planned with timings to consider appropriate hazards including underkeel clearance.
Ploughing or Dredging programme – Explanation - this would be a matter for the Dockmaster but is a control measure to ensure facilities within the dock are adequate for visiting vessels.
Draught – Explanation – this control measure would be implemented to ensure that the draughts of vessels using the Proposed Development are declared by the vessel concerned and are within maximum permitted limits.
Arrival/departure - advance notice of Explanation - is a standard requirement of General Direction.
Hazardous cargoes - advance notice of

Explanation – is a standard requirement including many vessels for IOT
Traffic separation scheme Explanation – compliance managed by VTS. Would obviously take into account vessels using IOT and IERRT.
VTS broadcast - traffic information Explanation – VTS would inform nearby traffic of any vessel arriving or departing at IERRT, in line with current procedures.
VTS broadcast Explanation - navigation and safety information – this comprises up to date information broadcast at every odd hour plus three minutes.
Hydrographic surveying program Explanation – survey regime to be established as detailed designs are worked up, including for the proposed new berthing pocket.
Berths - allocation (depth, available, suitable) Explanation – in practice it would be for the Dockmaster to ensure that a visiting vessel is appropriate for the berth in all respects including draught.
Emergency plans Explanation - port (local) – this would be the responsibility of the Dockmaster, although HES would expect to be consulted.
Oil spill contingency plans Explanation – already in place and would be updated as appropriate to take account of the new infrastructure.
Risk assessment - personal safety Explanation – safe access and egress arrangements to be set out in SOPs and Safe Systems of Work for the terminal and visiting vessels.
Safety procedures – vessel Explanation – vessels involved should have their own safety procedures in place. This would apply to vessels throughout both construction and operational phases.
Bunkering areas restricted Explanation – bunkering areas are required for fuelling of ships – controls will consider whether restrictions are required.
Emergency plan exercises Explanation – done as a matter of course but would take into account the new infrastructure.
Communications equipment – operational Explanation – this captures the requirement for proper equipment and ensures any replacements, repairs or renewals are prioritised.
C.C.T.V. coverage Explanation – the CCTV coverage of Immingham dock and Stony Creek improves the situational awareness of both VTS and the Dockmaster.
Vessel information - access to Lloyds/Sea-web Explanation – part of the passage planning and information exchange process, which allows HES and the Dockmaster to ensure that vessels are properly authorised and that their size has been accurately notified/provided. Sea-web is a database register which allows users to access information on ships and their locations.
AIS coverage –

Explanation – AIS stands for Automatic identification System – transponder on vessels to improve their ability to be seen and identified.
Radar coverage & redundancy provision Explanation – Radar is monitored by VTS below the Humber bridge.
Simulator based studies Explanation – as the Examining Authority is aware, simulation plays a number of roles in the development of new port infrastructure from initial design onwards as well as providing initial and ongoing training for users of that infrastructure.
Tidal information - accurate Explanation – gauges are available throughout the Humber, including Immingham.
Hydrographic information - latest available Explanation – charts are made available on HES website to all mariners in line with hydrographic surveying programme in the Humber and would be updated to include changes resulting from the introduction of the Proposed Development.
PAVIS Explanation – PAVIS is the port and vessel information system - used by ABP and the SCNA to plan, monitor and bill vessel voyage visits
Tugs – availability of appropriate Explanation - vessels must comply with towage requirements (in relation to size and number) laid down in relation to the specific vessel and destination. This would be set out in local operating procedures stipulating the requirements based purely on a safety perspective.
Tugs - fire tug available – Explanation - currently 24 hour standby at Immingham East Jetty with FiFi (fire-fighting) capability.
Ship personnel – training Explanation – Each vessel has its own safety standards including training of crews to ensure that it is operated safely.
Pilots - training and authorisation Explanation – as the Examining Authority is aware, this is managed by HES. Level of authorisation is currently defined in relation to vessel deadweight, draught and destination.
Port marine/operations personnel – training Explanation – this is concerned with the dock-side and controlled by the Dockmaster or jetty operator.
VTS personnel - training and authorisation Explanation – managed by HES to V-103 standard as minimum, and in accordance with the Marine Guidance Note MGN 434 (M+F) – on training and certification of VTS personnel.
Line/Boatmen - available and suitably qualified Explanation – responsibility for this control lies with the Dockmaster or jetty operator to ensure vessels can be properly secured when berthing.
Pollution response equipment – available Explanation – forms part of port oil-spill plan
Pre-bunkering checklist Explanation – this is a standard control to ensure that procedures are in place to carry out Bunkering (re-fuelling) operations safely.
Harbour/Dock Masters powers (inc. special directions)

Explanation – the statutory powers available to HMH and to the Dockmaster for Immingham to regulate individual vessel movements should this be necessary.
Byelaws – controls Explanation - there are byelaws for both the port of Immingham and the Humber Estuary, including for the control of vessels and safety of the harbour.
Notices to Mariners Explanation – issued as required to inform mariners and other stakeholders of any temporary or permanent matters affecting navigation within the Humber.
Towage guidelines Explanation – normally issued by the Dockmaster in consultation with HES as Competent Harbour Authority, vessel and terminal operators and towage providers.
Vessel defects – requirement for notification Explanation – standard.
SOPs – operational – Explanation - standard operating procedures including VTS which may need to be updated to take account of new infrastructure.
PMSC compliance Explanation – compliance is required and audited. The overarching ethos is one of safety first. The SCNA is compliant with the PMSC and is audited regularly, as is the Port of Immingham.
General directions Explanation – can be issued by SCNA for regulation of vessels, issued on the Humber as Standing Notices to Mariners
Pilotage directions Explanation – issued as required by HES as Competent Harbour Authority to promulgate the requirements for pilotage on the Humber.
Emergency power supply Explanation – control measure to ensure that continuity of service at VTS can be maintained.
Aids to navigation - provision & maintenance of Explanation – as discussed, new infrastructure would need to be properly lit in accordance with best practice and consideration will also be given to, inter alia, of sector lights to aid berthing.
Anchorage positions Explanation – will be designated, taking into account both the Proposed Development and proximity to other port infrastructure including IOT – basically at a distance from any port infrastructure.
POB declared (Total number) Explanation – requirements for the number of persons on board for general safety reasons.
International COLREGS 1972 (as amended) Explanation – another standard risk control – collision regulations are underlying rules for navigation.
Emergency Services / Equipment – shoreside availability Explanation – considers the role of Emergency Services in response to an incident e.g Fire / RNLI
PECs - training and authorisation Explanation – responsibility of HES in accordance with requirements of the supplementary provisions of the Pilotage Directions – and specific to actual vessel(s) and destination.
Local port service (LPS) Explanation – responsibility of Dockmaster to ensure a service covering the Immingham area..
Pre arrival information (Port to Ship)

Explanation – standard – mainly for Dockmaster to provide but estuary information is provided publicly.
Tugs - tug/workboat and crew certification checked Explanation – annual checks by both HES and Dockmaster in addition to other requirements.
Portable Pilot Units (PPU) Explanation – display based navigational aid for pilots to enhance their situational awareness.
Unusual vessels - specific risk assessments Explanation – for example, could apply to jack-up platforms used in the construction of new development such as IERRT.
Tugs - non routine towage assessment Explanation – standard control measure for non-routine towage activities such as construction works.
Pilot/Master exchange - records of Explanation – a standard requirement – ensure both a consistent standard and that a record is maintained in relation to Master/Pilot information exchange.

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