



MANAGING ABANDONED UNSERVICEABLE OR WRECKED VESSELS SOUTHWOLD HARBOUR SOP DRAFT

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Contents

- 1. Document Control**
- 2. Introduction**
- 3. Gather Details**
- 4. Preliminary Action**
- 5. Legal Action**

1.0 Document Control

This SOP is subject to a 5 yearly, review and periodic amendment as required.

Major changes will be issued as a new version with all minor amendments to that version annotated by

DATE Review(R)

Amendment (A)

2.INTRODUCTION

A derelict vessel is any abandoned ship or craft that has since become a nuisance, either through neglect, full or partial submergence, drifting or grounding.

Such vessels can impact the safety of navigation, public health and the environment (including visually), so require management.

The main reasons vessels become derelict is end-of-life disposal cost and the lack of incentive for owners to dispose of vessels responsibly.

Removal of the vessel and associated debris is the only way to fully mitigate the issues associated with them. This requires an authority to take direct responsibility over the vessel and its management.

3.Gather details

Is the vessel a wreck .

Section 255 (1) of the Merchant Shipping Act 1995 defines a wreck as being “jetsam, flotsam, lagan and derelict found in or on the shores of the sea or any tidal water”.

Is it capable of being towed.

Is there somewhere to keep it.

What is the status of the vessel owner and/or mooring holder.

What terms regulate the vessel’s presence in the harbour.

Is a debt owed against the vessel.

4. Preliminary action

Before a decision is made on whether to exercise the Harbour’s rights to sell the vessel or remove the wreck, several steps should be taken:

Attempt to contact the vessel owner in writing (by post and email if possible) at least twice over several months, indicating that failure to satisfy the outstanding debt will result in the vessel being sold or removed.

Carry out a brief wider investigation into the status or whereabouts of the owner to ensure that there is no other means of contacting them (for example, by contacting, any known business associates, or an internet search).

Carry out a brief investigation into the vessel to ascertain if any other parties have an interest in the vessel (for example, any charges held over the vessel or possible part ownership).

5. Legal Action

If all above actions taken and removal not resolved,

Consider the following options:

Use powers under Section 55 Elgin & Lossiemouth & Southwold Confirmation Act 1933 and the Southwold Harbour Order 1933

Exercise contractual lien where there is a debt against the vessel.

Rely on statutory powers of distraint and sale of abandoned vessels where there is a debt against the vessel.

Rely on the powers under the Merchant Shipping Act 1995:

Rely on powers under the Harbour, Docks and Piers Clauses Act 1847

Rely on provision for the removal or refusal of entry to vessels under the Dangerous Vessels Act 1985