

Southwold Harbour Byelaws

The Southwold Harbour Authority is exercise of the powers conferred on them by and after consultation in accordance with S83 of the Harbours Dock and Piers Clauses Act 1847 and of all other powers enabling them in that behalf HERBY MAKE the following byelaws to be observed in Southwold Harbour.

Preliminary

1. These Byelaws may be cited as the Southwold Harbour Byelaws 2007.
2. a) These Byelaws shall come into operation on the expiration of one month from the date of the confirmation order thereof by the Secretary of State.
b) The Interpretation Act 1889 shall apply for the interpretation of these Byelaws as it applies for the interpretation of an Act of Parliament and as if the purposes of Section 38 of the Act these Byelaws were an Act of Parliament.
3. The following words and expression shall have the meanings hereinafter assigned to them namely:-
 - i. 'the Harbour' means the Southwold Harbour
 - ii. 'the Harbour Authority' means the Southwold Harbour Authority
 - iii. 'the Harbour master' means the Harbour master appointed by the Harbour Authority or any other offices appointed by the Harbour Authority for securing the observance of these byelaws and include his duly authorised assistants and shall have the meaning assigned by the Harbours Docks and Piers Clauses Act 1847.
 - iv. 'the master' when used in connection with a vessel means any person whether the owner or not having or taking command, charge or management of the vessel for the time being.
 - v. 'vessel' includes any vessel ship lighter keel barge boat raft pontoon hovercraft hydrofoil and craft of any kind howsoever navigated propelled or moved and any seaplane on the surface of the water.
 - vi. 'power driven vessel' includes any vessel propelled by machinery.
 - vii. 'underway' when used in relation to a vessel means when she is not at anchor or moored or made fast to the shore or aground and includes a vessel dropping up or down the harbour with her anchor on the ground.
 - viii. The Southwold Harbour Codes of Practice shall mean the document annexed hereto. Any breach of the Code shall be treated as though it were a breach of the Byelaws contained herein.
4. No vessel lying in the Harbour shall moor or ride by an anchor without the permission of the Harbour master.
5. No vessel shall moor to the North Wall or South Pier without permission nor shall any vessel so anchor moor or lie as to obstruct the entrance of any other vessel into or the departure of any other vessel from the Harbour.
6. Any vessel which obtains permission to moor at the North Wall or South Pier as in 5 above shall display a white light during the hours of darkness.
7. Vessels with the Harbour shall moor anchor and lie where the Harbour master shall direct and at no other place and the master of every vessel shall navigate or regulate such vessel according to the directions of the Harbour master.
8. The Master of a vessel shall if required by the Harbour master so to do cause at least one responsible person to be on board at all times which such vessel is anchored in the Harbour.

9. No Master of a vessel shall make fast to any vessel without the permission of the Master of such other vessel unless ordered to do so by the Harbour master.
10. No vessel wreck or wreckage of any kind shall be placed on the foreshore of the Harbour except with the sanction of the Harbour master.
11. Vessel's on arriving shall be immediately reported to the Harbour master at the Harbour masters office.
12. The Master of any vessel must pay all dues before leaving the Harbour.

Byelaws relating to storage of equipment/goods

13. Any vessel hulk or equipment stored on any part of the land owned by the Harbour undertaking may only stored with the permission of the Harbour master and this charged according to the rates in the Fees and Charges book for the current year, save for those Harbour users who lease a storage area from the Harbour Authority.
14. The Master of a vessel shall allow free access across and over the deck of such vessel when berthed alongside in the Harbour for goods to be shipped or unshipped into and from other vessels.
15. The owner of goods unloaded from or to be loaded into a vessel shall not allow any position of them to be deposited on any pier in such a way as to obstruct the free and safe use of any pier or walkway or any crane mooring post or fixture thereon.
16. No person other than the Harbour master or a person duly authorised by him shall be bailing called or otherwise from either pier or from any part of the Harbour or from any vessel within the Harbour give or attempt to give any directions or orders whatever to or in any way attempt to regulate control or alter the navigation or management of any vessel whether such vessel be within or without the Harbour.
17. No person shall cause a vessel to navigate the harbour in an unsafe or unseaworthy condition except as necessary for her safety and that of her crew and she shall then proceed to such place as may be indicated by the Harbour master.
18. A person shall not navigate any vessel with the harbour whilst under the influence of drink or drugs to such an extent as to be incapable of taking property control of the vessel.
19. The Regulations for Preventing Collisions at Sea now in force or as amended from time to time made by orders in Council in pursuance of the Merchant Shipping Act 1894 shall apply to the Harbour and to the vessels navigating and being therein with the exception that vessels secured to permanent moorings in the Harbour shall not be required to display lights.

Byelaws relating to Fires and Storage of Petrol or any other Inflammable Fuel or Inflammable Gas

20. a) No master of a vessel which has any fire alight or naked light on board shall allow her to come or be alongside any vessel loading petroleum except with the permission for and after compliance with such conditions as may be imposed by the Harbour master.
- b) No person shall carry matched or any appliances whatsoever for producing ignition at or near any place where loading or discharging of petroleum spirit or ballast water gas freeing or tank clearing is being carried out.

21. No person shall carry or store or cause to be carried or stored on any vessel within the Harbour any petrol or other inflammable fuel or inflammable gas in any receptacle other than in a receptacle specifically constructed for the purpose of carrying or storing petrol or other fuel or inflammable gas and originally intended by the manufacturer of the receptacle for the purpose.
22. Except with the prior written permission of the Harbour master no explosive combustible article or thing nor any commodity article or thing injurious to health or causing or likely to cause any nuisance within the Harbour shall be imported into or exported from or be brought into the Harbour or upon any pier quay works or premises. The Master or other person in charge of every vessel having on board any explosive or combustible article or thing or any commodity article or thing injurious to health or causing or likely to cause any nuisance shall within two hours after mooring within the Harbour give written notice to the Harbour master specifying all such articles things or commodities as may be on board and the Harbour master or his assistants may in their discretion order any vessel having on boards any such articles or things or commodities to be placed or moored in such place with the Harbour as he or they may prescribe or to proceed out of the Harbour and in default of compliance with any such orders it shall be lawful for the Harbour master either to cause the said vessel to be removed from the Harbour or the said combustibles or explosive articles to be stored in a place of safety and the said commodities to be removed and any nuisance arising there from to be abated and costs and expenses incurred by the Harbour master in any of the matters aforesaid shall be payable and paid by the Master of the said vessel and shall be recoverable against him and against the vessel in the same manner and with the like remedies as penalties for breaches of these byelaws.

Generally

23. The Harbour master shall have power to cause the Piers to be cleared of persons and property when necessary and may remove or cause to be removed there from any persons causing damage thereto or obstructing the lawful use thereof or refusing to obey the directions of the Harbour master within the Harbour.
24. No person shall have or cause to be had any fire or lighted candle upon the Piers Quays or works except at such times and in such manner as the Harbour master shall permit.
25. No person shall wilfully or maliciously cut or break or in any manner destroy any rope or other thing by which any vessel within the Harbour shall be moored or fastened nor when any vessel has been moored with the consent of the Harbour master shall any person without his express permission alter or remove the same or attempt to do so.
26. No person shall cut adrift or unlawfully unloose any vessel which may be made fast or moored in any part of the Harbour.
27. The Master of any vessel in the Harbour shall when so required by the Harbour master afford every reasonable facility to enable the Harbour master to ascertain whether or not these byelaws are duly observed.
28. No person shall commit a nuisance of any kind in the Harbour or on or against any property of the Harbour Authority or damage deface or injure any notice board building or other property or goods belonging to or in charge of the Harbour Authority or write obscene or offensive words on any such notice boards building property or goods.

29. No person shall make use of obscene scandalous abusive or improper language or behaviour to any officer of the Harbour Authority or to the annoyance of any person who shall be in upon or about the Harbour or obstruct any officer of the Harbour Authority in the execution of his duty.
30. No persons shall sound or use or cause or suffer to be sounded or used in the Harbour a siren steam hooter trumpet distress rocket or other instrument or appliance for producing alarm signals on any occasion or for any purpose other than in connection with navigation or distress.
31. No person or person shall engage in water-skiing aquaplaning or the like or in the towing of such persons within the limits of the Harbour.
32. No person shall trespass on damage make fast to or interfere with any light beacon sea mark navigational buoy or mark racing buoy or tide pole within the Harbour.
33. No vessel shall be broken up within the Harbour except with the written permission of the Harbour master and at such place as he shall appoint and subject to such other terms and conditions as he may stipulate.
34. No person shall deposit in the Harbour any rubbish refuse ballast stones earth clay or other abandoned article or material whether liquid or solid nor shall any person remove any stones clay or other materials from the quays banks or pathways.
35. No person shall in any part of the Harbour dig lugworm and rag worm nor shall any person fish in the Harbour area so as to interfere with navigation or where fishing is prohibited by notice of the Harbour Authority or to endanger themselves or others.
36. No timber trees wood or other substances shall be floated in or upon any part of the Harbour without the previous permission of the Harbour master nor shall any of the aforesaid things be so floated or kept except at such place or places and with such precautions fastenings and moorings as may be from time to time prescribed.

Penalties

37. Any person who contravenes or otherwise fails to comply with any of these byelaws or any condition requirements or prohibition imposed hereby shall be guilty of an offence and be liable on summary conviction to a fine not exceeding level three on the standard scale.
38. The Master of any vessel or owner of goods evading the payment of dues shall pay three times the amount of the dues.

Confirmed by Secretary of State for Transport 23 June 2012