

## Cover sheet for response to an Ofcom consultation

### BASIC DETAILS

Consultation title: Administered Incentive Pricing Maritime Sector  
To (Ofcom contact): Michael Richardson

Name of respondent: Mr Ian Booth

Representing (self or organisation/s): Lincolnshire County Council

Address (if not received by email): Witham Park House, Waterside South, Lincoln, LN5 7JN

### CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing	<input checked="" type="checkbox"/>	Name/contact details/job title	<input type="checkbox"/>
Whole response	<input type="checkbox"/>	Organisation	<input type="checkbox"/>
Part of the response	<input type="checkbox"/>	If there is no separate annex, which parts?	

If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

### DECLARATION

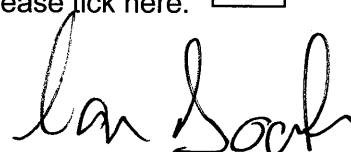
I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

☒

Name Mr Ian Booth

Signed (if hard copy)





Your ref:  
My ref: IB/H2K319/RLM Licence No: 0300321/1  
Date: 11 December 2009

Michael Richardson  
3.05 Spectrum Policy Group  
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Dear Mr Richardson

### **ADMINISTERED INCENTIVE PRICING MARITIME SECTOR**

I am writing in response to the consultation you published on 13 August 2009 regarding the proposed Administered Incentive Pricing scheme for the Maritime Sector of the Radio Spectrum.

Lincolnshire County Council operates and maintains a Swing Bridge over the River Nene at Sutton Bridge, Near Spalding, in South East Lincolnshire. The Swing Bridge also carries the A17 Trunk Road. The Swing Bridge was built in 1897 to carry the railway over the River Nene on the King's Lynn to Spalding route. The railway was carried on the south carriageway of the Swing Bridge, and the road was carried on the north carriageway.

Lincolnshire County Council took over the operation of the Swing Bridge in the 1960s when British Rail closed the rail link and both carriageways of the A17 trunk road now run over the bridge.

The County Council employs four Bridge Keepers who man the Swing Bridge 24 hours a day, 365 days a year in order that the Swing Bridge can be closed to road traffic to let vessels using the River Nene to make passage from The Wash to the Port of Wisbech, Wisbech Yacht Harbour, and back out to The Wash again.

The Swing Bridge opens to river traffic about 400 times a year. Approximately 20% of openings are to commercial vessels of an international origin, 2,500 tonnes in weight, making their way to and from the Port of Wisbech. Approximately 10% of openings are to the commercial vessels that work on the river, these being the Pilot and Tug Boats. The rest of the openings are for leisure traffic, yachts and motor cruisers that are based at Wisbech Yacht Harbour and need access to the sea, and visiting yachts from elsewhere in the UK and from abroad.

By an 1892 Act of Parliament the Swing Bridge has to open on demand to river traffic at no cost to them as they have a legal right of passage over the road (and previously rail) traffic. The Act states that the owner and operator of the Swing Bridge must pay all the necessary operating costs of the Swing Bridge so that mariners and vessels are able to navigate the River Nene freely.

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Currently, Lincolnshire County Council is licensed as a Coastal Station for 3 VHF Maritime Channels. These are Channels 9, 16 and 72 and an annual fee of £100 is levied for each of these channels, for a total annual cost of £300. Channel 9 is the working channel of the River Nene and Wisbech Port Authority, and ships, yachts and river pilots use this channel to contact the Swing Bridge when passage is required to and from the sea. Channel 16 is used for contacting the Coast Guard and for visiting vessels to make initial contact with the Swing Bridge before being redirected to Channel 9. Channel 72 is used for contacting yachts when Channel 9 is in use by other vessels.

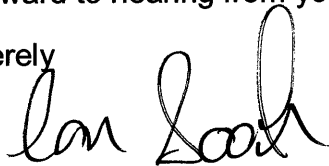
Under the proposed AIP Scheme the County Council is facing a possible seven-fold increase to the licensing fee. We find this objectionable as this will put an additional and wholly unnecessary financial burden on the Council Tax Payers of Lincolnshire who currently have to fund the Swing Bridge as a public service out of Council Tax, and who would receive no benefit to themselves.

While you state in your consultation that ports and harbours will be able to recoup increased licence fees from the fees they themselves charge to mariners for the use of their facilities; Lincolnshire County Council will be unable to do this because the services of the Swing Bridge have to be provided free of charge to the end user as per the 1892 Act of Parliament. Therefore there does not appear to be any benefit to Lincolnshire County Council in an increase in fees on any channel as there will be no obvious improvement in service because river traffic will remain at the same level; and our use of 3 Channels out of the whole Maritime Band allocation of approximately 60 Channels is certainly not excessive. The only organisation benefitting from increased licence fees appear to be Ofcom who will get more money from us and we get nothing return.

You do state in your consultation that you are aware that some maritime services in this country (i.e. locks, bridges etc) are provided by statutory and local authorities and that increased licence costs are unlikely to be recovered. Lincolnshire County Council as one of your Stakeholders will be unable to recoup this increased cost and we ask that in any future licensing regime our legal obligation to provide the services of the Swing Bridge free of charge to Mariners on the River Nene, and in keeping costs as low as possible for Council Tax Payers are taken into account when setting licence fees.

We look forward to hearing from you at the end of the consultation process.

Yours sincerely



Mr I Booth  
for Head of Technical Services

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