

# Forum

## 'Conflicts in Inshore Waters'

Thomas A. Riordan *writes*

The following comments are submitted in response to the contribution from Mr Bartlett in the January 1995 issue of the *Journal*.<sup>1</sup>

1. Mr Bartlett's section (1) suggests that a yacht skipper's instinct for self-preservation would force him to obey Rule 17. However, could not a situation that has deteriorated to the self-preservation stage force the skipper into an action that, in the heat of the moment, might seem to be the correct course of action in compliance of Rule 17, but in hindsight may be seen to result in worsening the situation?

Knowledge of the Collision Regulations' precise wording is, even in Department of Transport examinations, not an issue. However, knowledge of the rules sufficient to take the proper avoiding action to prevent a close-quarters situation, if the need arises, should be a basic requirement for all those at sea. As in driving a vehicle or flying an aircraft for pleasure or commercial means, knowledge of, and adherence to rules, along with licensing by an appropriate authority, should be obligatory. Sadly, even in 1995, no such requirements exist for sailing – an activity that provides much pleasure to many people, but may also result in the loss of life due, sometimes, to the simplest of errors, any and all of which might have been avoided by regulating a standard.

2. Regarding Mr Bartlett's section 5, having navigated the Solent many times in vessels of different types, I am fully aware of the harbour launches which display the 'flashing blue light'. As to the contravention of Rule 36, one would have to prove that the aforementioned light was displayed for the purpose of attracting attention, and not for the purpose of differentiating the vessel preceding large, deep-draught vessels to sea through the Solent.

The said light is not of unnecessarily high intensity, and does not interfere with navigation as it cannot be confused with normal navigation lights. Also, Rule 1(b) of the COLREGS entitles the appropriate harbour authority to display such lights and enact such rules for the safe operation of vessels within the appropriate port limits, provided that they comply as closely as possible to the COLREGS.

3. I turn now to Mr Barlett's first suggestion that passing 'green to green' should be strongly discouraged. The practice of passing 'green to green' is quite acceptable within the regulations, provided that the action is taken as early as possible and results in passing at a safe distance. Thus, it can be no more of an unexpected manoeuvre than tacking north into the wind at the North Sturbridge buoy 0.5 miles ahead of a 20 000 tonne tanker drawing 11 metres in restricted waters. Another example might be a yacht-owner hurriedly attempting to start his outboard motor on the channel side of the West Bramble buoy just as a VLCC commences the Bramble turn. Finding her impossible to start, he enlists the aid of the 'inconsiderate/incompetent' (Mr Barlett's words) harbour launch to help clear him of the channel.

On no vessel on which I have sailed has VHF been used for prior arrangement of manoeuvres. Such a practice is, as Mr Barlett points out, becoming all too common, and

is discouraged by most, if not all, maritime organizations. However, on the other hand, the yachting fraternity is not as innocent in this field as it would have us believe. On numerous occasions I can recall scanning channels in the Solent only to find numerous very articulate yachtsmen and women discussing their rendezvous ashore, fuel requirements and other, very important criteria.

4. Mr Barlett's second suggestion is to encourage greater use of proper sound signals. When he talks of sound signalling, he obviously comments on those transmitted by the 'commercial' vessels, not the sailing vessels, because I have never heard any sailing vessel sound such a signal. What sound signalling apparatus do yachts carry? (*On all the yachts I have been on, the apparatus consisted of an aerosol-driven horn*). What is the audible range of this equipment? (*I should imagine this is hardly even the length of a sports stadium, i.e. 600–700 feet*). Does a yacht sound the required signal each time it tacks to port or starboard? (*Not likely, due to the workload involved*).

If your students are convinced enough and understand the sound signals, why do they not use them? Because there is no doubt, they do *not* use them!

5. His fourth suggestion is to encourage suitable standards of ship design and construction and, in particular, he criticizes the limited visibility due to containers stacked forward of a ship's bridge. I assume that, in judging the visibility from the bridge deck of a laden container vessel, Mr Barlett has stood a watch on the bridge of such vessels and properly assessed the arc of visibility and the vessel's ability to conform with the regulations.

6. As for manoeuvrability, can a sailing vessel in light air and negligible tidal conditions maintain not just a slow speed, but a safe speed to maintain steerage and headway to conform with what is required of it under the Collision Regulations?

7. Mr Bartlett's suggestion for larger day shapes is a good one, but do sailing vessels display the required signals when making way under power?

8. As an additional point, I submit that the appropriate authorities beckoned by Mr Barlett to declare unseaworthy the vessels he deems unable to comply with Rule 5 (lookout), might instead enact their legal powers to prevent the staging of single-handed sailing events, whether racing or endurance, that extend for a period in excess of 16 hours – a period which must surely contravene the dictate that '... every vessel shall AT ALL TIMES maintain a proper lookout by sight and hearing...'. I am sure you know the rest.

9. As a qualified pilot, I can understand that drawing analogies with airmen is not as straightforward as one might envisage. 'All' aircraft in controlled airspace are subject to very direct regulations governing their conduct and are at all times under strict radar and verbal control by ATC, whose responsibility it is to ensure traffic separation. I seem to recall that aircraft wishing to cross an ATZ can, in fact, request crossing clearance from the relevant ATC. Also, the speeds involved in aviation mean that, in the time it takes the average ship to transit from the Nab Tower to Esso Fawley, an aircraft can fly from London to Dublin.

10. To sum up, I have no desire to see zoning introduced and also see no need to harden up the Collision Regulations. All that is required is a sound working knowledge of the rules, and common-sense compliance. If ever zoning were initiated, it would have to be restricted to the summer months because, once a chill comes into the air, all but the most dedicated sailors disappear home until the following June, leaving the sea to those who truly want to sail and to those who earn their crust from the sea.

Some of the views expressed in Mr Bartlett's article are open to question, and the comment about sailing appealing to mostly well-paid, well-read intellectuals has to be the most absurd paragraph I have read for some time. It is true that most humans have

an acceptable opinion of themselves, but this suggestion is just a touch on the élitist side for my liking.

As for recklessness and foolhardiness on putting to sea, no amount of books, knowledge, capability or wealth has prevented motorists breaking the speed limit, so why should it stop the evident foolishness at sea?

#### REFERENCE

- <sup>1</sup> Barlett, T. (1995). 'Conflicts in inshore waters' – a yachtsman's view. *This Journal*, 48, 154.

## 'Conflicts in Inshore Waters'

From A. W. Jones

Having followed the debate on the above subject with interest, I would like to comment on the contributions from Captain Sven Gylden<sup>1</sup> and Mr A. T. C. Millns.<sup>2</sup>

Captain Gylden clearly believes all yachtsmen are idiots, so there is little hope for constructive debate there. The answer as to why no less than eight consecutive yachts turned to port when he 'blew the whistle for them' while overtaking, may be that a single blast means 'I am turning to starboard'. Turning to port to get out of his way seems reasonable to me.

Mr Millns claims to write in 'full support' of Commander Booth's article<sup>3</sup> which proposes a complete ban on yachts from large areas of the Solent but, in so doing, he is surely contradicting his last paragraph emphasising the value of tolerance and 'a deeper understanding of good seamanship' which seems to me to be the obvious answer.

#### REFERENCES

- <sup>1</sup> Gylden, S. G. (1995). 'Conflicts in inshore waters'. *This Journal*, 48, 314.  
<sup>2</sup> Millns, A. T. C. (1995). 'Conflicts in inshore waters'. *This Journal*, 48, 439.  
<sup>3</sup> Booth, P. (1994). Conflicts in inshore waters. *This Journal*, 47, 208.

## 'Conflicts in Inshore Waters'

From Tim Bartlett and Dag Pike

Our two responses<sup>1,2</sup> to proposals by the QHM Portsmouth<sup>3</sup> to control and restrict yachting in the Solent in order to facilitate commercial and naval shipping movements have prompted numerous replies, of which the majority attack the alleged irresponsible behaviour of yachtsmen.

We feel this one-sided view needs balancing.

The casualty pages of *Lloyds List* and the reports of the Marine Accident Investigation Branch show that both sides of the commercial/leisure divide include individuals who are ignorant, incapable, inexperienced, who 'couldn't care less' or in whom familiarity has bred contempt. We have been at sea with drunken ships' captains as well as with drunken yachtsmen.