

THE ALDE & ORE ASSOCIATION

Registered Charity No. 1064789



The Association exists to preserve for the Public benefit the Alde, Ore and Butley Creek rivers and their banks from Shingle Street to their tidal limits and such of the land adjoining them or upstream as may be considered to affect them, together with the features of beauty and or historic or public interest in that area.

30 January 2010

Captain Roger Barker
Navigation Directorate
Trinity House
Tower Hill
London EC3N 4DH

Dear Captain Barker,

TRINITY HOUSE 2010 AIDS TO NAVIGATION REVIEW

The Alde and Ore Association's members include a large number of leisure sailors, fishermen and people with an interest in historic landmarks such as the Orfordness lighthouse. Our Association also seeks to represent the interests of the wider community including those who visit the area by land or sea, for example the many small boat owners, particularly from the Netherlands and Belgium, who visit our rivers. We also attach great importance to protecting our shores and rivers from the effects of man-made disasters such as oil spillage.

1.2 We have canvassed opinion as widely as possible in the limited time available both among our members and more widely. We are of the firm view that it would be unacceptable to reach any view on the future of the lighthouse on the basis of the existing consultations. We believe there needs to be a wider public debate and all options should be considered in consultation with all interested parties. Virtually all our members and those bodies with whom we have been in touch take the same view.

The importance of the Lighthouse as a Navigational Aid

2.1 We have discussed the claim that the Lighthouse is no longer needed because of increasing reliance on GPS with a number of experts in the field. We take the view, as put to us by Trinity House representatives who attended the 2009 meeting of our River Defence Committee, that the Orfordness Lighthouse remains a vital secondary aid to navigation. We note that the Harwich Haven Authority and the Harwich Area Sailing Association take the same view.

2.2 Because of the curvature of the coast increasing the range of the light from the Southwold lighthouse is not a satisfactory substitute particularly in the case of small boats approaching the entrance to the Rivers Ore and Deben and Harwich. Until the eLoran system can be introduced as an

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alternative to the GNSS (Global Navigation System) there is an increasing risk that natural causes (eg sunspots), electrical failure of a ship's electrical systems and unintentional and intentional jamming of GPS signals could lead to serious errors in navigation as the research work of your own staff has shown. We recommend that Trinity House should have regard to the views of the late Captain Bill Brogden of the US Coastguard and Professor David Last set out in a recent article in the Royal Institute of Navigation's Magazine in September/October 2009.

2.3 Not all small craft have chart plotters or GPS and reliance on bearings of the Orfordness Lighthouse on what is otherwise a pretty featureless coast is a vital navigation aid. Even for large vessels going into Harwich we would expect the Officer on Watch to double-check the ships electronic systems are operating correctly through a visual check on the position of landmarks such as the Orfordness lighthouse. Small boat sailors who have attended RYA (Royal Yachting Association) navigation classes are reminded of the importance of keeping a paper chart to hand, regularly logging their positions and undertaking a visual check on notable landmarks along the coast.

2.4 Any failure of the GNSS system could have catastrophic effects in the case of oil tankers which is one of the reasons why Suffolk Coastal District Council have contingency arrangements to deal with spillages and have run mock exercises around Orford quay to ensure they work.

The importance of the Lighthouse as a Listed Monument and Local Landmark

3.1 The lighthouse is a historic Grade II listed landmark with iconic status in the Orfordness landscape. Our members and majority of those who live in the surrounding area consider it would be a tragedy if this building was abandoned. We believe Trinity House need to explore all possible beach stabilisation and rebuilding options before any decision is taken to abandon the present lighthouse. We suspect that because of the requirements recommended by Natural England the current estimates of the cost of defending or moving the existing lighthouse are far too high.

3.2 The Association has considered whether it should mount a public appeal to secure funds from the general public to help defend the existing lighthouse. However, erosion of the cost at Orford Ness is unlikely to have any significant effect on our coastal and river defences. We therefore consider that any appeal for funds by the Association, for example through our Friends of the Rivers fund, should be used to assist in the funding of our coast and river defences not the lighthouse.

3.3 Equally Trinity House will be aware that the Environment Agency in consultation with key stakeholders is developing a strategy for the defences of the Aldeburgh Coast and Estuary (ACES). One key issue is what should be done to try to prevent a breach in the sea defences south of the Slaughden Martello Tower. In its submission to the Environment Agency on ACES and Suffolk Coastal District Council on the updating of the Shoreline Management Plan the Association has stressed the importance of giving consideration to new ways of defending this part of the coast. Like Suffolk County Council, the Association considers Trinity House should await the outcome of these studies before taking a view on the future of the lighthouse as any works in this area could have significant implications for the extent to which erosion of the Ness continues.

Funding

4.1 As you will be aware, until 2009 Lighthouse dues had not been increased for nearly twenty years; indeed over the last 10 years they have been reduced by 50%. This situation has been brought about by Trinity House and the other GLAs working closely together to provide a cost effective and efficient aids to navigation service around our coast. The economies made by Trinity House over recent years have been translated into significant savings for shipowners. Trinity House has closed 50% of their depots, reduced staff by 33% and its fleet by 25%, well ahead of the current economic downturn.

4.2 Despite the increase in light dues of 14% in 2009-10 and the planned increase of a further 19% in 2010-11 these are the first increases since 1993. Lighthouse dues have been reduced four times with the result that they have fallen by over 40 per cent against the RPI since 1993. Consequently even after the second increase, the rate will be no higher than it was at its peak 16 years ago and 32% lower in real terms. We believe Trinity House should be congratulated for the efforts they have made to secure economies in their operations.

4.3 Lighthouse dues are paid into the General Lighthouse Fund which is administered by the Department of Transport. We note that in 2008-09 the decision by Trinity House not to lease certain new ships led to a saving of £17 million. As a result of totally inappropriate Treasury rules the Department of Transport was able to offset this expenditure against other expenditure falling within its annual Departmental Expenditure Limit. We consider that revenue raised from lighthouse dues should (as should also be the case with the regional flood defence levy) be used solely to finance expenditure on lighthouses. We call upon the Trinity House and the Department of Transport to explain why these funds are not available to meet the costs of maintaining the Orfordness lighthouse.

4.4 We believe the current basis on which expenditure on lighthouses are funded and maintained should be reviewed. We recommend that consideration should be given to establishing a form of funding which gives Trinity House greater flexibility to finance expenditure similar to that available to trading funds under the Government Trading Funds Act 1990 as amended including the provisions for introducing joint ventures. (Such financing systems require a public body to break-even taking one year with another subject to an agreed financial target usually relating to a return on net assets.) We note that the burden of lighthouse dues on shipping amounts to only 0.003 per cent of their costs and that other countries such as France, Germany and the Netherlands fund their navigational aids for the most part out of general taxation.

4.5 We are aware that the Royal Yachting Association has resisted suggestions over the years that small boat owners should contribute to the cost of maintaining lighthouses. If one could devise a system of finance which was based on charging those small boat owners based in the UK and elsewhere who benefit from the existence of lighthouses and buoys maintained by Trinity House there could be a case for imposing a small charge on them. However, our advisers on the financing of public bodies advise us that it is almost inconceivable that it would be possible to devise an equitable charging system which is administratively feasible and which would make a significant contribution to funding. If additional funds are required to maintain lighthouses and buoys, logic suggests that we should follow continental practice and supplement charges to large commercial ships through national taxation.

Freedom of Information Act request

5.1 We note from the Cabinet Office's publication Public Bodies 2008 that Trinity House is classified as an executive non-departmental public body (NDPB) and that as a result it should operate in accordance with the guidance on openness and accountability set out in paragraphs in Chapter 8 of Public Bodies – A Guide for Departments particularly paragraphs 2.1.1 to 2.1.5.

5.2 We consider openness in all the operations of NDPBs (quangos) to be critical to maintaining relationships with the local community and the public more generally. Issuing a press release on 23 December just before Christmas entitled "Aids to Navigation" covering proposals to discontinue the operation of lighthouses around our shores was clearly unacceptable. It has led to suspicion in the minds of some of our members that Trinity House, as an NDPB sponsored by the Department of Transport, is operating in the same way as did the Department of Transport some years ago when seeking to bury bad news in the aftermath of the death of Princess Diana.

5.3 We also regard the refusal by Trinity House to make background papers available to us, particularly the study by consultants on the options which have been considered unacceptable. We do not understand why, having been told the study would be made available to us if we signed a confidentiality undertaking, this offer was subsequently withdrawn. We find this behaviour inexplicable. The Alde and Ore Association is a responsible body which includes among its members people who have reached very senior positions in the public sector and professions.

5.4 Following a formal Freedom of Information Act request the Treasury advise us that they have no record of any form of intervention in the decision to discontinue the operation of the lighthouses listed in Trinity House's press release first issued on 23 December. Following further consideration we are submitting formal FOI requests to the Department of Transport and Trinity House requiring the sight of all papers relating to the decision to discontinue the operation of the Orfordness lighthouse including discussions with consultative groups.

Consultation

6.1 We recommend that Trinity House should promote the widest possible debate on the future of the Orfordness lighthouse based on full disclosure of all facts, in so far as they can be established, with all key stakeholders including representatives of small boat owners in Germany, the Netherlands, Belgium and France, and with the general public. While we recognise the many benefits of eNavigation we also consider that, before decisions are taken on the future of Orfordness lighthouse, there needs to be a much wider debate on the extent to which ships at sea can rely on the GNSS system.

6.2 We are grateful to the staff of Trinity House who represented your interests at our 2009 meeting and for helping the Association arrange regular visits to Orfordness lighthouse as part of annual trip to Orford Ness. These events prove very popular among our members and are always oversubscribed.

Yours sincerely

David Andren (Chairman)