

**FEEDBACK ON THE PUBLIC CONSULTATION ON
PLA GENERAL DIRECTIONS**

	Consultee	Organisation	Summary of Feedback	PLA Response
General Direction 4				
1.	LEWIS READ		<p>Section 4 (1) a) This should read “narrow boats and pleasure vessels” There is no justification to favour narrow boats.</p> <p>(4) a) Reduce to 3 days. There is no justification to require a weeks notice.</p>	<p>We thank everyone who responded to this section of the General Directions. Having reviewed the feedback received, we will not be reducing the vessel length in GD4(1) from 13.7 to 7m for pleasure vessels. However it is still an appropriate requirement for a commercial vessel over 7m.</p> <p>Due to this decision we do not feel it is necessary to change any other sections to GD4, as essentially nothing has fundamentally changed. There was also a request to reduce the seven days notice period for a group of vessels to travel in convoy under GD4(4). Having considered this request we do not believe the 7 day period to be unreasonable, therefore do not intend to reduce it.</p> <p>The revised wording to GD4(1) is as follows:</p> <p>4. USE OF VHF RADIO (1) <i>This Direction shall apply to:</i></p> <ul style="list-style-type: none"> <i>i) Reporting Vessels;</i> <i>ii) Passenger Boats;</i> <i>iii) Tugs;</i> <i>iv) Bunker Vessels;</i> <i>v) Commercial vessels of more than 7.0 metres in length overall; and</i> <i>vi) Pleasure vessels 13.7metres or more in length overall</i> <p><i>except:</i></p> <ul style="list-style-type: none"> <i>a) narrow boats of 13.7 metres or more in</i>
2.	PETER FRANCIS		<p>My only comment on the current consultation related to Section 4.VHF.</p> <p>As someone whose launch without radio once broke down on the Yantlet flats I can certainly see the value of VHF contact. However, the environment in Sea Reach is totally different from that at Teddington and to apply the same rule at both ends does not reflect the difference. (Actually, a good anchor kept me out of trouble). One could assume that a vessel of more than 13 metres wherever it might be moored would sooner or later go down river and if out of control be a considerable hazard to others. In that case VHF would be essential. But in reducing the minimum length to 7 metres you take in many private vessels in the Richmond area (some moored beyond the PLA boundary at Teddington Lock). For many, the purchase of suitable equipment would be an unnecessary expense since they will never go far enough downstream to make VHF necessary. Of course would be a good idea to have VHF but that is different from making it a requirement. I am suggesting, therefore, that private vessels up to 13 metres above Hammersmith Bridge (or perhaps Richmond Lock) should not be required to carry VHF.</p>	

3.	MICK SHARP		<p>The bulk of the direction does not affect us small boat owners significantly but we do have issues with GD4 and GD20.</p> <p>GD4 - We have just a couple of vessels that meet the length criteria and they generally have two radios and the competence to operate them. They should have no problem with the listening watch requirement and are familiar with the use of the</p> <p>The issue is with our understanding and interpretation of 'fishing'. Many recreational boat owners have small vessels under 5m who conduct recreational angling in creeks and above shallow water tidal mudflats. These vessels may have very basic safety equipment which may or may not include a radio and those that don't have a radio may also not have the operator's competence anyway.</p> <p>My thoughts are that you mean commercial 'fishing' in section 1. (v) and may not 'recreational sea angling' (RSA) and therefore you may need to expand on the definition.</p>	<p><i>length overall navigating between Brentford and Teddington;</i></p> <p><i>b) Pleasure Vessels of 13.7 metres or more in length overall navigating to the west of Bow Creek, provided that:</i></p> <p><i>i) they are travelling in company or a flotilla;</i></p> <p><i>ii) they are not the lead vessel of that company or flotilla; and</i></p> <p><i>iii) there is a lead vessel, which complies with the requirements of this Direction and is able to communicate immediately and effectively with all other vessels in the company or flotilla; or</i></p> <p><i>c) vessels under oars.</i></p>
4.	GUS LEWIS	HEAD OF LEGAL & GOVERNMENT AFFAIRS ROYAL YACHTING ASSOCIATION	<p>Direction 4. There is no national requirement for pleasure vessels under 13.7m to carry a VHF radio. The threshold of 13.7m contained in Direction 4 since 2006 reflects the long-standing applicable national Merchant Shipping regulations. For the PLA unilaterally to impose requirement for pleasure vessels under 13.7m to carry a VHF radio would be to conflict with national legislation and this proposal is unsupported by any objective justification. It is therefore unreasonable.</p>	
5.	ROB WATT	GREENWICH YACHT CLUB	<p>For the sake of clarity I have copied the relevant section with our comments below.</p> <p>Section 4. VHF radios. This makes sense and we actively encourage all our members to monitor VTS through all sections of the river and Estuary.</p>	

6.	STEVEN DAVIS	<p>CHAIRMAN NORTH KENT YACHTING ASSOCIATION</p>	<p>Further to your consultation on proposed amendments to the General Directions, we have a number of objections and comments.</p> <p>The North Kent Yachting Association represents the sport of leisure boating, primarily sailing and motor boating, in North Kent. (It is perfectly possible that you will also receive responses from individual sailing clubs and leisure users).</p> <p>GD4 – Use of VHF Radio We object to this proposed amendment for a number of reasons:</p> <ol style="list-style-type: none"> 1. It is inconsistent with national regulations, and no reason has been given for this proposed departure. 2. It is likely to be unenforceable, given that it would bring into scope a large proportion of the leisure vessels currently using the Lower Thames 3. It would be impractical to achieve for a reasonable proportion of the vessels affected: <ol style="list-style-type: none"> a. Vessels may not have a power supply capable of supporting continuous use of VHF b. Vessels may not have anyone on board qualified to operate a VHF radio (even though the vessel may carry one for listening and emergencies) c. Many leisure vessels equipped with VHF are constrained to using handheld VHF radios, which are not reliably able to communicate with the Gravesend VTS centre <p>In consequence the regulation would impose an additional financial and regulatory burden on a significant number of leisure users, as well as having practical constraints, and acting as a disincentive to participate in water-based leisure activities, in conflict with Government policy and the PLA's obligations to promote leisure activity on the Thames.</p>	
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7.	ROSS WOMBWELL	TECHNICAL MANAGER BRITISH MARINE	<p>Direction 4. There is no national requirement for pleasure vessels under 13.7m to carry a VHF radio. The threshold of 13.7m contained in Direction 4 since 2006 reflects the long-standing applicable national Merchant Shipping regulations. For the PLA unilaterally to impose requirement for pleasure vessels under 13.7m to carry a VHF radio would be to conflict with national and international legislation and this proposal is unsupported by any objective justification. It is therefore unreasonable;</p>	
8.	STEPHEN TALLISS	COMMODORE TWICKENHAM YACHT CLUB	<p>In relation to this Consultation TYC anticipates continuing use of its moorings and the local river for cruisers and workboats up to and over 7.0m in length. As such, TYC wishes to safeguard its facilities for current and future use and/or development in respect of any new legislation such as this Consultation.</p> <p>Although TYC strongly recommends that all vessels navigating downstream through the London basin carry VHF radios, it is felt that, at the very least, in 'Maintained Level' above Richmond Lock it would be unreasonable to require that all vessels above 7.0m are fitted with VHF and must maintain a listening watch even when at anchor.</p> <p>It should be noted that a VHF licence is required by anyone operating a VHF radio which would be an onerous requirement on pleasure craft owners.</p> <p>Therefore TYC believes that the proposed changes are completely inappropriate for the type of craft operating in the upper Thames and also downstream areas where there is little or no large commercial traffic or vessels with restricted vision or draught.</p> <p>TYC would recommend that these proposed changes should be modified as follows:-</p> <p>Section GD 4 (1) a) This 'exception' should read 'narrow boats and pleasure vessels' as there is no justification to favour narrow boats alone operating upstream of Brentford.</p>	

			<p>(1) b) There is a valid argument that this change in length should be deleted as there is little heavy commercial or constrained river traffic operating upstream of Bow Creek and Limehouse Basin.</p> <p>(4) a) The period of notification for vessels intending to navigate west of Bow Creek/Limehouse Basin should be reduced to 3 days for more immediate communication.</p>	
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General Direction 5

9.	LEWIS READ		<p><u>Section 5</u> To make this feasible the PLA must provide a repeater station for VHF radio transmission up river, e.g. Chiswick Pier or Richmond Lock.</p>	<p>Thank you for your comments. We are currently conducting an investigation into areas where the coverage is potentially weak in the upper district. If you have any further information regarding locations where there are particular issues, we would be grateful to receive them as part of this investigation. Should we identify any issues, we will explore our options to see what can be done to improve identified shortfalls in the coverage.</p>
10.	STEPHEN TALLISS	COMMODORE TWICKENHAM YACHT CLUB	<p>Section GD 5 a) Due to intervening landscape and buildings, TYC members report that the London VTS VHF service is often unreliable and/or unobtainable upstream of Battersea. Therefore, if these changes are to be enforced the PLA would need to install a repeater station for VHF radio transmission up river, e.g. Chiswick Pier or Richmond Lock.</p>	

General Direction 8

11.	GEMMA REMNON	MBNA THAMES CLIPPERS	<p>Section 8 Port Passage Plans states that “HSC or vessels with a COC must have their generic port passage plan approved by the harbour master prior to commencing operations” We believe that this should apply to all commercial vessels, regardless of their class. Currently this is not the case as noted in Section 3. The PLA propose to make more efficient use of piers and pier space as outlined in the PLA vision document, but this will prove to be difficult if they do not approve all passage plans. Greater visibility of all operators’ passage plans is needed to help to process to develop efficient passage plans for all.</p>	<p>Thank you for your comments, which we have noted for consideration for future review. However we feel this is currently sufficiently covered under GD12.</p>
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General Direction 16

12.	STEVEN DAVIS	CHAIRMAN NORTH KENT YACHTING ASSOCIATION	GD16 – Restriction of Movement I comment that clauses (2) and (3) of this Direction may conflict with safety concerns; especially in the case of smaller vessels which may benefit from the more sheltered waters upriver of Lower Hope Point. I hope this information is useful, and would be happy to expand on the points made should you wish.	Thank you for your comments. Essentially this GD has not changed from the previous wording barring the change from 'shall' to 'must', which has the same legal meaning. However we have noted your comments and will consider them for a future review of the GD's.
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General Direction 18

13.	GRAEME FAULKNER	MARINE LOGISTICS MANAGER GPS MARINE	GD18 . 3 "Must be immediately available to take over navigation of vessel" is this person present on the bridge?	The person must be somewhere that ensures they are able to comply with the Direction
14.	DON COCKRILL	PLA PILOT	<p>1. 18 (2) When a pilot is embarked: a) on a commercial vessel, the deck officer with navigational conduct of the vessel or b) on a pleasure vessel; the master or member of the crew with navigational conduct of the vessel;</p> <p>This is legally incorrect. Under the 1987 Pilotage Act, when a pilot is on board it is the pilot (and only the pilot) that has Navigational Conduct of the vessel. The Master, Deck Officer (who will be the Officer of the Watch - OOW delegated by the master) or delegated crew member will not have legal navigational conduct but do have onerous legal responsibilities to ensure the safe navigation of the vessel whilst the vessel is navigated under the conduct of the pilot. There is irrefutable legal precedence to confirm this status.</p> <p>2. 18 (3) - As the PEC holder is actually replacing the services of a pilot then it follows that exactly the same requirements of there being a certificated officer on the bridge IN ADDITION to the pilot as in 18 (2) should apply.</p> <p>3. PEC definition - This is a long standing inaccuracy. The certificate does not exempt the holder from "pilotage" but only from employing the services of a pilot. Thus the definition should be a "Pilot Exemption Certificate". The PEC holder is required to conduct the pilotage of the vessel in exactly the same way as the pilot that is being replaced.</p>	<p>We thank you for bringing this inaccuracy to our attention. We have agreed to amend it to the following:</p> <p>18. PERSONS ON THE BRIDGE <i>(1) There must be, at the conning position of any vessel underway in the Thames, either:</i> <i>a) in the case of a commercial vessel, a deck officer holding a certificate of competency or equivalent, in a fit state to take navigational conduct of the vessel, or</i> <i>b) in the case of a pleasure vessel, the master or member of the crew, in a fit state to take navigational conduct of the vessel.</i> <i>(2) When a pilot is embarked the person referenced in 18.1 must be capable of understanding the pilot's directions.</i></p> <p>Your comments are duly noted and as it is stated in this GD, a deck officer must be immediately available to take navigational conduct.</p> <p>We duly note your point. However, the definition "PEC" means a Pilotage Exemption Certificate granted under Section 8 of the Pilotage Act 1987". As the Act refers to Pilotage rather than Pilot, we have decided to keep the same terminology as the Act.</p>

15.	GUS LEWIS	HEAD OF LEGAL & GOVERNMENT AFFAIRS ROYAL YACHTING ASSOCIATION	We would also suggest that, in Direction 18, the proposed definition of “conning position” might be more meaningfully described in relation to pleasure vessels as the helming position or cockpit, rather than the bridge.	Thank you for this feedback and we have made the definition clearer, below: <i>“conning position” means a place with a commanding view of the vessel and it is the position used by navigators when commanding, manoeuvring and controlling the vessel;</i>
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General Direction 19

16.	ROB WATT	GREENWICH YACHT CLUB	<p>Section 19. Exclusion Zones. (b) No vessel except in an emergency shall navigate within 60m of an oil or gas jetty</p> <p>We feel that this may not be entirely appropriate for small yachts as by making their way out into the river at these points they will be more of a problem for the masters of large commercial vessels. We would ask that this be amended to vessels in excess of M LOA. This will also put us on the South Shore as we pass the QE2 Bridge which may present a problem.</p>	Thank you for your comments. Essentially this GD has not changed from the previous wording, except for the replacement of ‘shall’ with ‘must’, which has the same legal meaning.
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General Direction 20

17.	MICK SHARP		<p>GD20 - An exclusion zone of 50m around estuary forts is very contentious and we are puzzled as to why, after 70 years, you are now considering an exclusion zone around our WW2 forts located in the estuary. These are prime locations for recreational anglers to fish for Bass and a high number of the local Charter boat fleet and small boat owners from Essex and Kent fish these locations. The fish are attracted to the structures and baits are cast into the vicinity with good success. The main locations are the Red Sand Fort, Shivering Sand Fort and the Knock John Tower.</p> <p>I suppose the question is why? It cant be on safety grounds as these locations are visited regularly by organised tourist groups who scale purpose made ladders to view the inside and by staff carrying out maintenance activities.</p> <p>I strongly recommend you consult with the Angling Trust on item G20. They are the main representative body for recreational sea anglers in the UK. I also recommend some of our local charter boat skippers from ports such as</p>	<p>The requirement not to approach the Offshore Wind Turbine Towers is a safety requirement of the MCA as laid out in MGN 372.</p> <p>We have noted all of the comments; however we would like to note that this amendment was proposed by the custodians of the towers, who raised a number of safety concerns with the port authority, due to their deteriorating condition. On review of the feedback from this consultation process we have decided to withdraw this proposed amendment and will look at alternative measures to highlight the potential dangers of navigating in these areas.</p>
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			Herne Bay, Canvey, Wallasea Island, North Fambridge and West Mersea are also consulted.
18.	GUS LEWIS	HEAD OF LEGAL & GOVERNMENT AFFAIRS ROYAL YACHTING ASSOCIATION	Direction 20. The proposed extension of this direction to include the estuary towers is unsupported by any objective justification. Moreover, it is unclear how the PLA would enforce this direction at all in relation to pleasure vessels or what its purpose is, given that pleasure vessels of themselves pose no meaningful threat to the integrity of a wind turbine tower or estuary tower. We therefore object to the inclusion of Direction 20 in toto. Our objection would fall away, however, if Direction 20 were to be disapplied to pleasure vessels or to vessels under 24m in length.
19.	ROB WATT	GREENWICH YACHT CLUB	Section 20. Other exclusions. No vessel to navigate within 50 metres of any wind turbine tower or Estuary Fort Again we would argue that this is not entirely appropriate for small yachts and the length exclusion should apply. (I for one often use the red sands forts as a way point and others do likewise) However it is entirely acceptable for the wind turbines.
20.	STEVEN DAVIS	CHAIRMAN NORTH KENT YACHTING ASSOCIATION	GD20 – Wind Turbine Towers etc We object to this whole section, as well as the proposed amendment, on the basis that it appears to serve no objective purpose, at least in respect of leisure vessels. The size of leisure vessels means that they pose no realistic threat to any well-built structure, and the regulations governing the construction of wind turbines ensure there is clearance for the masts of all but the largest sailing vessels. For larger vessels, their draught may well preclude them getting close enough to wind turbines to do any damage. I was unable to find a definition of “Estuary Tower” or “Estuary Fort Tower” in the draft.

21.	ROSS WOMBWELL	TECHNICAL MANAGER BRITISH MARINE	Direction 20. The proposed extension of this direction to include the estuary towers is unsupported by any objective justification. Moreover, it is unclear how the PLA would enforce this direction at all in relation to pleasure vessels or what its purpose is, given that pleasure vessels of themselves pose no meaningful threat to the integrity of a wind turbine tower or estuary tower. We therefore object to the inclusion of Direction 20. Our objection would fall away, however, if Direction 20 were to be dis-applied to pleasure vessels or to vessels under 24m in length.	
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General Direction 21

22.	DON COCKRILL	PLA PILOT	21 (operational Radar). This clause should re-enforce that where applicable the radar installation(s) MUST operationally be fully compliant with the regulatory (SOLAS) requirements for a vessel of its size. For example a SOLAS compliant ARPA radar set can be broadly considered as "operational" even when its ARPA facility is out of order - a status which actually renders the ship unseaworthy from a SOLAS compliance perspective. See the MAIB AMBER report as an example.	Thank you for your comments We believe this is sufficiently covered under GD6.
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General Direction 23

23.	DON COCKRILL	PLA PILOT	23 (1) - First sentence - very poor grammar. Simply substituting the word "must" does not work in this case.	We have noted the comments about the wording, which has been amended to: 23. NAVIGATING, WAITING AND ANCHORING <i>Vessels must not navigate in a Fairway of the Thames.....</i>
24.	ROB WATT	GREENWICH YACHT CLUB	Section 23. Black Deep channel. No vessel drawing less than 6m to navigate along the Black Deep Channel. You have previously made us aware of this however this removes the option of using the channel when weather conditions make other passages problematic. We do not necessarily object but there may be conditions when this is a favorable route. Can it be "only with permission of VTS"?	Essentially this GD has not changed from the previous wording, barring the change from 'shall' to 'must', which has the same legal definition. The proviso 'except with the express permission of the Harbourmaster' already exists and London VTS can act on behalf of the Harbourmaster.

General Direction 27

<p>25.</p>	<p>ROB WATT</p>	<p>GREENWICH YACHT CLUB</p>	<p>Section 27. Thames Barrier Zone. (1b) Leaving a berth between Hookness and Woolwich Ferry (GYC area) a vessel MUST contact VTS whether intending to transit the Barrier or not.</p> <p>We do have substantial issues with this. It will mean that any of our members leaving their mooring to transit to the club pontoon or just going for a sail must now report to VTS. This will include our work boat, trot boat and safety boats. This restriction will have a serious impact on us and a hugely increased workload on VTS. We urge you to go back and have another look at this one. We have successfully operated on this stretch of the river for over a hundred years and we have not encountered any issues since the construction of the barrier. Surely this restriction would unnecessarily clog up channel 14 with our traffic when it ought to be for other matters.</p> <p>(5) Vessels under sail proceeding between Woolwich Ferry and Hookness MUST keep to the starboard side of the channel.</p> <p>The river at this point does narrow and if we are under sail it would be an impossibility to stay absolutely on the starboard side of the river. In previous byelaws it was agreed that we could tack across the channel providing we do not impeded traffic. We run courses we do ensure all our members are aware of this. We are happy for the PLA to attend one of our seminars to re-enforce this. Under sail we CANNOT comply with this requirement unless there are very specific wind conditions. Even then the wind shadow from various buildings causes fluctuations.</p> <p>Please reconsider and reword to “Vessels under sail proceeding between Woolwich Ferry and Hookness must not impede other traffic if tacking to the other side of the channel”</p>	<p>Essentially this GD has not changed from the previous wording, barring the change from ‘shall’ to ‘must’, which has the same legal definition.</p> <p>We note your concerns in this regard and have therefore reworded General Direction 27.1.b as follows: <i>“Leaving a berth or other location between the Woolwich Ferry Terminal and Hookness, whether intending to transit through the Thames Barrier or not, except members of Greenwich Yacht Club transiting their moorings, must contact London VTS at the TBNC and seek permission to proceed.”</i></p> <p>We note your concerns in this regard and have therefore reworded General Direction 27.5 as follows: <i>“Vessels proceeding under sail between the Woolwich Ferry Terminal and Hookness must not deviate from the starboard side of the fairway, except with the express permission of the Harbourmaster.”</i></p>
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26.	STEVE WILSON	GREENWICH YACHT CLUB	<p>Further to the comments raised by Rob Watt, GYC's Cruiser Captain. I would just like to add the following: Specifically 27.5. This includes most of our dinghy sailing area and would or could prevent us from staging most of our club sailing races throughout the year unless we get special permission. I'm sure this was not your intention ? We have navigated this stretch of the river since the barrier was built and we already have a self- imposed no sail exclusion zone from the red pier (west of barrier) to barrier pier (east of barrier). I would suggest you retain 'shall' or 'should' but we would oppose the word 'must' as this is unfair to the club</p>	
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24.	PETER STEEN	DIRECTOR OF MARINE OPERATIONS PORT OF LONDON AUTHORITY	<p>ULCS definition, should be amended to; <i>“ULCS” means Ultra Large Container Ship, which is defined as a container ship having of more than 320 metres in a Length Overall of 320 metres or over and/or more than 13.5 metres a draught of 13.5 metres or over;</i></p> <p>To ensure further consistency in language used throughout the General Directions, then the following amendments should be made;</p> <p>Under Definitions and Interpretation: oo) <i>“Shifting Pilotage” means the movement of a vessel other than:</i></p> <ul style="list-style-type: none"> i) <i>Specified Vessels;</i> ii) <i>Passenger Vessels of 50 metres or more in length overall;</i> iii) <i>vessels carrying marine pollutants in bulk;</i> iv) <i>vessels over more than 230metres in length overall between the Gravesend Pilot Station and Queen Elizabeth II Bridge;</i> v) <i>vessels over more than 140metres in length overall between Queen Elizabeth II Bridge and Margaretness; and</i> vi) <i>vessels over more than 100metres in length overall between Margaretness and London Bridge.</i> <p>GD 27(3)a should state: <i>Vessels over more than 50 metres in length shall not navigate...</i></p> <p>GD 28(2) should state: <i>Vessels over more than 50metres in length overall, not requiring an additional....</i></p>	<p>This is duly noted and will be included in the new General Directions.</p>
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No Comments: Adrian Muddin, Policy Manager - UK Chamber of Shipping, Amanda Yeomans, Marine Advisor – Natural England, Julie Morris – Environment Planning Specialist – Environment Agency.