



Heidi Alexander MP
Secretary of State
Department for Transport
Great Minster House
33 Horseferry Road
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Dear Secretary of State

Alcohol limits for non-professional mariners

I am writing following publication of the Marine Accident Investigation Branch's report into the collision of the rigid inflatable boat *Peaky Blinder* with a navigation beacon in Portsmouth Harbour on 14 August 2025.

The MAIB's purpose is to establish the causes and circumstances of accidents so that similar tragedies can be prevented. Its report makes clear that the operator of *Peaky Blinder* was under the influence of alcohol and that the effects of the alcohol consumed substantially increased the likelihood of the accident occurring. It also concludes that the present systems of regulation, enforcement and education for the UK's recreational maritime community are ineffective in influencing behaviour around alcohol consumption.

The report therefore recommends that you make an order bringing subsections 80(1), 80(2) and 80(3) of the Railways and Transport Safety Act 2003 into force. It also recommends proportionate secondary legislation defining the scope of the prescribed alcohol limit and a national education and awareness campaign. I am writing to urge you to accept these recommendations in full and publish a clear timetable for their implementation.

Closing the legal loophole around alcohol limits for non-professional mariners has been one of the British Ports Association's key safety aims for more than two decades. The Railways and Transport Safety Act became law in 2003 and provided for drug and alcohol limits for both professional and non-professional mariners. However, while limits for professional mariners were brought into force, the principal provisions covering recreational boaters were not.

We last wrote to your Department in 2023 to highlight that there had already been too many occasions when alcohol had contributed to dangerous accidents and near misses, endangering lives within and outside ports and harbours. We argued then that ports and harbour authorities needed the law on their side, both to support enforcement and to drive the cultural change and greater awareness required around alcohol on the water.

At that time, we noted that the industry had repeatedly been asked to provide evidence of the prevalence of the issue, despite the absence of a regulatory framework making incidents difficult to document consistently.



The MAIB has now undertaken a detailed independent investigation, reviewed the wider evidence and made an unequivocal recommendation for legislative action. I would respectfully suggest that it is no longer possible to defend preserving the status quo.

We recognise that questions have previously been raised about the precise scope of the legislation and how it would be enforced. However, these are not reasons for continued inaction. Section 80 expressly enables proportionate exemptions to be developed through secondary legislation, including by reference to the power of a vessel, its size or its location. The MAIB's recommendation provides a clear and practical route for the Department to address these questions while bringing the underlying offences into force.

Education and awareness will also be important, and we support the MAIB's recommendation for a national campaign. However, guidance alone has not proved sufficient. Legislation, enforcement and education must work together to establish the same clear expectation that exists in other safety-critical forms of transport: the person responsible for navigating a vessel should not do so while impaired by alcohol.

Accepting the MAIB's recommendations would not prevent people from enjoying a drink while aboard a recreational vessel. It would simply require the person responsible for its navigation to remain within a prescribed limit and would support the principle of having a designated, sober operator on the water.

The necessary primary legislation has now been on the statute book for 23 years. The MAIB has identified the regulatory gap, explained the risks it creates and set out the steps required to close it. We therefore ask that you accept recommendations 2026/153, 2026/154 and 2026/155 and confirm when the Government intends to implement them.

Closing this loophole would be a significant and lasting improvement to safety in UK waters. We would, of course, be pleased to meet with you or your officials to discuss the practical implementation of the recommendations and to support the Department in developing the accompanying awareness campaign.

Yours sincerely

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Chief Executive