

Cancellations

Data held by NorthLink on the number of cancellations in the last 10 years broken down by vessel, route and reason;

Cancelled Sailings							Grand Total
Year	Arrow	Hamnavoe	Helliar	Hildasay	Hjaltland	Hrossøy	
CY 2		10	30	24	6	10	80
CY 3	2	32	24	16	8	15	97
CY 4		22	15	15	13	11	76
CY 5		34	18	12	4	4	72
CY 6	5	30	28	24	8	7	102
CY 7	3	38	10	10	6	3	70
CY 8	2	44	29	13	12	9	109
C2 CY1		24	49	11	12	11	107
C2 CY2	2	32	26	17	11	9	97
C2 CY3							
YTD	6	26	7	5	5	4	53
Grand Total	20	292	236	147	85	83	863

This data is published on our website by route at <https://www.northlinkferries.co.uk/news/statistics/>.

Any trends in adverse seasonal weather patterns and their impact on sailings;

No specific trends are noted, we would suggest however that the overall accuracy and availability of meteorological forecasting tools have improved significantly thus enabling a more considered and consistent approach to operational decision making.

What practical support NorthLink offer to passengers unable to travel due to cancellations, including finding alternative transportation or accommodation?

Our passenger welfare guide can be found at <https://www.northlinkferries.co.uk/wp-content/uploads/2020/06/NLF-passenger-rights.pdf>. This guide incorporates EU Passenger Rights Regulation No. 1177/2010.

These regulations draw a distinction between technical or other events within the operator's control versus weather disruption.

In any event assistance is provided where it is necessary, whether in terms of accommodation and/or alternative transport. Customers are routinely moved onto next available departure. Where available onboard accommodation may be provided.

Our SMS-LOP-NLFO017 Customer Service Manual Section 6: Cancelled or Delayed sailing outlines the internal process for handling cancelled or delayed sailings including the process to follow for contacting customers.

How does NorthLink alert passengers who do not have access to the internet about changes to sailing times and cancellations?

As per our internal process, SMS-LOP-NLFO017, each customer is contacted by use of bulk SMS messaging, email and/or phone call.

Does NorthLink compensate passengers who have incurred expenses in making alternative travel or accommodation arrangements when ferry services are cancelled? If so, can you provide details of how such compensation arrangements work?

All passengers are carried in accordance with our published Terms and Conditions of carriage which can be accessed at <https://www.northlinkferries.co.uk/legal/terms-and-conditions/>.

Customers are advised to consider the need for and purchase of travel insurance.

The arrangements for compensation are detailed in our passenger welfare guide which can be accessed via <https://www.northlinkferries.co.uk/wp-content/uploads/2020/06/NLF-passenger-rights.pdf>.

In summary, passengers are not entitled to compensation where cancellations are the result of adverse weather.

Freight transport

The Committee is aware that in certain weather conditions the carriage of timber and livestock is prohibited. Could you please provide the detail of why these goods cannot be transported in some weather conditions?

Timber

We do not routinely carry raw timber and do not have any specific guidance for its carriage other than core guidance from MGN 418 (M) Roll-on/Roll-off Ships: Stowage and Securing of Vehicles which should be read in conjunction with The Merchant Shipping (Carriage of Cargoes) Regulations 1999; MCA Roll-on/Roll-off Ships-Stowage and Securing of Vehicles Code of Practice.

Timber shipments on NorthLink would predominately relate to sawn timber for the building and construction sector.

Livestock

Carriage of livestock is controlled by the relevant legislation including Council Regulation (EC) No 1/2005 and The Welfare of Animals (Transport)(Scotland) Regulations 2006.

EC No 1/2005 Chapter II 3(a) states that:

“Organisers shall ensure that for each journey: the welfare of the animals is not compromised by insufficient coordination of the different parts of the journey; and the weather conditions are taken into account;”

Part 2 of the Welfare of Animals (Transport)(Scotland) Regulations 2006 states that;

Roll-on-roll-off vessels

5.(1) A master of a roll-on-roll-off vessel who fails to comply with point 3.1 of Chapter II of Annex I to Council Regulation (EC) No. 1/2005 is guilty of an offence under the Act.

(2) No transporter shall transport animals on a roll-on-roll-off vessel unless the master of the vessel has first verified the matters referred to in point 3.1 of Chapter II of

Annex I to Council Regulation (EC) No. 1/2005 (additional provisions for transport on roll-on-roll-off vessels).

Based on these sections of the legislation master's will make an informed decision based on the prevailing weather, sea conditions and their experience on the suitability of carrying livestock.

What advice is provided by NorthLink about the packaging of timber to enable it to be transported?

NorthLink do not routinely carry raw timber and does not have any specific guidance for its carriage or packaging other than core guidance from MGN 418 (M) Roll-on/Roll-off Ships: Stowage and Securing of Vehicles which should be read in conjunction with The Merchant Shipping (Carriage of Cargoes) Regulations 1999; MCA Roll-on/Roll-off Ships-Stowage and Securing of Vehicles Code of Practice.

NorthLink issue an annual reminder to all freight customers regarding cargo security referencing this guidance.

Does NorthLink offer compensation to owners of livestock lost due to delays in transit?

Carriage of livestock is covered by NorthLink's Terms and Conditions of Carriage.

17. Limitation and exclusions of liability – livestock and other animals

(a) Livestock must not be moved, collected or otherwise removed from the Vessel or any vehicle, trailer or Commercial Vehicle upon which livestock is carried without the consent of the NorthLink Ferries.

(b) The responsibility for the wellbeing and restraint of all livestock rests solely with the Shipper of the livestock prior to the livestock entering and after exiting the lairage property.

(c) NorthLink Ferries shall not be liable for injury, illness, loss or death of any animal whatsoever, howsoever or wheresoever arising or occurring, even if arising or occurring as a result of negligence on the part of NorthLink Ferries, its servants, employees, agents, contractors and/or their sub-contractors.

(d) NorthLink Ferries shall have no liability for the cost of bedding or feeding livestock, incurred as a result of any Vessel not sailing or not arriving at the time advertised, even if the Vessel not sailing and/or arriving at an advertised time is due to negligence on the part of NorthLink Ferries or its servants, employees, agents, contractors and/or their sub-contractors.

(e) NorthLink Ferries shall have no liability of any kind whatsoever for the cost of bedding and/or feeding livestock that are refused carriage on any service, including as a result of the late arrival of that livestock at the load port.

(f) NorthLink Ferries shall not be accountable for the number of livestock stated on any consignment note (such number being taken on the representation of the livestock Owner or Shipper) nor for the correct selection of livestock on landing.

(g) NorthLink Ferries may direct Shippers of Livestock to take such steps as are necessary in order to comply with its obligations under The Welfare of Animals (Transport) (Scotland) Regulations 2006.

(h) NorthLink Ferries may at its absolute discretion require Shippers of livestock to ensure that livestock transported on the Vessels is accompanied by at least one person who has specific training or equivalent practical experience qualifying him to handle and transport vertebrate animals and to administer, if necessary, appropriate care to such animals.

(i) NorthLink Ferries shall be entitled at its absolute discretion to instruct a veterinarian to assess and/or provide treatment to livestock or any other animal carried or to be carried on its Vessels. The owner or Shipper of the livestock or other animals in question shall indemnify NorthLink Ferries in respect of all costs incurred in providing that assessment or treatment, together with any associated costs incurred to the veterinarian or others.

Who is responsible for animal welfare while livestock is in transit on a ferry?

Unaccompanied livestock in transit on a ferry is the responsibility of the vessel master.

Accompanied livestock in transit on a ferry is the responsibility of the accompanying shipper.

The proportion of custom on NorthLink ferry services represented by the transportation of whisky? In particular, the Committee would like to know whether there are routes or sailings which are predominantly patronised by the transportation of goods and representatives of the whisky industry and the profits made on these routes by NorthLink?

In 2022 less than 0.6% of all NorthLink freight volume was attributable to the Whisky industry. 94% of these volumes are carried on direct routes to and from Orkney.

Route	ABKI	KIAB	ABLE	LEAB	KILE	LEKI	STS C	SCS T	Total
Whisky (lane metres)	2,224	23	-	-	-	96	646	667	3,657
All Freight (lane metres)	79,256	61,206	182,327	168,249	20,534	11,799	31,651	32,908	587,930
%	3%	0%	0%	0%	0%	1%	2%	2%	1%

What data NorthLink holds on the types of freight being transported throughout the year on each route broken down by industry; and how the prevalence of freight transportation by type and route fluctuates throughout the year.

NorthLink capture the commodity shipped for the majority of drop trailer freight at both the primary industry sector level along with relevant subsectors. Detailed commodity capture data will be supplied in advance of our Committee appearance.

In summary though the prevalence of freight by type and route varies throughout the year. Across the year Aberdeen - Lerwick routes are dominated by the seafood sector which includes the export of white fish, farmed salmon and mussels and import of fish feed. This is punctuated in September and October by the agriculture sector's livestock exports. Aberdeen – Kirkwall routes are dominated by the agriculture sector livestock exports, however these volumes are not year-round with little shipped in the summer months and a peak each September and October. There is a significant

volume of empty vehicles shipped on these routes due to the imbalance between imports and exports. In comparison to these routes, volume's shipped Lerwick – Kirkwall and Stromness – Scrabster are much smaller. The main inter-island (Kirkwall – Lerwick) shipments are waste being transferred from Orkney to the Shetland incinerator along with some seasonal aquaculture sector shipments. Stromness – Scrabster is dominated by self-propelled vehicles (lorries and vans) the detailed sectors for which is not routinely captured given the mixed loads presented but include utilities, facilities management, whisky and seafood. Drop trailer volumes on the Stromness – Scrabster route relate mainly to the seafood sector and general haulage.

The overall volume of freight carried by month and route is published on NorthLink Ferries website: <https://www.northlinkferries.co.uk/news/statistics/>

Emergency travel

The Committee would welcome detail of NorthLink's policy for emergency travel by island residents for occasions such as hospital appointments, end of life care requirements and funerals, including—

How this is accessed by travellers; and how many spaces, and what proportion of spaces, are retained for these purposes.

Contractually we are obliged to provide services on a first come first served basis.

However, in circumstances such as outlined passengers are accommodated on a routine basis by our Port based customer services teams.

No space is required, either routinely or contractually to be retained for these purpose, however during the COVID-19 pandemic we held a small number of cabins for emergency responders, essential key contractors, medical personnel, NHS patients and other travel as authorised during the pandemic. These were allocated by the shore management team based on the circumstances advised by the customer and in accordance with Covid-19 restrictions in place from time to time.

Data held by NorthLink on the number of people seeking last minute ferry bookings broken down by reason and success rate.

We monitor the number of show-go bookings accommodated, but neither the reason or nor the success rate.

Show Go bookings 2022 per route and total

FY 2022	Total Pax	Show Go Pax	% Pax Show Go
ABKI	16,584	420	2.53%
ABLE	64,482	555	0.86%
KIAB	16,287	331	2.03%
KILE	8,863	89	1.00%
LEAB	63,832	636	1.00%
LEKI	9,411	80	0.85%
SCST	80,265	3,530	4.40%
STSC	79,575	1,997	2.51%
Total	339,299	7,638	2.25%

Contracts

Can you set out the contractual process for making changes to timetables, routes or the length of the sailing day?

The process for making changes to services is contained in the Northern Isles Ferry Services Contract 2020-2028 which can be accessed at <https://www.transport.gov.scot/publication/northern-isles-ferry-services-contract-2020-2028/>.

Specifically Schedule 3 – Services & Specification of requirements section 2.7 Timetable revisions and demand for additional services which can be accessed at <https://www.transport.gov.scot/media/51357/schedule-3-services-specification-of-requirements.pdf> and Schedule 14 – Variation to services, using the Contract variation form (<https://www.transport.gov.scot/media/51367/schedule-14-variation-to-services.pdf>).

The definition of a contract variation is contained in Schedule 1 - Definitions and Interpretations which can be accessed at <https://www.transport.gov.scot/media/51355/schedule-1-definitions-and-interpretation.pdf>.

Staff

The Committee heard evidence on verbal and physical abuse of ferry staff by passengers. The Committee would welcome information on NorthLink policy on dealing with these situations and on staff wellbeing.

In summary Serco NorthLink Ferries take inappropriate behaviour on-board and, in the terminals, very seriously and will take whatever action is necessary to eradicate this from our vessels and premises. All company employees and managers are empowered to take appropriate actions, where appropriate to do so, to ensure that the passenger experience and working environment is fundamentally safe. To support both staff and other passengers the authorities should be called to attend any incident where a passenger, or potential passenger, is deemed to be threatening or abusive. This also applies to any breach of the peace or unlawful act. The Company will press for prosecution of any person who is creating a situation which puts staff or other passengers in a potentially dangerous or vulnerable situation.

Our procedures references the additional information provided on our website and our Terms and Conditions of carriage;

<https://www.northlinkferries.co.uk/legal/additional-information/>

Passenger Behaviour

Passengers appearing under the influence of alcohol or drugs at check-in cannot expect to be allowed to board the vessel. Similarly, while our bars and restaurants do serve alcohol during sailings, our staff are authorised to refuse to serve alcohol to anyone whose behaviour may cause offence to other passengers or who may be deemed to be putting themselves, staff or fellow passengers at risk. Our terminals and vessels are entirely non-smoking including e-cigarettes in all public indoor areas. On board our ships there are designated smoking areas on the outside decks. Within our Conditions of Carriage there is an implicit expectation as to the standard of behaviour expected of passengers on board.

<https://www.northlinkferries.co.uk/legal/terms-and-conditions/>

10. Alcohol consumption and smoking

(a) Passengers who are deemed by NorthLink Ferries in its absolute discretion to be under the influence of drink or drugs or otherwise and are deemed to pose a risk of disturbance or of harm to themselves or to others shall not be permitted to board a Vessel or may be removed from vessel. NorthLink Ferries shall not be required to reimburse the Passenger the cost of the booking nor any other costs incurred by the Passenger resulting from the refusal to board or removal from a vessel.

(b) Certain NorthLink Ferries vessels sell alcohol. In its absolute discretion, NorthLink Ferries may refuse to sell alcohol to any Passenger.

(c) Smoking, including the use of e-cigarettes, is prohibited on all areas of the Vessels other than those external areas designated as permitted smoking areas.

Incidents are reported via a Passenger Behaviour Incident (PBI) Report Form (SEC 306.1 NLF). If required there is a punitive action process which may result in passengers being barred from travel.

Staff Health and Wellbeing is supported through:

- *Serco Employee Assistance Programme*
- *Shoreside Health & Wellbeing Committee*
- *Our commitment to Staff Health and Wellbeing is recognised by our holding the IIP Health & Wellbeing Award*
- *Signatories of Maritime UK's "Mental Health in Maritime" Pledge*
- *Mental Health First Aid Training provided to shipboard and shore personnel*

What are the practical benefits of the provision of on-board accommodation for NorthLink seagoing staff? Could similar benefits be realised by the provision of on-shore accommodation?

Our vessels are manned consistent with industry standards taking account of operating parameters and hours of rest regulations. On-board accommodation is essential given the route operating network, service delivery requirements and vessel safe manning.