

British Transport Docks Board

**THE FLEETWOOD HARBOUR
AND DOCKS
BYE-LAWS 1982**

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The British Transport Docks Board (hereinafter referred to as "the Board", in exercise of the powers conferred on them by section 52 of the British Transport Docks Act 1964 and section 83 of the Harbours, Docks and Piers Clauses Act 1847 as incorporated and applied to Fleetwood Harbour and of all other powers enabling them in that behalf hereby make the following byelaws.

(I) COMMENCEMENT AND INTERPRETATION

1. Commencement

These byelaws shall come into operation on the expiration of 28 days after their confirmation by the Secretary of State for Transport.

2. Interpretation

In these byelaws the following words or expressions shall have the several meanings hereinafter assigned to them:—

"authorised officer" means any officer, employee or agent of the Board acting in the execution of his duty upon or in connection with the harbour;

"the Blue Book" means the 1978 report of the Department of Trade's Standing Advisory Committee on the Carriage of Dangerous Goods in Ships as amended by Amendment No. 1 of 1979;

"by day" means during the hours between sunrise and sunset;

"by night" means during the hours between sunset and sunrise;

"Collision Regulations" has the meaning assigned to that expression by section 418 of the Merchant Shipping Act 1894;

"dangerous goods" means goods classified in the Blue Book or the IMDG Code as dangerous for carriage by sea and any other goods, the properties of which might be dangerous if those goods were carried by sea, and includes empty receptacles which have been used previously for the carriage of dangerous goods, unless such receptacles have been cleaned and dried or, when the properties of the former contents permit with safety, have been adequately closed, or in the case of radioactive substances, have been both cleaned and adequately closed, but the expression shall not include —

(a) goods forming part of the equipment or stores of the ship in which they are carried;

(b) goods which neither the owner of the ship nor any of his servants or agents know or ought to have known or had reasonable grounds for suspecting to be dangerous goods;

"the docks" means the Wyre Dock and the Fish Dock at Fleetwood or either of them and any lock, cut or entrance, wharf, jetty, slipway or other work connected therewith;

"fairway" means the navigable channel leading from the sea up the River Wyre to the docks;

"goods" means all articles and merchandise of every description and includes fish, livestock and animals of all descriptions;

"the harbour" means the harbour and docks at Fleetwood within the jurisdiction of the harbour authority, the limits of which are specified in Schedule 2 hereto;

"the harbour master" means the docks manager or the dock and harbour master appointed by the Board for the harbour and includes their authorised deputies and assistants;

"the IMDG Code" means the 1977 edition of the International Maritime Dangerous Goods Code, as amended by Amendment Nos. 14, 15, 16, 17 and 18, published by the Inter-Governmental Maritime Consultative Organisation ("IMCO");

"the master", when used in relation to any vessel, means the person for the time being having command or charge of the vessel;

"pleasure craft" means any vessel or boat, whether self-propelled or not, not engaged in commercial activity;

"prolonged blast" means a blast of from four to six seconds duration;

"short blast" means a blast of about one second's duration;

"small craft" means any vessel less than 12 metres in length;

"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;

"vehicle" means a vehicle of any description;

"vessel" includes any ship, boat, raft or craft of every class or descriptions, howsoever navigated or propelled and a hover vehicle and a hydrofoil vessel and includes a hovercraft as defined by section 4 of the Hovercraft Act 1968;

"whistle" includes any efficient whistle, siren or horn.

(II) ENTRY AND DEPARTURE OF VESSELS TO AND FROM THE DOCKS

3. Vessels entering and leaving docks — competent person to be in charge

No person shall take any vessel into or out of the docks or attempt to do so unless he is the master of such vessel or unless there is a pilot on board.

4. Prescribed Entry and Docking Signals

Except with the permission of the harbour master, no person shall take or attempt to take any vessel into or out of the docks, except in accordance with the prescribed signals.

The prescribed signals are set out in Schedule 1 to these byelaws.

(III) NAVIGATION OF VESSELS IN HARBOUR

5. Dredging Signals

When his vessel is working in the harbour approaches, the River Wyre or the entrance channel to the docks, the master of a vessel engaged in dredging shall display the signals required by the Collision Regulations.

6. Vessels to observe Collision Regulations

Except as otherwise provided by these byelaws, the Collision Regulations shall apply to the harbour and vessels' navigating and being therein.

7. Vessels to keep anchor watch

The master of a vessel anchoring in the harbour shall have an anchor watch kept by night.

8. Vessels to follow fairway

The master of a vessel must pass the Fairway Buoy on the starboard hand when entering the River Wyre from the sea and must not cut through between Fairway Buoy and Wyre Lighthouse.

9. Vessels to be navigated with care and caution

The master shall navigate his vessel within the harbour with care and caution and so as not to cause obstruction, damage, risk of displacement or backwash, or inconvenience to any vessel or property, or to any vessel in tow, dredger, tug, lighter or other craft working within the harbour.

10. Vessels turning round

The master of a vessel other than a small craft under way, which is about to turn around shall signify the same by giving four short blasts on the whistle, followed by a short interval, then one short blast, if turning with the vessel's head to starboard or two short blasts if turning with the vessel's head to port.

11. Vessels navigating against the tide

The master of a vessel, other than a small craft, navigating against the tide in the fairway shall, on approaching bends in the fairway, ease her speed and, if necessary, stop and wait before rounding, so as to allow any vessel navigating with the tide to round and pass clear, and the master of every vessel navigating with the tide shall, on approaching bends in the fairway, sound a prolonged blast on her whistle.

12. Vessels not under command

The master of a power driven vessel, which, in conditions of clear visibility (whether by day or night), is under way, but restricted in her ability to manoeuvre or not under command, shall, if in doubt whether sufficient action is being taken by an approaching vessel to avoid collision, sound one prolonged blast, followed by two short blasts.

13. Vessels with bow rudders proceeding stern first

When navigating his vessel stern first in the harbour, the master of a vessel fitted with a bow rudder shall display the following signal to indicate, for the time being, that the vessel is navigating stern foremost: two balls, each 0.6 metres in diameter, carried one at each end of a horizontal jackyard on the mast or, if the vessel has more than one mast, on the main aftermast.

14. The navigation of pleasure craft, yachts etc. in the harbour

- (1) This byelaw applies to passenger carrying pleasure craft, sailing yachts, cabin cruisers, motor boats, canoes and rowing boats navigating in the harbour.
- (2) The master of a vessel to which this byelaw applies:—
 - (a) shall not navigate in the buoyed channel between Fairway Buoy and the docks during the period from 2 hours before to 2 hours after high water, nor shall he, during the time any docking or undocking signals are exhibited at Wyre Dock entrance, cross the said approach channel so as to impede the navigation of vessels to or from the docks;
 - (b) shall not enter the docks without the permission of the harbour master having been obtained.

(IV) MANAGEMENT OF VESSELS IN HARBOUR

15. Vessels to be in a moveable condition

The master of a vessel in the harbour shall keep it at all times in such a condition as to be capable of being safely moved.

16. Vessels sinking or in danger of sinking

If any vessel in the harbour sinks or appears to be in danger of sinking, the master of such vessel shall, with all possible speed, give notice thereof to the harbour master, together with such information as the harbour master may require concerning the matter.

17. Vessels to be moored etc. as directed

The master of any vessel in the harbour shall moor, anchor, place, load, unload or move such vessel in accordance with the directions of the harbour master.

18. Harbour master to be allowed on board vessels

The master of any vessel within the harbour shall afford all reasonable facilities to the harbour master to board the vessel for the purpose of inspecting or ascertaining the condition of the vessel, the nature of its cargo or whether the byelaws are being complied with and shall not intentionally obstruct or permit the harbour master to be obstructed while making such inspection or enquiry.

19. Vessels to be in charge of competent person

and have adequate number of men on board

- (1) The master of any vessel in the harbour shall, at all times whilst the vessel is in the harbour, have and keep aboard a sufficient number of men competent to move or take charge of her, and an ample supply of substantial hawsers for mooring purposes.

(2) Whilst a vessel is in the harbour, the master shall not absent himself from such vessel unless he shall leave in charge some person qualified and competent to shift or move her and attend to her moorings, and who will remain in attendance at all times she is afloat.

Provided that this byelaw shall not apply to rowing boats and small craft not used for carrying fare-paying passengers and having a capacity of not more than four persons.

20. Use of Fenders in docks

No master of any vessel within the docks shall allow to be used over the side of such vessel any fender which will not float in the water and no fender shall in any event be used without the permission of the harbour master.

21. Repairs to vessels — use of fires and welding plant

(1) No person shall have or use heaters, fires or any electric or acetylene welding plant or apparatus within the harbour or on board any vessel in the harbour, except with the written permission of the harbour master and in accordance with his direction.

(2) No external repairs, scrapings, chipping or sand blasting shall be done to any vessel while in the harbour without the written permission of the harbour master.

(3) Before any of the operations specified in paragraph 2 of this byelaw are commenced the master shall ensure that :—

(a) tarpaulins or canvas sufficient to receive the waste material are placed in position so as to prevent any part of the material from falling into the water or spreading outside the immediate area of the said operations;

(b) all due and necessary precautions to prevent dirt or other material from falling into the water are taken.

22. Testing of engines

No master of a vessel within the harbour shall cause or permit the engines of such vessel to be set in motion for trial, without the express permission, in writing, of the harbour master or otherwise than in accordance with the terms of such permission.

23. Fumigation of vessels

No person shall fumigate or assist in fumigating any vessel within the harbour without, or otherwise than in accordance with, the harbour master's written permission; and no owner or master of a vessel shall cause or permit it to be fumigated in contravention of this byelaw.

24. Access over vessel to be given

The owner or master of any vessel which is moored at any quay, wharf, jetty or berth of the Board shall ensure that a gangway or other satisfactory means is provided for safe access to and from his vessel and, if so required by the harbour master, shall allow a free and safe means of access over the deck of his vessel for passengers and goods to and from any vessel berthed outside his vessel and shall, during the hours of darkness, provide sufficient lighting to illuminate the whole length of the gangway.

25. Private moorings

No person shall lay down any mooring in the harbour without the written consent of the harbour master and any person laying down a mooring shall remove the same immediately upon receipt of an order from the harbour master to do so.

**(V) DANGEROUS AND OFFENSIVE CARGOES,
RUBBISH ETC.**

26. Dangerous or offensive cargoes

(1) No person shall load or unload any cargo of a dangerous, noxious or offensive nature in the harbour except at such place as the harbour master shall appoint.

(2) No person shall knowingly bring into the harbour or unload from any vessel there:—

(a) any dangerous goods, dangerous articles or dangerous things not being subject to byelaws made by the Board under the Petroleum (Consolidation) Act 1928 or the Explosives Act 1875 unless

- (i) the harbour master has been notified at least 48 hours beforehand of the nature of such goods, articles or things, their classification, quantity, correct technical name and description of their packaging (provided that in the case of a voyage of less than 48 hours duration such notification must be given as soon as reasonably practicable before the vessel enters the harbour);
 - (ii) the external surface of the package or receptacle in which such goods, articles or things are contained or the vehicle or their container in which such goods, articles or things are conveyed is conspicuously marked to show the correct technical name of the goods, articles or things and bears a descriptive label or stencil showing the nature of the danger to which such goods, articles or things give rise;
 - (iii) the package or receptacle in which such goods, articles or things are contained is of such strength and in such condition that there is no practical risk of any escape or fracture;
- (b) any inflammable spirit unless it is in a hermetically sealed receptacle.

27. Guarding of dangerous goods

The owner or other person having charge of any dangerous goods, article or things on any wharf shall guard and watch the same or appoint or cause the appointment on his behalf of some competent person for that purpose and such owner or other person shall not leave the same unattended.

28. Dangerous or offensive matter not to escape or be pumped

No person shall, without the written consent of the harbour master, pour, pump or allow to escape into the harbour any dangerous or offensive matter.

29. Deposit of refuse

No person shall deposit any trade or other refuse, rubbish, or sweepings or cause the same to be deposited in any place in the harbour other than in such place as the harbour master may approve nor shall any person leave on or in the harbour any derelict vessel or any disused gear or materials, nor shall any person burn or cause to be burned any refuse, rubbish or other materials in the harbour without permission having been obtained from the harbour master.

(VI) LANDING AND SHIPPING OF CARGO

30. Goods to be loaded, unloaded or deposited only at appointed places and as directed

No person shall load, unload, deposit or store any goods from or upon any wharf or other property of the Board: (a) except at such places thereon as the harbour master shall appoint and in compliance with any directions given by the harbour master, (b) so as to obstruct or delay free access to, or the use of: (i) any hydrant or other appliance for the prevention of fire or (ii) any plant of whatsoever kind: (c) so as to obstruct access by other persons or vehicles to any goods.

(VII) CONDUCT OF PERSONS IN HARBOUR

31. Things falling in the water or adrift

If anything capable of causing danger or damage to the harbour or to another vessel therein or of obstructing or impeding navigation therein falls into the water of the harbour, then any person having charge or control of such thing when it falls and the master of any vessel from which it has fallen shall immediately secure and remove it from the water if it is possible to do so or, if it is not possible to do so at once, give notice of the occurrence to the harbour master and render all such assistance in the matter as the harbour master may direct.

32. Dolphins, buoys and beacons

No person shall interfere with any lighthouse, dolphin, buoy or beacon, the property of or in the charge of the Board. No person shall cause any vessel to ride by, or make fast to any lighthouse, dolphin, buoy or beacon, the property of or in the charge of the Board without the consent of the harbour master.

33. Water ski-ing in the harbour

No person shall engage or take part in water ski-ing, aqua planing or similar activities in the docks or in any navigable channel through the harbour leading to the docks or any quays, wharves, jetties or berths of the Board and no person being the navigator or owner of a speed boat, hydro plane, motor boat or other mechanically propelled vessel shall cause or suffer such speed boat, hydro plane, motor boat or other vessel to be used in connection with such activity in the docks or such navigable channel.

34. Smoking

No person shall smoke, light or burn any tobacco or other substance whatsoever :—

- (a) in any transit shed or grain silo ;
- (b) at or in any place for the time being used for the loading or unloading or storage of timber within the Docks;
- (c) at or in the vicinity of any place for the time being used for the loading or storage of dangerous goods; or
- (d) anywhere where smoking is, for the time being, prohibited by written notice by the Board . . . i.e. (i) on the premises of the Board or (ii) on a vessel within the harbour.

35. Obstruction of Traffic, Impeding any Officer of the Board and Loitering

1. No person shall enter the premises of the Board within the limits of the harbour other than by an authorised entrance, or leave them otherwise than by an authorised exit or cause any obstruction to traffic or intentionally obstruct or impede any authorised officer or servant of the Board in the performance of his duty.
2. Every person on the Board's premises shall, whenever required so to do by any authorised officer, give a satisfactory account of himself and his business on those premises.
3. No person without lawful business on the docks shall remain on the premises if he has been asked to leave by an authorised officer.

36. Obstructing authorised officers from boarding vessels in the docks

No person shall in any way intentionally obstruct or impede any authorised officer of the Board in going on board any vessel in the docks or alongside any quay, wharf, jetty or berth of the Board in the performance of his duty.

37. Going or remaining on vessel contrary to directions

No unauthorised person shall go or remain upon or attempt to force his way into a vessel in the harbour after being informed by the master or other officer of such vessel that he is not permitted to go or remain upon such vessel.

38. Interfering with dock gates, sluices, fire fighting or other appliances

No person shall, without the authority of the harbour master, open or shut any dock gate or sluice or any fire hydrant or move or interfere with any fire fighting or other appliances in or about the harbour.

39. Posting of bills etc.

No person shall post up or exhibit or cause to be posted up or exhibited in the docks or elsewhere on the premises of the Board any bill, placard or notice unless authorised by the harbour master.

40. Removal of sand etc.

No person shall remove or attempt to remove or cause to be removed any sand, shingle, stone, gravel, earth or other material from the harbour without the written permission of the harbour master.

41. Intoxicated and Disorderly Persons, Nuisance etc.

No person shall, whilst within the harbour :—

- (a) be in a state of intoxication.
- (b) to the annoyance of any other person, sing, perform on any musical or other instrument or use any gramophone, record player, tape recorder or portable wireless ap-

paratus to such an extent as to interfere with the comfort of other persons within the harbour.

- (c) obstruct any person whilst he is embarking on or disembarking from a vessel or fail to move forward in an orderly and regular manner in any queue created for the purpose of regulating access to services and facilities provided or fail to obey the reasonable instructions of an authorised person regulating such queue.
- (d) interfere with life saving equipment or navigational lights.
- (e) fly model aeroplanes.
- (f) deposit any used sump oil.
- (g) spit or urinate on the floor or otherwise than at the urinal and closet provided.
- (h) behave in a riotous or disorderly manner.

42. Betting or wagering

No person shall enter or remain or use the harbour for the purpose of book making or betting or wagering or agreeing to bet or wager or paying or receiving or settling bets with another person.

43. Bathing or fishing in docks

No person shall :—

- (a) fish from any quay, wharf, jetty, berth or other property of the Board in the harbour;
or
- (b) bathe in the docks, from or within 35 metres of any quay, wharf, jetty or berth of the Board in the harbour or in any fairway within the harbour

except with the written permission of the harbour master.

44. Throwing stones, discharging firearms etc.

No person within the harbour shall throw stones or other missiles or discharge any catapult or have or discharge any loaded gun or other firearm or use any firework or other explosive substance.

45. Persons causing danger

No person, other than a servant or agent of the Board or a crew member of a vessel in the execution of his duty, shall board or leave any passenger vessel other than by a prescribed gangway.

46. Retailing goods

Except with the permission of the harbour master, no person shall retail or offer for sale on any of the premises of the Board any article or merchandise whatsoever or tout or ply for or solicit custom or employment of any description.

47. Crossing dock gates or swing bridges etc.

No person shall cross or attempt to cross any dock gate or swing bridge during the opening or closing thereof nor get through, under or over any part of any fence or wall at or within the harbour.

(VIII) MISCELLANEOUS

48. Dangerous animals

No master of any vessel in the harbour shall have or permit any dangerous, ferocious or poisonous animal, bird or reptile to be on board thereof or landed therefrom unless properly secured. The owner or person in charge of any dog on board a vessel in the harbour or on shore on any wharf or other property of the Board shall securely fasten it by a suitable chain or cord or otherwise keep it under proper and sufficient control.

49. Lighting of vehicles during hours of darkness

Except with the permission of the harbour master, the driver or person in charge of any vehicle shall cause to be exhibited on such vehicle whilst it is on any part of the harbour during the hours of darkness :—

- (a) two lamps, each showing to the front a white light, visible from a reasonable distance; and

(b) two lamps, each showing to the rear a red light, visible from a reasonable distance; and shall cause such lamps to be kept properly lighted.

Provided that :—

- (i) in the case of a bicycle not having a side-car attached thereto, whether propelled by mechanical power or not, or of a tricycle not propelled by mechanical power, or of an invalid carriage, only a single lamp, showing a white light to the front instead of two such lamps need be carried;
- (ii) in the case of a bicycle or tricycle not propelled by mechanical power or of a bicycle propelled by mechanical power and not having a side-car attached thereto, only a single lamp; showing a red light to the rear instead of two such lamps, need to be carried;
- (iii) in the case of a bicycle not having a side-car attached thereto, whether propelled by mechanical power or not, or of a tricycle not propelled by mechanical power, no lamp need be carried if the bicycle or tricycle is being wheeled by a person on foot as near as possible to the rear or left hand edge of the carriageway;
- (iv) in the case of a bicycle or tricycle not propelled by mechanical power, no light shall be required when such bicycle or tricycle is stationary, owing to the exigencies of the traffic, in order to comply with any traffic signal or direction.

For the purposes of this byelaw, "hours of darkness" shall mean the time between half an hour after sunset and half an hour before sunrise throughout the whole year.

(IX) RESPONSIBILITY FOR OBSERVANCE OF BYELAWS AND PENALTY

50. Penalty

1. Any person contravening any of these byelaws shall be guilty of an offence and liable, on summary conviction, to a penalty not exceeding £200.
2. Where the commission by any person of an offence under these bye-laws is due to the act or default of some other person, that other person shall be guilty of the offence; and a 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 7 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.

THE COMMON SEAL of BRITISH
TRANSPORT DOCKS BOARD was
hereunto affixed in the
presence of :—

C. J. WOODLAND, Deputy Secretary
on the 11th day of February, 1982

L.S.
5303

THE SECRETARY OF STATE FOR TRANSPORT
hereby confirms the foregoing byelaws

Signed by authority of the SECRETARY OF STATE FOR TRANSPORT
on the 7th day of May, 1982

C. R. GRIMSEY,
Assistant Secretary in the
Department of Transport.

**SCHEDULE 1
PRESCRIBED ENTRY AND DOCKING SIGNALS**

(1) Wyre Dock Entrance

- (a) A red flag hoisted on the flag pole at the dock entrance indicates that vessels must not approach the docks.
- (b) One black ball by day or one red light by night indicates that the dock gates are open for incoming vessels but such vessels must enter the lock only on the instructions of the harbour master.
- (c) Two black balls by day or two red lights by night indicate that the dock gates are open for outward going vessels but such vessels must enter the lock only on the instructions of the harbour master. When such signal is showing, incoming vessels must remain clear of the dock entrance.
- (d) One black ball at half mast by day indicates that the dock gates are closed but that vessels may enter or depart from Wyre Dock by locking.
- (e) By night, one green light on each Bull Nose at a height of approximately 3 metres above such Bull Nose indicates that the dock gates are closed but that vessels may enter or depart by locking.

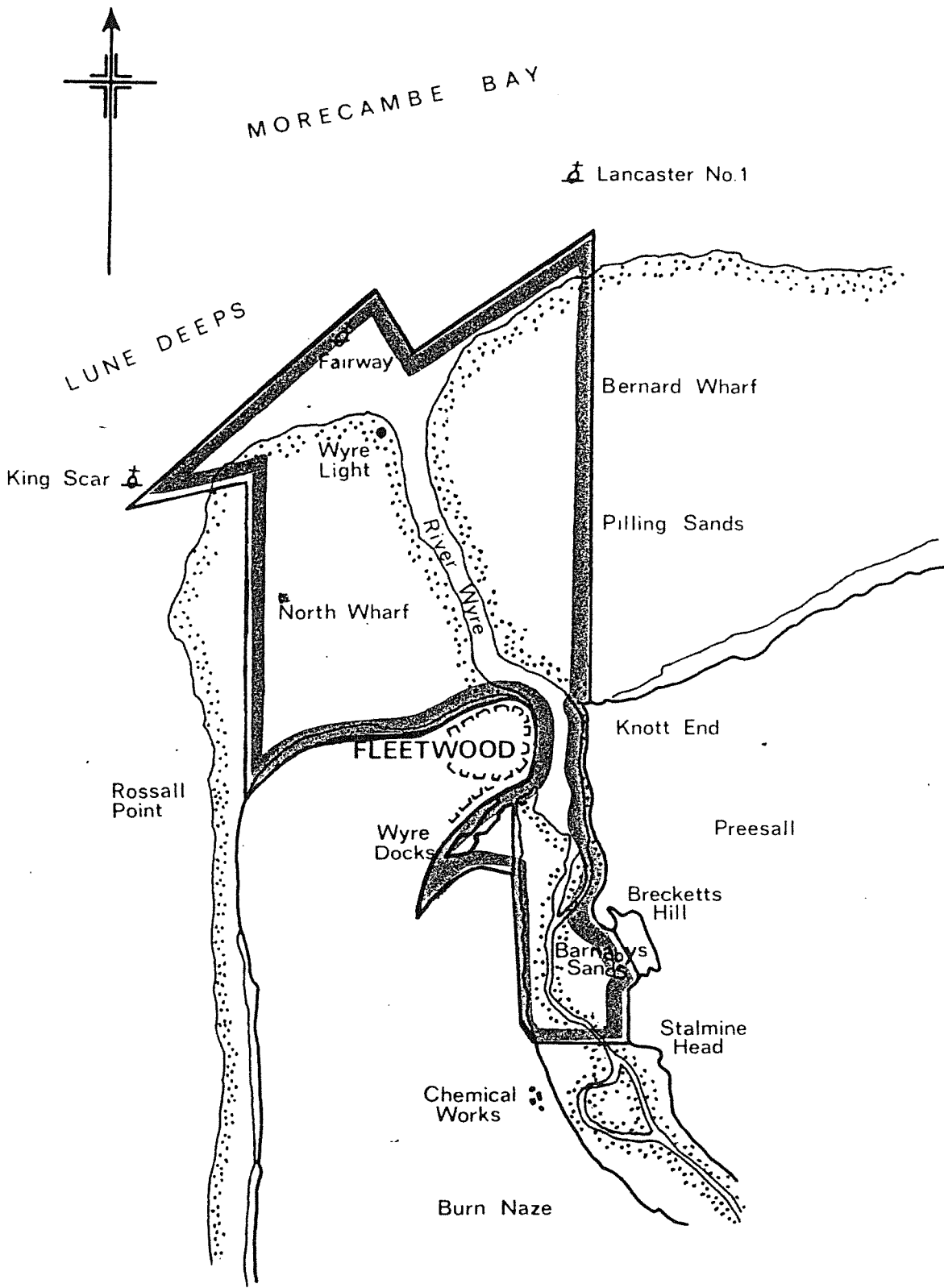
(2) Fish Dock Entrance

- (a) One black ball by day or one red light by night indicates that vessels may pass into the Fish Dock.
- (b) Two black balls by day or two red lights by night indicate that vessels may pass out of the Fish Dock into the Wyre Dock.

**SCHEDULE 2
LIMITS OF THE HARBOUR AND DOCKS AT FLEETWOOD**

- (1) That part of the River Wyre extending from Burn Naze to two miles north of Rossall Point on the western side of the said River Wyre and from the extreme south west point of a certain head of land called Stalmine Head along the high water line on the western and northern sides of the said head of land to and across the northern end of a certain way or swashway (opening to the river on the north side of the said head of land) to the Main, and from thence to three miles north of Knott End on the eastern side of the River Wyre, together with the area added to the harbour of Fleetwood by virtue of Section 49 of the Lancashire and Yorkshire Railway Act 1894; and
- (2) The area comprising the docks of the Board at Fleetwood including any lock, cut or entrance, and the wharves, walls, jetties and other works and property of the Board within their undertaking at Fleetwood.

NOTE: The limits are indicated by a red line drawn on the map which is attached to these byelaws, but which does not form part thereof.



SCALE: 1 in. to 1 mile

LIMITS OF FLEETWOOD HARBOUR AND DOCKS
as defined in Schedule 2 of the attached Byelaws