

NOTICE TO MARINERS

No. 11 – 2017

PORT OF GREAT YARMOUTH

Navigation Byelaws

MARINERS ARE HEREBY REMINDED of their obligation to comply with **Great Yarmouth Port Authority Navigation (Haven) Byelaws 1997** (attached to this Notice) whilst navigating within the Great Yarmouth Port area. Following reports and observations of vessels and their conduct, particular attention is drawn to the following Byelaws:

Byelaw 14 – Maximum Speed of Vessels

Byelaw 15 – Vessel to Navigate with Care

Byelaw 32 – Vessels to be lit

There have been reports of both a person being knocked over and damage caused to craft whilst moored due to excessive wash production from passing vessels. Mariners are reminded that the *maximum* speed in the port area of seven knots over the ground is not necessarily a safe speed and consideration must be given to other vessels moored within the Port, vessel specific wash generation characteristics and tidal speed and direction amongst others.

Vessels have been reported to be both unlit or insufficiently lit whilst berthed during hours of darkness and under conditions of restricted visibility therefore endangering safe navigation within the Port area. Mariners are reminded that all vessels must be suitably lit in the aforementioned conditions. The only exceptions are vessels under 20m LOA moored at berth 21H (visitors moorings) and berth 36 (currently disused).

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Failure to comply with any of the Great Yarmouth Port Authority Navigation (Haven) Byelaws 1997 is an offence and may lead to prosecution.

For further information please contact Yarmouth Radio (VHF Ch12 or 01493 335511) or the Harbour Office at GYHarbourOffice@Peelports.com

On behalf of **Harbour Master**

31st October 2017

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GREAT YARMOUTH PORT AUTHORITY



GREAT YARMOUTH PORT AUTHORITY NAVIGATION (HAVEN) BYELAWS 1997

IMPORTANT NOTE

PILOTAGE EXEMPTION CERTIFICATE HOLDERS

This document should be retained for future use

Great Yarmouth Port Authority,
20-21 South Quay, Great Yarmouth, Norfolk, NR30 2RE

GREAT YARMOUTH PORT AUTHORITY

GREAT YARMOUTH PORT AUTHORITY NAVIGATION (HAVEN) BYELAWS 1997

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GREAT YARMOUTH PORT AUTHORITY

GREAT YARMOUTH PORT AUTHORITY NAVIGATION (HAVEN) BYELAWS 1997

The Great Yarmouth Port Authority, in exercise of the powers conferred by section 83 of the Harbours, Docks and Pier Clauses Act 1847, section 95 of the Great Yarmouth Port and Haven Act 1866, section 11 of the Great Yarmouth Port and Haven Act 1907, section 13 of the Great Yarmouth Port and Haven Act 1948 and section 12 of the Great Yarmouth Port and Haven Act 1963, as amended by article 7 of the Great Yarmouth Port and Haven Revision Order 1975, and of all other powers them enabling, hereby make the following byelaws.

PART I - PRELIMINARY

1. These byelaws may be cited as the Great Yarmouth Port Authority Navigation (Haven) Byelaws 1997 and shall come into operation on the expiration of 28 days from the date of confirmation thereof by the Secretary of State.

Application

2. These byelaws shall apply to the port area, the extent of which is set forth in Schedule I hereto.

Interpretation

3. In these byelaws, unless the context otherwise requires, the following words or expressions have the meanings hereby respectively assigned to them:

'authorised employee'	means any person acting in the execution of his duty as an officer or employee of the Authority;
'the Authority'	means the Great Yarmouth Port Authority as defined by article 2 of the Great Yarmouth Port Authority Harbour Revision Order 1989;
'Collision Regulations'	means regulations for the prevention of collisions made under section 85 of the Merchant Shipping Act 1995;
'dangerous substances'	means any substance or article defined in the Dangerous Substances in Harbour Areas Regulations 1987 or any subsequent amendments thereof;
'goods'	means all wares, merchandise, articles or things of every description and includes containers, trailers and flats, fish, livestock, waste and animals of all description;

‘Harbour Master’	means the person appointed as Harbour Master by the Authority for the time being pursuant to section 51 of the Harbours, Docks and Pier Clauses Act 1847 and sections 3 and 54 of the Great Yarmouth Port and Haven Act 1866 and includes such deputies as may be appointed by the Authority pursuant to section 54 of the Act of 1866 and such assistants or other persons so authorised by the Authority to act in that capacity;
‘the Haven’	means the area as defined in paragraph 2 of Schedule I hereto;
‘hovercraft’	means a vehicle which is designed to be supported when in motion wholly or partly by air expelled from the vehicle to form a cushion of which the boundaries include the ground, water or other surface beneath the vehicle;
‘master’	when used in relation to any vessel, means any person having the command, charge or management of the vessel for the time being;
‘the outer limits’	means the area as defined in paragraph 3 of Schedule I hereto;
‘owner’	when used in relation to a vessel, includes any part-owner, broker, charterer, agent or mortgagee in possession of the vessel or other person or persons entitled for the time being to possession of the vessel;
‘the permitted areas’	when used in relation to the outer limits, means the areas as defined in Schedule II hereto;
‘the port area’	means the Haven and the outer limits together, as defined in Schedule I hereto;
‘quay’	means any quay, wharf, jetty, dolphin, landing stage or other structure used for berthing or mooring vessels, and includes any pier, bridge, roadway or footway immediately adjacent and affording access thereto and shall include all erections, buildings, plant, machinery and works, whether attached thereto or floating;
‘sail board’	means a raft with a sail or sails designed to be operated by a person or persons standing upright thereon;
‘small vessel’	means any vessel of less than 20 metres in length and, unless the context otherwise requires, includes a sail board;
‘sailing vessel’	means a vessel designed to carry sail whether as the sole or as a primary or supplementary means of propulsion;
‘vessel’	means a ship, boat, raft or water craft of any description and includes non-displacement craft, seaplanes and any other thing constructed or adapted for floating on or being submersed in water (whether permanently or temporarily), and a hovercraft or any other amphibious vehicle.
‘Vessel Traffic Service’	means the Authority’s system for the management and control of the movement, berthing and mooring of vessels in the port area and the employees of the Authority engaged in the operation thereof.

Application of the Collision Regulations

4. The Collision Regulations apply in the port area, provided that where there is conflict between the said Regulations and these Byelaws, the latter shall prevail.

Application of the Health & Safety at Work etc. Act 1974

5. Nothing in these byelaws shall affect the relevant statutory provisions of the Health and Safety at Work etc. Act 1974, as defined in Section 53 of that Act, including the Docks Regulations 1988.

PART II - VESSEL MOVEMENTS

Notice of Vessel Arrival and Declaration of Particulars

6. The master of any vessel which is equipped with VHF radio shall give prior notice to the Vessel Traffic Service of the vessel's arrival at the port area and shall supply the name of the vessel.
7. (1) The master of a vessel which is equipped with VHF radio shall supply such of the following information as may be required to the Vessel Traffic Service by radio on arrival at the port area:
 - (a) length overall;
 - (b) tonnage;
 - (c) draught on arrival;
 - (d) time of arrival;
 - (e) intended berth;
 - (f) last port of call;
 - (g) name of master;
 - (h) pilotage exemption certificate, if applicable;
 - (i) names of owner and agent; and
 - (j) particulars of cargo, including any dangerous substances.(2) In addition to the above information, the master of the vessel, or its agent, shall furnish the Authority with a written declaration of the following information as soon as possible after the vessel's arrival:
 - (a) name of the vessel;
 - (b) date of arrival;
 - (c) date of departure;
 - (d) port of registry;
 - (e) gross tonnage;
 - (f) particulars of cargo (commodities and quantities);
 - (g) point of discharge or loading; and
 - (h) addresses for despatch of accounts for tonnage and cargo tolls and pilotage charges.(3) This byelaw shall not apply to small vessels.

Notice of Vessel Movements

8. (1) The master of any vessel which is equipped with VHF radio shall give prior notice to the Vessel Traffic Service of the vessel's movement (including swinging) within, and departure from, the port area.
- (2) The master of any vessel which is equipped with VHF radio shall report to the Vessel Traffic Service when passing:
 - (a) Berth 7 (Ocean Terminal);
 - (b) Berth 15 (Atlas Terminal);
 - (c) the Haven Bridge;

Delays in Departure to be Reported

9. (1) Where any vessel is delayed in departing from a berth the master of the vessel shall report as soon as reasonably practicable to the Vessel Traffic Service the reason for, and probable duration of, the delay.
- (2) This byelaw shall not apply to a small vessel which is not equipped with VHF radio.

Master to Remain on Bridge

10. The master of a vessel under way in the port area shall either:
 - (a) be on the bridge or at the control position of the vessel; or
 - (b) ensure that there is on the bridge or at the control position a member of the crew who is capable of taking charge of the vessel and, when a pilot is on board, is capable of taking and acting upon the pilot's advice for the conduct of the vessel.

Lookout

11. The master of a vessel under way in the port area shall:
 - (a) ensure that a proper and efficient all round lookout is maintained; and
 - (b) maintain a listening watch by radio on the port working channel, if the vessel is equipped with VHF radio.

Vessel to have Competent Helmsman

12. The master of a vessel shall ensure that it is steered at all times by a person competent to do so and no automatic devices or equipment shall be used for steering purposes unless attended by a competent helmsman.
13. (1) No person under the age of sixteen years shall be in charge of, and no person shall knowingly and without reasonable excuse cause or permit any such person to be in charge of, a vessel navigating within the port area.
- (2) This byelaw shall not apply to the use or operation of a small vessel in the permitted areas within the outer limits, as shown on the plan in Schedule II hereto.
- (3) This byelaw shall not apply to the use or operation of sailing vessels by the Great Yarmouth and Gorleston Sailing Club.

Maximum Speed of Vessels

14. (1) Except in an emergency, or with the permission of the Harbour Master or other authorised employee, and subject to the Collision Regulations, the master of a vessel shall not cause or permit the vessel to proceed at a speed greater than seven knots over the ground in the Haven.
- (2) This byelaw shall not apply to any vessel when it is being used for a rescue operation, fire-fighting, or police or port operations.

Vessel to Navigate with Care

15. (1) The master of a vessel shall navigate the vessel in the port area with such care and caution, and at such speed and in such manner, so as not:
- (a) to endanger the lives of or cause injury to persons; or
 - (b) to endanger or cause damage to property; or
 - (c) to interfere with the navigation, manoeuvring, loading or unloading of vessels or with quays, moorings, river banks or other property.
- (2) The master of any vessel making a passage through the outer limits from or to one of the permitted areas shall give priority to any other vessel that is being navigated either on its approach to or departure from the Harbour's Mouth.

Compliance with Lights and Signals

16. (1) The master of a vessel shall not cause or permit the vessel:
- (a) to enter, leave, or navigate within, the port area; or
 - (b) to pass through the Haven Bridge
- when prohibited by the Authority's lights or other signals from so doing.
- (2) The master of a vessel proceeding down river shall not cause or permit the vessel to pass beyond the R.N.L.I. Lifeboat Station, being a point 400 metres north of Brush Bend, when prohibited by the Authority's lights or other signals from so doing.

Vessels not to Obstruct Main Navigation Channels

17. The master of a vessel which is not confined to the main navigation channel shall not make use of the main navigation channel so as to cause obstruction to other vessels which can navigate only within that channel.

Towage of Vessels

18. (1) No towage of a vessel shall be undertaken in the port area without the consent of the Harbour Master or other authorised employee.
- (2) No towage shall be undertaken if a speed of two knots over the ground cannot be maintained.
- (3) This byelaw shall not apply to a small vessel towing its own tender.

Vessels not to be made fast to Navigation Buoys or Marks

19. The master of a vessel shall not make fast the vessel to or lie against any buoy, beacon or mark used for navigational purposes.

Launching and Recovery of Vessels

20. (1) No person shall launch or recover any vessel in the port area without the prior permission of the Vessel Traffic Service.
(2) Except in an emergency, the master of a vessel (other than a small vessel) shall not launch a tender or safety craft to, or recover such vessel from, the waters of the port area, without the permission of the Vessel Traffic Service.
(3) This byelaw shall not apply to the launching or recovery of a small vessel in the permitted areas within the outer limits, as shown on the plan in Schedule II hereto.
(4) This byelaw shall not apply to any vessel operated by the Authority, the Armed Forces, the lifeboat service or a public or local authority acting in a law enforcement or emergency role.

Races

21. No person shall organise or take part in a race by two or more vessels in the port area unless prior written permission for the race has been obtained from the Authority.

PART III - VESSEL SAFETY

Notification of Collisions, Damage, Fire, etc.

22. The master of a vessel which, on arrival at the port area, is on fire or in such a condition as to affect its safe navigation or to give rise to danger to other vessels or property or port operations, because of damage from a collision or other accident, a previous fire or a defect or any other cause, shall give immediate notice to the Vessel Traffic Service and, in the case of a vessel in the outer limits, shall not approach within 500 metres of the North and South Piers except with the permission of, and in accordance with the directions of, the Vessel Traffic Service.
23. (1) The master of a vessel which:
(a) has been involved in a collision, or has been sunk or grounded, or become stranded in the port area or port operations; or
(b) is on fire or has sustained damage or has caused damage to any other vessel or property; or
(c) by reason of accident, fire, defect or other cause, is in such a condition as to affect its safe navigation or to give rise to danger to other vessels or property; or
(d) in any manner gives rise to an obstruction in the port area; or
(e) is at a quay which is on fire
shall give immediate notice to the Vessel Traffic Service.

(2) With the exception of the circumstances in (1)(e) above, the master concerned shall also, as soon as practicable thereafter, provide the Harbour Master with full details in writing.

(3) Where damage to a vessel is such as to affect or to be likely to affect its seaworthiness, the master shall not move the vessel except to clear the channel or to moor or anchor in safety except with the permission, and in accordance with the directions of, the Harbour Master or other authorised employee.

Unseaworthy Vessels

24. (1) No master shall cause a vessel to navigate in the port area in an unsafe or unseaworthy condition except with the permission of the Vessel Traffic Service.

(2) For the purpose of this byelaw a vessel is in an unsafe or unseaworthy condition if its presence in the port area might involve a risk:

(a) to the safety of other users of the port area; or

(b) that the vessel may, by sinking or foundering in the port area, prevent or seriously prejudice the use of the port area by other vessels.

Vessels Adrift

25. The master of a vessel which parts from its moorings shall, as soon as possible, report the same to the Vessel Traffic Service.

Navigation under Influence of Drink or Drugs Prohibited

26. A person shall not navigate any vessel in the port area whilst under the influence of drink or drugs to such an extent as to be incapable of taking proper control of the vessel.

Transfer of Oil

27. No person shall cause or permit the transfer of oil between vessels in the port area without the prior written permission of the Authority.

28. For any operation to transfer oil to or from a vessel, the master of the vessel shall notify the Vessel Traffic Service both at the commencement of the operation and on its completion.

Notice of Escape of Marine Pollutants

29. The master of a vessel from which a marine pollutant is escaping, or is likely to escape, shall give immediate notice to the Vessel Traffic Service (and as soon as practicable thereafter, provide the Harbour Master with full details in writing) and any such vessel which is in the outer limits at the time of the occurrence shall not enter the Haven except with the consent of, and in accordance with the directions of the Vessel Traffic Service.

PART IV - BERTHING AND MOORING

Provision of Proper Fenders

30. The master and the owner of a vessel shall ensure that it is provided with a sufficient number of fenders adequate for the size of the vessel and when berthing and leaving, or lying at a quay or against other vessels, the master shall cause the vessel to be fendered off from that quay or those other vessels so as to prevent damage to that quay, those other vessels or property.

Vessels to be properly berthed

31. The master of a vessel shall at all times keep the vessel properly and effectively moored close alongside when berthed or lying at any quay and shall ensure that the vessel's mooring lines do not lie across any berth in such a manner as intentionally or recklessly to obstruct the passage of any other vessel.
32. (1) The master of every vessel, when moored or berthed, shall ensure that the vessel is lit during the hours of darkness or under conditions of reduced visibility, provided that no light or other object shall be displayed in such a way as shall tend to mislead vessels or endanger navigation.
(2) This byelaw shall not apply to small vessels moored at Berth 21h (Town Hall Quay) and Berth 36 (West Quay).
33. The master of every vessel, when moored or berthed, shall ensure that no equipment of the vessel, nor any personnel, shall overhang or project from the side of the vessel except with the permission of the Harbour Master or other authorised employee.

Restrictions on Mooring

34. (1) Unless otherwise required by the Vessel Traffic Service, all vessels shall moor broadside to the berth.
(2) With the exception of Berth 21h (Town Hall Quay), at which up to two vessels may moor alongside one another, no vessel shall moor alongside another vessel in the Haven without the permission of the Vessel Traffic Service.
(3) No vessel shall berth or moor within 30 metres of the Haven Bridge without the permission of the Vessel Traffic Service.

Prohibition of Mooring

35. No vessel other than a vessel operated by the Authority shall moor on Brush Quay or Brush Bend without the permission of the Harbour Master or other authorised employee.

Prohibition of Anchoring

36. (1) Except in an emergency, no vessel shall remain at anchor in any part of the port area without the permission of the Vessel Traffic Service and any master who causes the anchor of a vessel to be lowered shall immediately raise it on being required to do so by the Vessel Traffic Service.
- (2) No master shall use or lower any anchor:
- (a) within 100 metres of the Haven Bridge; or
 - (b) within 50 metres of the underground electricity transmission cable crossing between Berth 10 on the east bank of the river and Berth 35a on the west bank of the river, the line of which is marked by yellow diamond-shaped beacons at the said berths.

Access to and Egress from Vessels

37. The master and the owner of a vessel (other than a small vessel) while berthed alongside a quay shall provide and maintain sufficient and safe means of access to and egress from the vessel.

Sufficiency of Crew

38. (1) Except with the permission of the Harbour Master or other authorised employee, the master of a vessel shall at all times when the vessel is within the port area ensure that the vessel is capable of being safely moved and navigated and that there are sufficient crew or other competent persons readily available on board the vessel:
- (a) to attend to the vessel's moorings and means of access thereto;
 - (b) to comply with any directions given by the Vessel Traffic Service for the unmooring, mooring and moving of the vessel; and
 - (c) to deal, so far as reasonably practicable, with any emergency that may arise.
- (2) This byelaw shall not apply to small vessels.

Vessels to be kept in a Movable Condition

39. The master of a vessel shall not, except with the permission of the Harbour Master or other authorised employee, take any steps to render the vessel incapable of movement and shall at all times keep the vessel so loaded and ballasted, and in such condition, that it is capable of being safely moved and shall immediately inform the Vessel Traffic Service of any occurrence, incident or emergency that arises which may prevent the vessel from being moved.

Operation of Engines

40. Except for the purpose of mooring, unmooring or swinging, the master of a vessel which is at a quay or attached to any mooring device shall not permit the engines, propulsion units or other equipment of the vessel to be worked in such a manner as to cause, or to be likely to cause, injury or damage to the bed or banks of the port area or to any other vessel or property.

Vessels not to Make Fast to Unauthorised Objects

41. No person shall make a vessel fast to any post, quay, ring, fender, ladder, hand-hold or any other thing or place not assigned for that purpose.

Access across Decks

42. The master of a vessel alongside a quay or alongside any vessel already berthed within the port area shall, if required so to do by the Harbour Master or other authorised employee, give free access across the deck of the vessel for persons and goods to and from vessels berthed alongside the vessel.

Lost or Fouled Anchor, Cable or Propeller

43. (1) The master of a vessel which has slipped or parted from, or lost, any anchor, chain, cable or propeller shall forthwith inform the Vessel Traffic Service of the occurrence and of the position of the anchor, chain, cable or propeller and, if the Harbour Master or other authorised employee so directs, shall cause it to be recovered as soon as practicable.
- (2) The master of a vessel slipping from any chain, cable or other thing with which it has been fouled shall forthwith inform the Vessel Traffic Service of the occurrence and of the position of the chain, cable or other thing so slipped.
- (3) Without prejudice to byelaw 64, if a direction given under paragraph (1) of this byelaw is not complied with, the Authority may itself recover the anchor, chain, cable or propeller concerned and the cost so incurred may be recovered by the Authority from the master or owner of the vessel as a debt in any court of competent jurisdiction.
- (4) This byelaw shall not apply to small vessels.

PART V - HAVEN BRIDGE

44. (1) Unless employed or otherwise authorised by the Authority, no person shall continue, remain, go or be, or ride, lead or drive any horse or other animal or drive, operate, place or leave any vehicle, cycle, machinery or any other thing whatsoever, on any part of the Haven Bridge that lies within the lines of the traffic control barriers situated on the roadways and footways on each side of the bridge:
- (a) whenever the bridge shall be opened for the passage of any vessel; or
- (b) whenever the bridge shall be opened or raised for maintenance, inspection or any other lawful purpose; or
- (c) whenever so required, by an authorised employee, in the interests of safety because of any occurrence, incident or emergency on or near the bridge.
- (3) No person shall charge or recharge any vehicle with, or empty it of, fuel or oil on any part of the Haven Bridge that lies within the lines of the traffic control barriers situated on the roadways and footways on each side of the bridge.

PART VI - GENERAL

Inspection Facilities and Assistance to be made available to Harbour Master

45. The master of a vessel shall, so far as may be required by the Harbour Master in the exercise of his duties, afford the Harbour Master or other authorised employee access to any part of the vessel and provide reasonable facilities for its inspection and examination or, where necessary, for dealing with, alleviating or preventing any emergency.

Vessels not to be fumigated without Permission

46. The master or owner of a vessel shall not without the prior permission of the Authority cause or permit the vessel or any cargo or goods contained therein to be fumigated while the vessel is in the port area.

Laying down Buoys and other Tackle

47. (1) No person shall lay down any buoy, or similar tackle in the port area without the prior consent of the Harbour Master or other authorised employee, nor except in accordance with such conditions as the Harbour Master or other authorised employee may impose.
(2) A buoy or similar tackle shall forthwith be removed by its owner or any other person claiming possession of it if the Harbour Master or other authorised employee so directs.
(3) Without prejudice to byelaw 64, if a direction given under paragraph (2) of this byelaw is not complied with, the Authority may itself remove the buoy or tackle concerned and the cost so incurred may be recovered by the Authority from the owner of the buoy or tackle as a debt in any court of competent jurisdiction.

Dumping in Port Area Prohibited

48. No person shall deposit or throw into the waters in the port area any rubbish or other material whatsoever, or place it in such a position that it can fall, blow or drift into the port area.

Drift or Trawling Nets Prohibited

49. No person shall cast, place or use any drift, trawl or other net in the port area.

No Dragging or Grappling without Permission

50. (1) Except as may be required by byelaw 43, no person shall drag or grapple for any material or article nor remove the same from the bed of the port area, without the permission of the Vessel Traffic Service.
(2) This byelaw shall not apply to small vessels.

Blue Flashing Lights on Official Vessels

51. (1) Except with the consent of the Authority the master or owner of a vessel shall not at any time cause or permit the vessel to have fitted to it, or to show, a blue flashing light.
(2) This byelaw shall not apply to any vessel operated by the Authority, the Armed Forces, the lifeboat service, any other navigation or harbour authority or a public or local authority acting in a law enforcement or emergency role.

Vessels to have Names marked on them

52. The owner of a vessel which is not registered as a ship under the Merchant Shipping Act 1995, and marked accordingly, shall ensure that the vessel is marked conspicuously with its name or other means of identification unless otherwise exempted by the Authority.

Abandonment of Vessels Prohibited

53. (1) No person shall abandon a vessel in, or on the banks or shore of, the port area.
(2) For the purposes of paragraph (1) of this byelaw, a person who leaves a vessel in, or on the banks or shore of, the port area in such circumstances or for such period that he may reasonably be assumed to have abandoned it shall be deemed to have abandoned it there unless the contrary intention is shown.

Prohibited Activities

54. (1) No person shall, in the port area, engage or take part in aquaplaning or water-skiing or any other activity by means of which a person may be towed through the water.
(2) No person shall engage in kiting or parachute-towing in the port area.
55. No person shall use or operate, or cause to be operated, a sail board within the Haven.

Diving Operations

56. Except in an emergency, no person shall undertake any diving operations in the port area, whether for recreational or commercial purposes, without the prior written permission of the Authority.

Swimming

57. No person shall swim in the Haven, except in accordance with Byelaw 56.

Life-Saving Apparatus

58. No person shall, without lawful authority, use, move, obstruct, tamper with or remove any life-saving apparatus provided for use in the port area.

Assistance to Fire and Other Services

59. The master or owner of a vessel shall give every reasonable facility and assistance to the fire, police, ambulance and other emergency services for dealing with, alleviating or preventing any emergency or whilst otherwise executing their statutory functions.

Fire Precautions

60. The master or owner of a vessel shall take all reasonable precautions for the prevention of accidents by fire.

Pyrotechnics

61. No person shall light, discharge or detonate any fireworks, flare or pyrotechnic within the port area, except for the purpose of signalling distress, without the permission of the Authority.

Obstruction of Employees of the Authority

62. No person shall intentionally obstruct any employee of the Authority in the execution of his duties.

Penalties

63. (1) Any person who contravenes or otherwise fails to comply with any of these byelaws, or any condition, requirement or prohibition imposed by the Authority or the Harbour Master or other authorised employee in the exercise of the powers conferred by these byelaws, shall be guilty of an offence and be liable, on conviction before a court of summary jurisdiction:
- (a) in the case of an offence against byelaws 6, 7, 8, 9, 45 or 52 to a fine not exceeding level 2 of the standard scale; and
 - (b) in the case of an offence against any other byelaw, to a fine not exceeding level 3 of the standard scale.
- (2) Where the commission by any person of an offence under these byelaws is due to the act or default of some other person, that other person shall be guilty of an offence; and that other person may be charged with, and convicted of, the offence by virtue of this byelaw, whether or not proceedings for the offence are taken against any other person.
- (3) In any proceedings for an offence under these byelaws, it shall be a defence for the person charged to prove:
- (a) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence; or
 - (b) that he had a reasonable excuse for his act or failure to act.

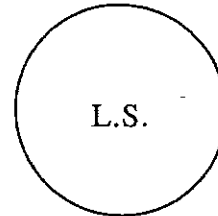
(4) If, in any case, the defence provided by paragraph 3(a) of this byelaw involves the allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, within a period ending seven clear days before the hearing, he has served on the prosecutor a notice in writing giving such information identifying, or assisting in the identification of, that person as was then in his possession.

(5) The institution of any proceedings under these byelaws shall be without prejudice to the recovery of damages or to the prosecution and enforcement of any other civil remedy in respect of any act or omission which is in contravention of these byelaws.

Revocation

64. With effect from the coming into operation of these byelaws, the Great Yarmouth Port and Haven Byelaws 1965 are hereby revoked insofar as they apply to the port area.
65. With effect from the coming into operation of these byelaws, the Great Yarmouth Port and Haven Commissioners Haven Bridge Byelaws 1867 are hereby revoked.

The Common Seal of the Great Yarmouth Port Authority
was hereunto affixed on the 25th day of March 1997
in the presence of



J. B. Mowson (Chairman)

M. C. M. Boon (Chief Executive and Clerk)

Signed by the authority of the Secretary of State for the Environment, Transport and the Regions in conjunction with the modifications dated 18 December 1998

S. K. Reeves

Dated 4 January 1999

S K Reeves
Head of Ports Division
Department of the Environment,
Transport and the Regions

SCHEDULE I

The Port Area

1. In these byelaws, the port area comprises the Haven and the outer limits, as described in paragraphs 2 and 3 of this Schedule.

The Haven

2. In these byelaws, the Haven means the area which is enclosed by:
 - (a) a notional line drawn across the Harbour's Mouth from the most easterly point of the South Pier to the most easterly point of the North Pier; and
 - (b) a notional line drawn across the River Yare, between grid references TG 51873017808 and TG 51959017859 (being the boundary of the Broads).

The Outer Limits

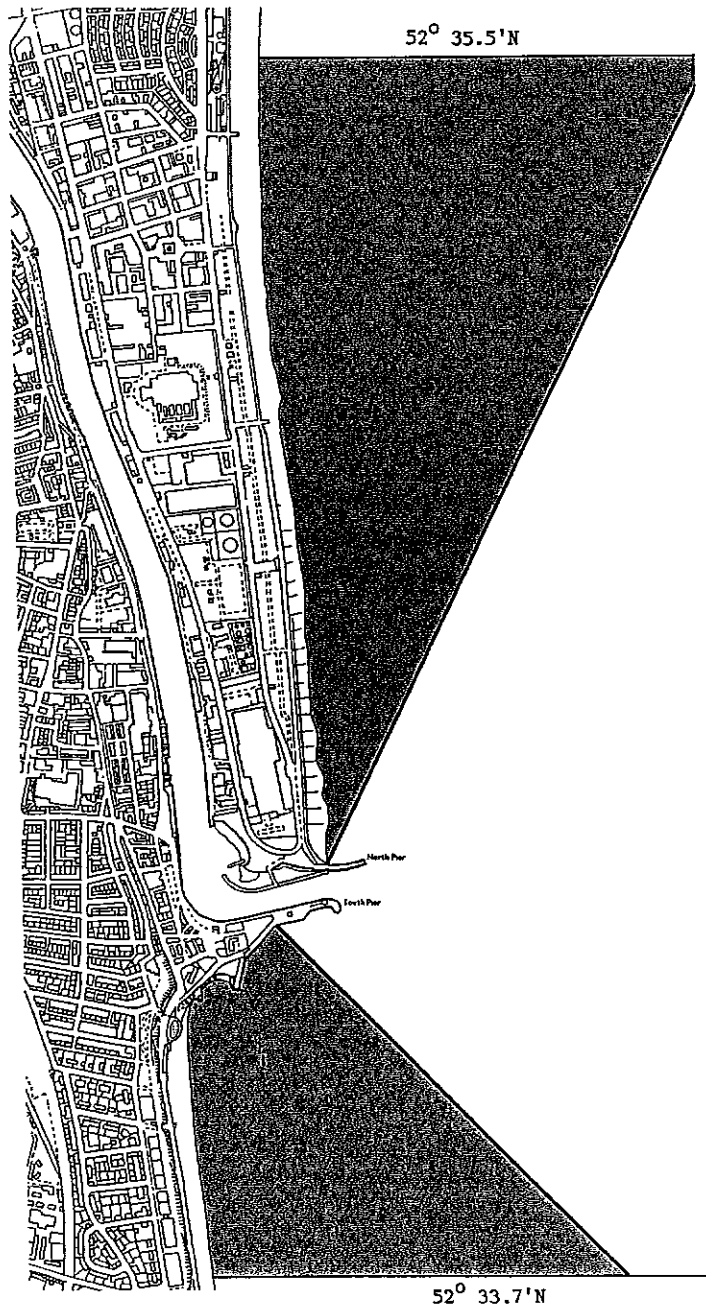
3. In these byelaws, the outer limits means the area of sea bounded by a notional line commencing at the point where latitude 52 degrees 35.5 minutes north meets the level of high water, following the said latitude in an easterly direction to the point where it meets longitude 01 degrees 45.5 minutes east, thence following the said longitude in a southerly direction to the point where it meets latitude 52 degrees 33.7 minutes north, thence following the said latitude in a westerly direction to the point where it meets the level of high water, thence following the level of high water in a northerly direction to the most easterly point of the South Pier at the Harbour's Mouth, thence in a straight line to the most easterly point of the North Pier at the Harbour's Mouth and thence following the level of high water in a northerly direction to the point of commencement.

SCHEDULE II

Outer Limits

Permitted Areas
(Byelaws 13, 15 and 20)

1. In these byelaws, the permitted areas within the outer limits are the areas shown shaded grey on the plan below.



NOTE - APPLICATION OF THE BYELAWS

This Note does not form part of the Byelaws

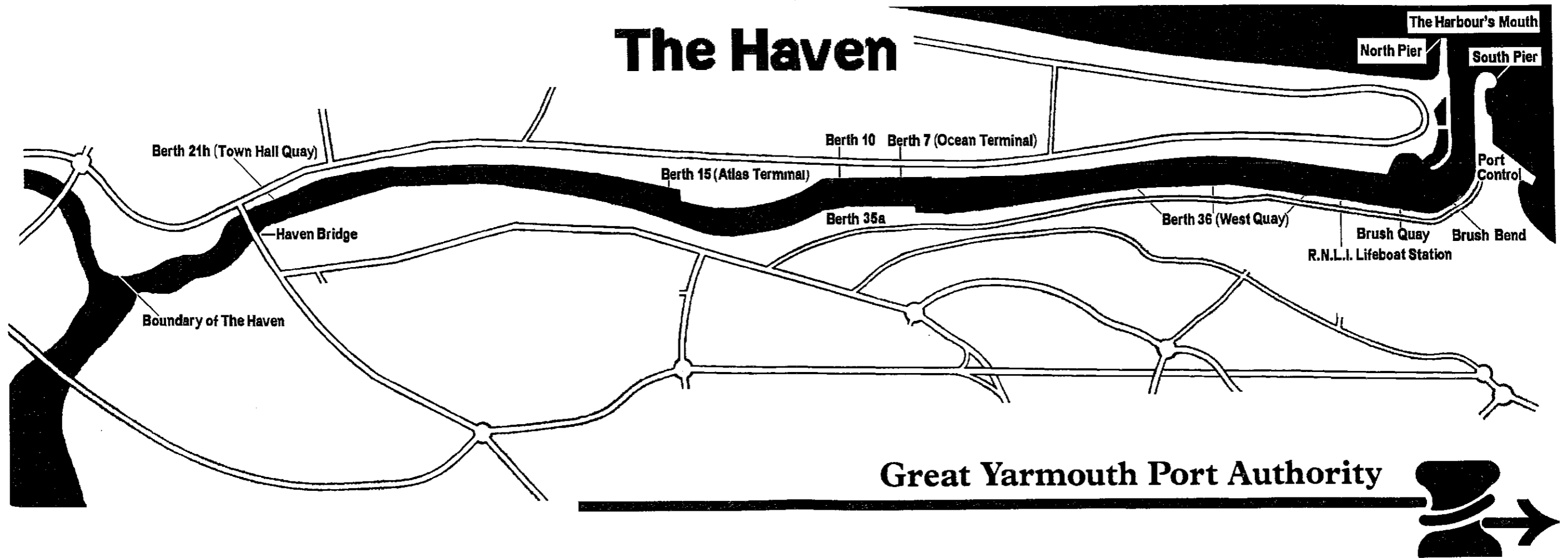
The accompanying fold-out map of the Haven is for Guidance Only

The area of application of the Byelaws is defined in Byelaw 2 and Schedule I.

Within the Outer Limits, is the area of sea, to the north of the North Pier, which is the site for the Great Yarmouth Outer Harbour. This will be constructed by the Great Yarmouth Port Authority, pursuant to the Great Yarmouth Outer Harbour Act 1986, which also empowers the Authority to make byelaws. When made, the byelaws for the Outer Harbour will disapply the Great Yarmouth Port Authority Navigation (Haven) Byelaws 1997 in the appropriate part of the Outer Limits.

GREAT YARMOUTH PORT AUTHORITY

GREAT YARMOUTH PORT AUTHORITY NAVIGATION (HAVEN) BYELAWS 1997



This map of the Haven does not form part of the Byelaws and is provided for guidance only



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