

## CONFIRMED MINUTES

**Yarmouth (Isle of Wight) Harbour Commissioners**  
**Minutes of a Special Meeting of**  
**YHAC**  
**held at the Harbour Office,**  
**on 28<sup>th</sup> July 2009 at 0900 hours**

|                      |                        |                                    |
|----------------------|------------------------|------------------------------------|
| <b>PRESENT</b>       | Sylvia Mence, Chairman | Royal Yachting Association         |
|                      | Mike Hayles            | Commercial Fishermen's Association |
|                      | Jon Matthews           | Wightlink                          |
|                      | Marigold Morphy        | Yarmouth Sailing Club              |
|                      | Malcolm Thorpe         | Royal Solent Yacht Club            |
| <b>IN ATTENDANCE</b> | Colin Campbell         | British Marine Federation          |
|                      | Chris Lisher           | Chief Executive/Harbour Master     |
|                      | Dick Dawson            |                                    |
| <b>APOLOGIES</b>     | Mark Capon             | Regs4Ships                         |
|                      | Sue Hawley             | Estuaries Officer                  |
|                      | Val Cooke              | Totland Parish Council             |
|                      | Gill Kennett           | Freshwater Parish Council          |

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The meeting was called in order to discuss the Risk Assessment for the SW Corner Development carried out by 'Regs4Ships'.

The CE introduced the meeting to Mark Capon from Regs4Ships, who had carried out the Risk Assessment. The CE made it clear that in this instance where safety in the harbour was concerned he was very much acting as the 'Harbourmaster'.

Mark Capon introduced himself and explained his experience as a mariner and as a solicitor with the MCA, prior to his work with Reg4Ships primarily for harbour authorities large and small around the UK. He stated that the harbour authority had a duty to manage risk. He acknowledged some correspondence with Malcolm Thorpe (RSYC) and Marigold Morphy (YSC) prior to the meeting.

He explained the target for risk management was 'as low as reasonably practical' known as 'ALARP' in his report.

He summarised his view on this particular risk assessment in the area of the SW Corner. In his view, risk in this area is not now managed to the required level to make it 'ALARP'. If his recommendations were put in place then it would be 'ALARP', even if the SW Corner Development went along as proposed. The development would not change the risks materially.

Two members asked if the risk assessment should have covered a wider area. Mr Capon replied that he had been engaged to consider only the area contained in his report. A member said that the assessment was too narrow, was focused only on the bridge opening and should have considered all of the harbour.

Mr Capon replied that he had considered the amount of traffic that uses this part of the harbour and his assessment was not just focused on the bridge. He said that Berthing Master's may have to be more robust at managing traffic.

He went on to say that some formal rules were required. He also said that if, as had been suggested by a member, the red pontoons were used as a turning circle then some stakeholders would lose their berths and that the harbour authority had to consider all their stakeholders' interests.

There was a discussion about vessels' ability to manoeuvre in the area.

The CE would be showing the fishermen the proposed allocation of berths in the new area. He was concerned about the access to their present berths and believed the new development would be a risk improvement.

The meeting then moved on to discuss the control measures proposed by Regs4Ships in Section 5.3 of the risk assessment on page 11 of their report.

1. Instruct all vessels to await bridge opening by waiting outside the harbour but clear of the entrance – concerns were expressed by members that the area was already congested and it would be especially difficult for boatyards wishing to take clients' boats through the bridge. No members agreed with this proposal.
2. Place additional marine traffic signals further north in the harbour so that they can be seen from the waiting area – members agreed that, if the waiting area was outside the harbour, placing an extra signal would be likely to confuse harbour users. Members were not in favour of this proposal.
3. Restrict opening times in adverse weather for certain vessels – members were not in favour of this proposal which they thought would be very difficult for the harbour to manage. Members felt this decision should be left to the skipper of the vessel. The CE/HM said that the harbour would reserve the right not to open the bridge for any vessel in extreme conditions.
4. Local Notice To Mariners imposing direct control of vessels transiting the bridge via VHF – members were in support of this proposal.
5. Designate a lay-by berth further north – members had differing views about a waiting berth, however, most agreed with the proposal that the South Quay could be used for a wait of no more than 20 mins. The BMF representative wished this to be subject to discussion with YMS and RNLI.

Dick Dawson left the meeting for a previous commitment.

6. Vessels transiting south always have priority – members preferred to stay with current arrangement that the vessel moving with the tide has priority. The CE said he preferred that those with the tide had priority but the bridge operator must have the ultimate power to decide dependent on circumstances at the time.
7. Preclude all vessels (tenders exempt) turning to port round B14 and navigating north along the eastern side of the Visitors' pontoon – members thought this would be too difficult to manage. Concerns were particularly expressed about vessels wishing to berth on a flood tide on the east side of the Visitors' pontoons. The Committee did not agree with this control measure.

8. Place a Berthing Master in the vicinity of the bridge at prescribed wind/tide states for assistance – members agreed with this proposal. The CE stated that in these conditions Berthing Masters would be likely to be involved in assisting vessels elsewhere in the harbour to berth or leave berths and consequently they may not be able to attend the bridge.
9. Operate bridge in accordance with written procedures; update Section 8 Marine Management Manual – members agreed with this proposal.

It was agreed by members and CE that some of the measures should be put in place immediately. Members asked that the Commissioners consider a wider risk assessment and that this risk assessment is revisited after the SW Corner Development is complete. Mr Capon informed that a revised Port Marine Safety Code is to be issued by DfT in the autumn.

Mr Capon agreed to look at these Minutes and then state if he believed that the procedures and management of the area had reduced the risk sufficiently to be considered ALARP.

The meeting ended at 10.55 am.

Colin Campbell has asked for a minute stating that he considers "aspects of this development unacceptable and making for a more dangerous situation for the safety of navigation in the area of the SW corner development." Additionally, he wishes it placed on record that he is "not prepared to accept any liability over approval of this committee's findings and the unconfirmed Minutes of the meeting held 28 July 2009."