



# PORT of IPSWICH

## BYELAWS

**1996**

**By virtue of a Transfer Scheme under the Ports Act 1991 the Ipswich Port Undertaking was transferred to Ipswich Port Limited (A member of the Associated British Ports Holdings Group) on the 25<sup>th</sup> March 1997. Accordingly, references in the byelaws to Ipswich Port Authority should, where appropriate, be read as references to Ipswich port Limited**

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# PORT of IPSWICH

## BYELAWS

The **ABP – Port of Ipswich** in exercise of the powers conferred by Section 78 of the [Ipswich Dock Act 1971](#) and of all other enabling powers hereby makes the following Byelaws:

### PART I – PRELIMINARY

#### Title and Commencement

1. (a) These byelaws may be cited as the Port of Ipswich Byelaws 1996
- (b) The byelaws made by the Ipswich Port Authority on the 23<sup>rd</sup> April 1976 are hereby revoked without prejudice however the validity of anything done there under or any proceedings, pending or existing.
- (b) ©The byelaws shall come into operation on the expiration of 14 days from the date hereof.

#### Application

2. (a) These byelaws shall apply throughout the area of jurisdiction of the Authority comprising of the Port of Ipswich as defined in section 3 (1) of the Ipswich Dock Act 1971.
- (b) The existing area of the jurisdiction of the Authority is shown in the plan attached to these byelaws as set out in the First Schedule hereto.

## Observance of Byelaws

3. It is the responsibility of the Master to ensure compliance by and in respect of a vessel of any provisions in these byelaws which are expressed to require such compliance and in the event of contravention of any such provisions, the Master shall be taken to have contravened the provision or provisions.

## Interpretation

4. In these byelaws, unless the context otherwise requires;

“**Aquaplaning**” means to ride on a board or other watercraft, including water skis or other recreational apparatus, more on the surface of the water than beneath, while being towed or propelled in any manner by a vessel of any description.

“**the Authority**” means Ipswich Port Limited

“**the Authority’s Area**” means the area comprising of the Port of Ipswich extending between Stoke Bridge, Ipswich and the seaward limit of the River Orwell marked by a line drawn between concrete markers situated respectively on Trimley marshes and Shotley Marshes.

“**by day**” means Ipswich Port Limited

“**by night**” means between the hours of sunset and sunrise.

“**Collision Regulations**” means regulations for the prevention of collisions made under the [Merchant Shipping Act 1995](#)

“**a combustible material**” means any liquid, non-liquid or gaseous or other substance or material whatsoever capable of or used for burning.

“**diving operations**” means commercial and non-commercial diving operations

“**the dock**” means the dock belonging to the Authority and includes locks, basins and cuts forming part of the dock

“**fire brigade**” means the fire brigade provided under section 1 of the Fire Services Act 1947 for the area in which the harbour is situated.

“**goods**” includes all articles, merchandise and property of any kind whatsoever and includes fish, livestock and animals.

“**the harbour**” means all that part of the dock and river specified within the authority’s area.

“**the Harbour Master**” shall mean the harbour Master of the Authority and includes his authorised Deputies and Assistants and any person authorised by the authority to act in that capacity.

**“the Harbour Premises/Dock Estates”** means the land, buildings, premises, docks, quays, jetties, stages and all other works, land and buildings at any time being owned by or vested in or occupied or administered or maintained or liable to be maintained by the Authority.

**“houseboat”** includes any pleasure boat which is not a launch and which is decked or otherwise structurally covered in and which is, or capable of, being used as a floating habitation (whether by day and night or one or the other) or as a place of for accommodating or receiving persons for the purpose of shelter, recreation, entertainment or refreshment, or of witnessing regattas or other events, or a club premises or as offices or as a kitchen, pantry or store place.

**“Hovercraft”** has the same meaning as section 4 of the [Hovercraft Act 1968](#).

**“launch”** includes any small mechanically propelled vessel not being used solely as a tug or for the carriage of goods.

**“LOA”** means length overall

**“Master”** in relation to any vessel means any person (whether the owner, Master or other person and whether lawfully or otherwise) having or taking command, charge or management or conduct of the vessel for the time being.

**“moored”** when used in relation to a vessel means a vessel secured:

- (a) to a mooring chain or mooring buoy either ahead or astern or both, or
- (b) alongside any vessel so secured, or
- (c) both ahead and astern by anchors, or
- (d) alongside any quay.

**“navigable channel”** means the fairway of the River Orwell between Harwich Bay and Stoke Bridge as shown on Admiralty Charts.

**“the Orwell Navigation Service”** means the service set up by the authority for providing vessels with information on navigational matters by means of VHF radio – telephone or otherwise.

**“owner”** when used in relation to goods includes the consignor, consignee, shipper or agent for the sale, receipt, custody loading or unloading and clearance of those goods and includes any other person in charge of the goods and his agent in relation thereto; and when used in relation to a vessel includes any part owner, broker, charterer, manager, agent or mortgagee in possession of the vessel (and when used in relation to a vehicle includes any part owner or agent or person having charge of the vehicle).

**“personal water craft”** means any watercraft (not normally used in navigation and not being a structure which by reason of its concave shape provides buoyancy for the carriage of



persons or goods) propelled by a water jet engine or other mechanical means of propulsion and steered either :

(a) by means of a handlebar operated linkage system (with or without a rudder at the stern);

or

(b) by the person or persons riding the craft using his or their body weight for the purpose;

Or

(c) by a combination of the methods referred to respectively in (a) and (b) above

**“pleasure craft”** means a vessel (other than a vessel carrying more than 12 passengers and a vessel engaged in trade) primarily used for sport or recreation including any yacht, launch, houseboat, skiff, gig, dinghy, canoe, float or other vessel, but does not include a vessel being used solely as a tug or the carriage of goods.

**“the Port”** means the port, harbour

**“power boat”** means any launch capable of speeds exceeding 12 knots.

**“quay”** shall mean any quay, pier, jetty, wharf, dolphin, landing stage or stairs, shore or other place at which vessels load or unload goods, embark or disembark passengers or other structure used for berthing or mooring vessels including any roll-on/roll-off facility or bridge.

**“regulated vessel”** means every vessel having a gross tonnage of more than 50 tonnes and every vessel licensed to carry passengers.

**“sail board”** means a flat raft, board or float with a sail designed to be operated by a person standing upright thereon.

**“small vessel”** means any vessel the overall length of which does not exceed 24 metres and the draft of which does not exceed 3 metres.

**“specified vessel”** means a vessel having an overall length exceeding 80 metres which is carrying petroleum spirit or liquid petroleum gas or liquid bulk dangerous cargos with flammable or toxic properties, or which has discharged any such substances and whose tanks or holds have not been certified wholly free from flammable vapour.

**“under way”** means that a vessel is not at anchor made fast to shore or aground.

**“vehicle”** includes any vehicle propelled on rails or wheels, any machinery on wheels or caterpillar tracks, trailers, caravans and mobile homes and includes a hovercraft or any other amphibious vehicle whilst operating over land.

**“vessel”** means every description of vessel, ship, lighter, barge, boat, raft, pontoon and craft of any kind however propelled, navigated or moved and includes hovercraft, personal water

craft, sailboat, sail board, amphibious vehicle whilst operating over water and anything constructed or used to carry persons or goods by the water and a seaplane on or in the water.

“**yacht**” means a pleasure craft rigged for sailing whether or not fitted with an auxiliary propulsion unit.

**Words imputing the singular shall include the plural, the singular number only shall include the plural number and words imputing the plural number only shall include the singular number; words imputing the masculine gender only shall include the feminine and the word “person” shall include a body corporate.**

### **Application of Collision Regulations**

5. Insofar as the rules contained in schedule 1 to the [The Merchant Shipping \(Distress Signals and Prevention of Collisions\) Regulations 1996](#) do not apply within the harbour by virtue of Rule 1 (a) of the said schedule 1. The like rules shall also apply as part of these byelaws but subject to the other provisions of these byelaws and references in these byelaws to the [International Regulations for Preventing Collisions at Sea – Wikipedia, the free encyclopedia](#) shall include references to the said rules as applied by this byelaw.

## **PART II – GENERAL BYELAWS**

### **Unseaworthy Vessels**

6. No Master shall cause a vessel to navigate within the Authority's area in an unsafe or unseaworthy condition, except as may be necessary in the interests of safety of such vessel and/or crew.

### **Master to Remain on Bridge:**

7. The Master of a vessel underway 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 the pilot is on board is capable of taking and acting upon the pilot's advice for the conduct of the vessel.

### **Vessel to have Competent Helmsman**

8. 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.

### **Lookout**

9. The Master of a vessel underway in the Authority's area shall ensure that a proper and efficient all-round lookout is maintained at all times.

### **Navigation under the influence of Drink or Drugs**

10. A person shall not navigate or take control of a vessel whilst under the influence of alcoholic drink or drugs or any other natural or manufactured substance causing him to be incapable of taking proper control of the vessel.

## **Person under the Age of 16 Years**

**11.** A person under the age of 16 years shall not act as Master of a power driven vessel which is propelled by an engine rated by the manufacturer as producing more than 10 horsepower or 7.46 Kw

## **Vessels to navigated with Care and Caution**

**12.** (a) No person shall navigate a vessel without care and caution or at a speed or in a manner which, having regard to all circumstances, endangers the safety of or causes injury or damage, either directly or indirectly to any person or any other vessel, buoy, mooring, river bank or other property, or which interferes with the navigation, manoeuvring, loading or discharge of any vessel.

**NB. See addendum attached dated 1<sup>st</sup> January 1990 for Harbour Master's Direction, issued under the Harbours, Docks, and Piers Clauses Act of 1847 [with amendments], Section LII. which states that: -**

**'The Speed Limit for All Pleasure Craft under 50 Gross tonnes, in the River Orwell, is 6 Knots.'**

(b) The speed of vessels must be reduced to the minimum consistent with safe navigation and the avoidance of any unsafe wash effect when passing yacht moorings at Pin Mill, Woolverstone and other places or other vessels moored or dredgers operating or works of repair, maintenance or construction in progress.

(c) All vessels navigating within the Authority's area do so at the sole risk of the Master and Owners thereof, which shall be responsible and liable for the safety and security of their vessel and for any damage done to the property of the Authority and other persons.

## **Passing and/or Overtaking Vessels**

**13.** (a) Masters and Pilots shall cause vessels to navigate on their proper side of the channel so that each may pass on the port side of the other.

- (b) A vessel of 90 metres LOA or more, must not pass or overtake another vessel of 90 metres LOA or more in the River Orwell between the Butt Buoy and the Port Of Ipswich.

### **Navigational Systems and Aids**

**14.** A Master of a vessel shall observe at all times all signals, buoys and other aids to navigation including the operation of flood protection gates and systems.

### **Notice of Collision, Fire, Defect, Obstruction etc.,**

**15.** The Master of a vessel which:

- (a) Has been involved in a collision with any vessel or property, or has been sunk or grounded or become stranded in a harbour area; or

- (b) By reason of accident, fire, defect or otherwise is in such a condition as to affect its safe navigation or to give rise to danger to other vessels or property; or

- (c) In any manner gives rise to an obstruction to a fairway; shall forthwith report the occurrence to the Harbour Master and thereafter provide the Harbour Master with full details in writing. Where the damage to a vessel is such as to affect its seaworthiness, the vessel shall not be removed except to clear a fairway or to moor or anchor in safety except with the consent of the Harbour Master and in accordance with his directions and such a vessel outside the harbour shall not enter the harbour or dock except with the consent of the Harbour Master and in accordance with his directions.

### **Information about Vessel, Voyage and Cargo**

**16.** The Master of a Vessel arriving at the port shall, if requested by the Harbour Master, provide a declaration in the form required containing a correct statement of gross tonnage and draft of the vessel, its last port of call, ownership and destination and particulars of its cargo.

## **Instructions of Harbour Master concerning Safety & Navigation of Vessels**

**17.** (a) The Master and Owner of a vessel or craft shall move, place, transport or Remove the same in and to such berth or place as may be appointed and directed by the Harbour Master.

(b) The Master and owner of a vessel or craft shall, at all times, when his vessel or craft is within the Authority's area, ensure that the said vessel or craft is capable of being safely moved and navigated and that there are sufficient crew or other competent persons readily available:

(i) to attend his vessels moorings

(ii) to comply with any directions given by the Harbour Master for the unmooring, mooring and moving of his vessel or otherwise in connection with the vessel; and

(iii) to deal with an emergency that may arise

(c) In the event of the failure or inability of any Master or owner of any vessel or craft to comply with the directions of the Harbour Master. The Harbour Master may take whatever steps be considered necessary, at his discretion, to moor, unmoor, transport, remove, place or take any other action in connection with such vessel or craft and any costs and expenses incurred on the part of the Authority/harbour master shall be recoverable by the Authority from the Master or Owner as a debt in any court of competent Jurisdiction.

(d) The Harbour Master may direct the Master or owner of any vessel or craft to employ the services of a tug or tugs for the purposes of this paragraph.

### **Inspection**

**18.** (a) 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 immediate access to any part of the vessel and provide and provide all reasonable facilities for its inspection and examination.

(b) The Master shall comply as soon as reasonably practicable with any directions given by the Harbour Master under this paragraph.

## **Obstacles to Navigation**

**19.** No vessel or other obstacle to navigation shall be sunk or laid in any part of the harbour, nor shall any person from any cause whatsoever leave an anchor or obstacle so as to endanger or impede the navigation of any vessel

### **Vessels Slipped or Parted from Anchor or Mooring to Report**

**20.** (a) The Master of a vessel which has slipped or parted from, or lost any anchor, chain, cable or propeller or other substantive item shall as soon as reasonably practicable give the Harbour Master notice thereof and, if possible, of the position of the anchor, chain, cable or propeller or other substantive item and if the Harbour Master so directs, shall cause it to be recovered as soon as practicable

(b) The Master of a vessel slipping or parting from, or losing an anchor, chain, cable or propeller or other substantive item shall, where it is reasonably practicable, mark a position of that object with a float.

(c) The costs and expenses incurred on the part of the Authority/Harbour Master under this paragraph which shall be recoverable from the Master and Owner as a debt in any court of competent jurisdiction

### **Vessels not to Lie or be Moored so as to Prevent Free Transit of other Vessels**

**21.** Vessels shall not be anchored or moored so as to obstruct or impede the movement of any other vessel within the Authority's area.

### **Access across Decks**

**22.** The Master of a vessel alongside a quay or any other vessel already berthed, if required to do so by the Harbour Master, shall give free access across the decks of his vessel for persons and goods to and from vessels berthed alongside his vessel.

### **Unauthorised Moorings**

**23.** (a) No person shall lay down any mooring, buoy or similar tackle without a license or prior consent in writing of the Harbour master or where applicable Ipswich Borough Council and save in accordance with such conditions and directions as the Harbour Master or Ipswich Borough Council shall impose.



(b) A mooring, buoy or similar tackle shall be removed as soon as reasonably practicable by its owner or any other person claiming possession thereof if the Harbour Master so directs.

(c) Failing compliance with the directions of the Harbour Master under this paragraph, the Harbour Master may himself remove the mooring, buoy or tackle in question and the costs and expenses incurred in so doing shall be recovered by the Authority/Harbour Master and/or the Ipswich Borough Council from the owner of the mooring, buoy or tackle as a debt in any court of competent jurisdiction.

### **Vessels not to be made fast to Navigation Buoys or Unauthorised Objects**

**24.** (a) The Master of a vessel shall not make fast his vessel or to lie against any buoy, beacon or mark used for navigational purposes without consent of the owner, or any other buoy or mooring.

(b) No person shall make fast any rope, chain or tackle to any quay, post, ring, fender, shed, crane, hydrant, lamppost or other object or erection or thing or place not assigned for that purpose.

### **Vessel to be Properly Moored**

**25.** The Master of a vessel shall, at all times, keep his vessel properly and effectively moored.

### **Adequacy of Fenders**

**26.** (a) 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 their vessel and when berthing and leaving or lying at a quay or against other vessels, the Master shall cause the vessel to be fended off from the quay, or those other vessels so as to prevent damage to that quay, those other vessels or any other property.

(b) Masters of vessels shall, when lying next to a quay fend their vessel off from it and when lying abreast of other vessels shall fend off from one another, the

outside vessel fending from the inside one and shall provide themselves with proper fenders for that purpose.

### **Vessels to have sufficient Gangway for Access/Egress**

**27.** The Master and the owners of a vessel, (other than a small vessel) while berthed alongside a quay, shall provide and maintain a sufficient and proper gangway for the access and egress of all persons having lawful business on the vessel and shall, during the hours of darkness, provide sufficient lighting to illuminate the whole length of the gangway.

### **Use of Engines whilst vessel is Moored or Berthed**

**28.** No vessel at a quay or attached to any moorings, mooring buoy or mooring post or mooring device shall have her main engine(s) worked or operated in such a manner as to cause injury or damage to the bed or banks of the harbour or to any quay, mooring, mooring buoy, mooring post or device or any other vessel or property whatsoever.

### **Vessels to kept in a Moveable Condition**

**29.** (a) The Master of a vessel shall not take any steps to render his vessel incapable of movement without first notifying the Harbour Master and subject as aforesaid, shall at all times keep his vessel so loaded and ballasted and in such a condition that it is capable of being safely moved.

(b) Where a power driven vessel is at any time not capable of being safely moved by means of her own propulsive machinery, the Master or owner shall inform the Harbour Master as soon as reasonably practicable and give to him any further information which the Harbour Master may reasonably require

(c) The Master shall comply as soon as reasonably practicable with any directions given by the Harbour Master under this paragraph, such directions may include but not limited to those set out in Bylaw 17(c) and 17 (d)

## **Harbour Lights**

**30.** No person shall intentionally or negligently damage or interfere with any harbour lights, buoys, beacons or any other navigation marks exhibited by, or the property of, the Authority. The Master of any vessel running into, fouling or damaging any such mark shall immediately report the same to the Harbour Master.

## **Navigation Lights**

**31.** Between sunset and sunrise, all vessels navigating within the harbour, shall show their regulation lights. A vessel lying outside another vessel at any quay shall show her on off-shore side a white light or lights in such a position as to be clearly visible to other vessels passing in either direction.

## **Abandonment of Vessels Prohibited**

**32.** (a) No person shall abandon a vessel within the Authority's area unless through necessity for the safety of the crew.

(b) For the purposes of paragraph (a) above, a person who leaves a vessel on the water or shore in such circumstances or for such a period that may reasonably be assumed to have abandoned it unless the contrary intention is shown.

(c) The Harbour Master may move, remove and/or otherwise dispose of an abandoned vessel at his discretion and the costs and expenses incurred in so shall be recovered by the Authority/Harbour and/or the Ipswich borough Council from the owner of the vessel as a debt in any court of competent jurisdiction.

## **Vessels Abandoned/Missing – Duty to Report**

**33.** (a) The Master of any vessel which is abandoned, derelict, missing, sunk, in danger of sinking, stranded or drifting without power, shall give immediate notice of the fact to

the Harbour Master, stating the position of the vessel and such particulars as may be required for the safety of navigation.

- (b) Any person who finds, or has knowledge of a vessel mentioned in paragraph (a) above, shall notify the Harbour Master forthwith.

## **Fire Safety**

**34.** (a) The Master of a vessel shall take all reasonable precautions for the prevention of accidental fire or accidents by fire

(b) The Master of any vessel moored or otherwise within the limits of any quay, with the exception of rowing boats and other similar light non-powered vessels, shall have adequate fire-extinguishing equipment available for immediate use in any part of the vessel at all times and the nature and amount of such equipment shall take into account any abnormal fire risk associated with any such vessel.

(c) No “Hot Work” processes including the use of a naked flame and electric and/or gas welding/burning torches shall be undertaken anywhere within the harbour premises, dock estate or any vessel within the port, harbour or authority’s area without the written authorisation of the Harbour Master and save in compliance with such directions and conditions he shall impose.

(d) No person shall bring on board a vessel or shall use on a vessel any combustible or flammable materials, fuels, oils or gases or warning flares or similar safety equipment unless the same are securely contained in a safe and proper manner and are intended to be used or are being used on or within the vessel for propulsion, maintenance or safety purposes or in conjunction with domestic cooking, lighting or heating.

(e) No person shall without lawful authority displace or interfere with any safety or fire equipment on the harbour premises/dock estate except in the event of an emergency.

### **Fire or other Emergency on vessel: access**

**35.** (a) The Master of a vessel shall give every reasonable facility and assistance to the Harbour Master and Emergency Services for dealing with, alleviating or preventing fire, danger or other emergency.

(b) The Harbour Master may enter and inspect any vessel within the Authority's area for the purposes of paragraph (a) above

### **Signalling and Reporting of Fires**

**36.** (a) A vessel which is on fire or is at a quay which is on fire shall sound a signal of seven or more blasts followed by a prolonged blast and repeat the signal until the alarm has been raised.

(b) In addition and not as a substitute to (a) above, the Master of such vessel shall ensure, immediately, the emergency services are summoned and the Harbour Master is notified and provided with full details of the fire.

**37.** (a) The Master and owner of any vessel or craft shall not permit any person to smoke or for any open fire or naked lights to be present on board any vessel, which is loading or discharging a dangerous substance, nor shall the same be permitted by the Master or owner of any vessel or craft in the proximity of, or near to, such loading or discharging the vessel.

(b) No person shall smoke or carry a lighted pipe or cigarette or cause to be made any fire or naked light on any quay or on or within sixty feet of any land on the Authority's premises where dangerous or combustible substances are stored, present or located and shall at all times comply with any directions and/or instructions issued by the Authority in this regard.

### **Notice to Harbour Master of dangerous, hazardous or poisonous goods**

**38.** No goods of a dangerous, hazardous or poisonous nature will be permitted entry and/or access to the harbour and/or harbour area or transit through such area without the

permission of the Harbour Master and only then in compliance with such directions and conditions he shall impose.

### **Navigation of Petroleum and Chemical tankers**

**39.** Petroleum tankers and chemical tankers may navigate at any time subject to other restrictions provided for in the Byelaws and provided that.

(a) Between one hour after sunset and one hour before sunrise, there is no opposing traffic on the river above the Butt buoy, the size or draft of which would present a potential hazard.

(b) Weather and visibility conditions are of a standard acceptable to the Master and the pilot concerned.

(c) To satisfy the above clauses (a) and (b), Masters and/or pilots of inward bound vessels must contact the Orwell Navigation Service and liaise if necessary with any outward bound vessel.

(d) The Master and/or pilot of outward bound vessels must ascertain the traffic situation in the channel from the Orwell Navigation Service prior to leaving the berth and liaise if necessary with any inward bound vessels.

### **Housing of Vessel' Anchors**

**40.** When any vessel is passing through any lock or approaching any quay, the Master thereof shall cause her anchors to be housed in such a manner as to prevent them causing damage to any wall, quay, or other property whatsoever.

### **Prohibition on Discharge, Dumping or Escape of Ballast and Refuse etc.**

**41.** (a) The Master or owner of any vessel or craft or any person within any part of the area within the jurisdiction of Ipswich Port Ltd shall not permit nor shall any person cause any cargo, dunnage, ballast, water ballast, dirt, refuse, oil, gas, chemical or any other liquid, material or other substance whatsoever to fall, escape or to be discharged or otherwise enter into the waters of the port, harbour, river or elsewhere within the authority's area.

(b) The Master and/or owner of any vessel shall immediately advise the Harbour Master of any occurrence under paragraph (a) above, providing full and detailed particulars thereof.

[c] The Master and/or owner of any vessel shall comply as soon as reasonably practicable with any instructions or directions by the Harbour Master and/or authority under this paragraph and costs and expenses incurred by the Harbour Master and/or authority under this paragraph shall be recoverable from the Master and/or owner of any craft as a debt in any court of competent jurisdiction.

### **Notice of Escape of Oil etc**

42. The Master of a vessel from which cargo, dunnage, ballast, dirt, refuse, oil, chemical or any other fluid, material or substance whatsoever is escaping or is likely to escape shall give immediate notice of the fact to the Harbour Master and such a vessel outside the harbour shall not enter the harbour except with the consent of the Harbour Master and in accordance with his directions.

### **Payment of Duties, Rates and Charges.**

43. Masters of vessels shall cause all duties, rates and charges incurred by any vessel while in the harbour to be paid, or an undertaking to pay, to be given to the Harbour Master or the collector at the office provided and as directed for that purpose.

### **Vessels to have Name Marked**

44. 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.

### **Notice of Alteration in Water Levels**

45. Masters of vessels lying in the dock may, from time to time, be given notice of an intention to alter the water level below that normally experienced during the usual run of the tide and sluicing off period which follows the closing of the gates. On receipt of such notice and at the time indicated, the Masters of such vessels shall fend their vessels off from the quays into deeper water or move to deep water berths. The moorings of all vessels within

the dock shall be adjusted during the rise and fall of the dock level during the period when the lock gates are open and the sluicing off which follows.

**No Dragging or Grappling without Permission**

**46.** No person shall drag or grapple for any material or article, not to remove the same from the bed of any water area of the harbour without the consent of the Harbour Master.



## **PART III – REGULATED VESSELS**

### **Applied to Regulated and Specified Vessels in addition to the General Byelaws in Part II**

#### **Vessel Movements**

47. The Master of a vessel shall give prior notice to the Harbour Master of the vessel's arrival at, departure from or movement within the port.

#### **Arrival/Departure Notification**

48. Vessels bound for or outbound from the Port of Ipswich and requiring a pilot shall inform Harwich Operations Control accordingly and as required.

#### **Damaged or Defective Vessels**

49. The Master of any vessel which is either within the Authority's area or outside the Authority's area but intending to enter the Authority's area, being in a damaged or defective condition affecting her stability and/or seaworthiness or otherwise inhibiting the vessel's ability to manoeuvre:

- I. Shall immediately report the occurrence of the damage and/or defects to the Harbour Master and provide full details thereof
- II. Insofar as full details are not available at the time of notification in (I) above, shall ensure that these are obtained and provided to the Harbour Master as a matter of urgency

The Harbour Master upon receiving the above notifications and/or reports from a Master of a vessel may give such directions as he considers appropriate, including the refusal of permission to enter the Authority's area or otherwise to instruct the Master of the vessel to leave the Authority's area, under powers provided by section 59 of the [Ipswich Dock Act 1971](#)

## Advance Notice of Vessel's Movements

50. (a) A Master of a vessel fitted with VHF radio shall:

(i) On entering the river approaching the Port shall report to the Orwell Navigation Service at the following positions:

- Fagbury Buoy
- Passing Number 4 Buoy
- Passing Cathouse
- Passing No 9 Buoy
- When secure on berth

(ii) And on leaving the port, report to the Orwell Navigation Service at the following positions:

- Prior to leaving the berth
- On clearing the berth and proceeding
- Passing No 9 Buoy
- Passing the Cathouse buoy
- Passing No 4 Buoy
- Passing No 2 Buoy
- Immediately before leaving the Port.

- (III) Whilst navigating within the port at all times maintain a listening watch as directed by Orwell Navigating Service
- (b) If such vessel is not fitted with VHF radio/telephone or is fitted with one which is not operational, a report must be in person or by telephone to Orwell Navigation Service:
- On arrival at a berth owned or occupied by the Authority
  - Prior to leaving a berth in the Port
  - Before moving from berth to another.

### **Permission to Enter/Depart**

**51.** Masters and/or pilots of vessels shall not allow their vessels to enter or depart from the dock or berth at, or leave any quay, without having first informed the Orwell Navigation Service of their intended movements by VHF radio or by other means as arranged with and approved by the Harbour Master and having obtained the permission of the Harbour Master thereto, who may refuse the admission, berthage or departure of any vessel to, in or from, the Dock or any quay.

### **Sound Signals**

**52.** In addition to the sound signals required by Collision Regulations the following signals will be used by vessels navigating within the authority's area:

- (a) Four short blasts followed by one short blast; vessel swinging to starboard
- (b) Four short blasts followed by two short blasts; vessel swing to port

(c) One long blast given when approaching the Woolverstone and Pin Mill areas between the hours of sunset and sunrise,

- Inward bound vessels between No. 4 and 5 Buoys
- Outward bound vessels when approaching No. 7 Buoy

(d) One long blast when leaving Cliff Quay or West Bank berth during daylight hours on Saturdays and Sundays.

### **Sound Signal for Vessels Unable to Manoeuvre**

**53.** A regulated power driven vessel underway in any conditions of visibility which is for any reason unable to manoeuvre as required shall signify the same to any approaching vessel by a prolonged blast followed two short blasts on her whistle.

### **Sound Signal for Vessels Aground: Obligation to report**

**54.** (a) A regulated power driven vessel which runs aground shall immediately signify the same by six short blasts in rapid succession on her whistle and shall repeat such signal at short intervals until she shall have exhibited the lights or shapes or commenced to make the sound signals prescribed in the [Collision Regulations](#) to indicate she is aground.

(b) The Master of a regulated vessel which has run aground shall immediately report that fact to the Harbour Master

### **Anchoring**

**55.** No regulated vessel shall anchor without the permission of the Harbour Master except in the case of emergency to avoid a collision, drifting, running aground or damaging any other vessel or property.

## **Attendance on Board**

**56.** The Master of a vessel which is berthed or lying at a quay or at anchor or attached to any mooring device shall not, unless otherwise permitted by the Harbour Master, absent himself from the vessel unless he leaves in charge of the vessel some person or persons on board the vessel who is or are competent to move the vessel and attend to the moorings of the vessel.

## **Vessels not to lie abreast**

**57.** Regulated vessels shall not lie two or more abreast alongside any quay or mooring or anchor without the permission of the Harbour Master.

## **Vessels not to be fumigated without Permission**

**58.** The Master or owner of a vessel shall not cause or permit it to be fumigated without the permission of the Harbour Master.

## **Vessels proceeding without Bow rudder**

**59** (a) A vessel fitted with a bow rudder which is proceeding stern foremost shall, by day, exhibit from a yard on the main mast two black spherical shapes, each not less than 0.6 metres in diameter, placed horizontally not less than 2.4 metres apart and at least 1.8 metres higher than the funnel.

(b) During such a time as a vessel is exhibiting the signal prescribed by paragraph (a) above, the vessel shall comply with the [Collision Regulations](#) as if the starboard side was the port side and the port side was the starboard side.

## **PART IV – GOODS, VEHICLES AND RAIL TRAFFIC**

### **Applicable in addition to General Byelaws in PART II**

#### **Harbour Master’s Instructions concerning Loading/Discharge of Goods**

**60.** (a) No person shall load or discharge any goods from and on the authority’s Quays or otherwise or into or from any truck, lorry, wagon, hopper or other vehicle or plant, other than in accordance with the directions of the Harbour Master.

(b) The owner of any goods loaded or discharged at the harbour shall ensure that the goods are removed there from as soon as practicable and, in any event, within 48 hours unless the Authority or the Harbour Master otherwise agrees or directs.

(c) The owner of any goods shall comply with such directions as the Harbour Master may from time to time give for regulating the time, place and manner of discharging, loading or otherwise bringing into or removing those goods from the harbour premises/dock estate.

#### **Sweeping/Cleaning of any Quay following loading/Discharge and avoidance of pollution**

**61.** (a) The receiver or consignor of a chemical or substance which is of a nature likely to be destructive to concrete or metalwork shall cause the same to be swept up from the Authority’s quays and any surfaced land behind the same during the loading or discharging of any such chemical (including the loading or discharging of any railway wagon, lorry or other vehicle) so that on completion of such loading or discharging all trace of the chemical shall be removed. The sweeping up and removal of the chemical or substance shall be carried out in such a way so as to prevent any part of the same falling into the water over the side of the quay.

(b) In the event of the Harbour Master considers the receiver and/or consignor has not satisfactorily discharged his obligations under paragraph (a) above, he may give such directions and/or take such steps as he considers necessary, at his direction, to rectify any such failure, omission and/or deficiency and the costs and expenses incurred on the part of the Authority/Harbour Master under this paragraph shall be recoverable from the receiver and/or consignor of the cargo, substances and/or chemical as a debt in any court of competent jurisdiction.

## **Safe Driving of Vehicles**

**62.** (a) No person shall drive or otherwise operate a vehicle in the Harbour premises/Dock Estate without due care and attention or without reasonable consideration for other persons using the Harbour premises/Dock estate.

(b) The authority is empowered to erect traffic signs complying with the [The traffic Signs Regulations and General Directions 1994](#) as though it were a highway authority.

(c) drivers of all vehicles shall comply at all times with speed and other traffic regulations and traffic signs operative with the harbour premises/Dock Estate.

## **Speed of Vehicles**

**63.** No person shall allow a vehicle to proceed anywhere in the Harbour premises/dock Estate at a speed greater than 15 miles per hour unless otherwise prescribed and indicated.

## **Supervision of Vehicles**

**64.** A person having charge of a vehicle in the harbour premises/Dock Estate, shall at all times comply with any directions of the Harbour Master whether in respect of the loading, discharging, driving, manoeuvring and removal thereof and shall not, without the permission of the Harbour Master:

(a) leave the vehicle unattended anywhere within the Harbour premises/Dock Estate

or

(b) take it into any shed or working area.

## **Loads not to Leak, Spill or Drop**

**65.** The owner/driver or other person having charge of a vehicle in the Harbour premises/Dock Estate shall not permit any substance to leak, spill, be expelled or drop from the vehicle

### **Loads to be secured**

**66.** The owner/driver or other person having charge of a vehicle in the harbour premises/Dock estate, shall ensure that any load carried thereon or therein is adequately supported and secured where appropriate and complies with all statutory restrictions on the weight of goods to be so carried, as are applicable on public roads.

### **Charging/re-Charging of Fuel**

**67.** No person shall, within the harbour premises/Dock estate, charge or re-charge any vehicle with, or empty of it, of fuel, except with the permission of the Harbour Master or at a place designated by the Authority for that purpose.

### **Use of weighbridge**

**68.** No person shall drive or otherwise operate a vehicle across any weighbridge within the harbour premises/dock estate except for the purpose of weighing the vehicle.

### **Notice to Harbour Master of damage to property/injury**

**69.** Any person driving or otherwise operating a vehicle involved in an accident in the harbour premises/dock estate, whereby any injury is caused to any person or any damage is done to any property, shall stop the vehicle and report the accident to the Harbour Master and shall give his name and address to the Harbour Master. The requirements of this byelaw are without prejudice to any reporting obligations under the [The reporting of Injuries, Diseases and Dangerous Occurrences Regulations](#)

### **Misuse of Vehicles or Machinery**

**70.** No person shall enter or remain in or cause any vehicle to enter or so remain upon any swing bridge or lock gate under the control of the Authority whilst it is motion, or pass over, under or beyond any chain or barrier placed before or across the end of any such bridge or lock gate before swinging, or step on such swing bridge or lock gate before the chain or barrier shall have been removed by an officer or servant of the Authority on duty at the bridge or lock gate and no person other than an officer or servant of the Authority authorised so to do so, shall remove, unfasten or damage any such chain or barrier.



## **Railway regulations to be Observed**

**71.** All persons in charge of the movement of rail traffic shall observe all regulations applicable to the movement of locomotives and rolling stock as laid down by the Railway Executive or other Authority responsible for rail traffic on the Authority's premises.

### **Movement of Rail Traffic**

**72.** all persons as aforesaid shall when causing any rail traffic to cross any roadway on the Authority's premises give proper and adequate warning of its approach; they shall also cause locomotives and rolling stock on the Authority's quays, roads or other property to be moved forthwith if requested so to do by the Harbour Master.

### **Precedence of Rail traffic**

**73.** All persons driving or otherwise operating a road vehicle on the Harbour premises/Dock estate shall give way to any locomotive/railway rolling stock or other rail vehicles.

## **PART V – SMALL CRAFT AND RECREATIONAL ACTIVITIES**

### **Applicable to all small craft or recreational craft or activities in addition to the General Byelaws of Part II hereof**

#### **Small vessels to keep clear of Berths and Anchorages**

**74.** A small vessel shall not obstruct or impede the movement of any other vessel in any anchorage or the approach to any berth.

#### **Obstruction to large vessels**

**75.** The Master or persons in charge of yachts, cruisers, powerboats or other small vessels shall not make use of the navigable channel or approaches to wharfs, piers and jetties in such a way as to cause obstruction to regulated or specified vessels.

#### **Notice of regattas etc., to given to the Harbour Master**

**76.** (a) The secretary or other officer responsible for the management of any boat, yacht or sailing club or other organisation promoting an event likely to involve the assembly of more than ten vessels in the navigable channel/harbour shall give not less than 28 days notice thereof to the Harbour Master.

(b) No person shall organise or conduct any race, regatta, public procession or similar event within the harbour or navigable channel except on such courses and at such times as may be previously approved by the Harbour Master on an application made for such approval not less than 7 days before the event

#### **Water Skiing, Aquaplaning etc.**

**77.** (a) No person shall engage or take part in water skiing or aquaplaning except with the written permission of the Authority given either specifically or generally and only in such areas as may be designated by the Authority and in accordance with such reasonable conditions as the Authority may impose.

(b) A Master whilst using his vessel for the purpose of towing a water skier or a person aquaplaning shall have aboard at least one other person capable taking

Charge of the vessel and of giving such assistance as may be reasonably required during the towing and in the recovery of the water skier and shall carry :-

(i) for each person on board or being towed a life jacket manufactured in accordance with the appropriate British Standards Specification or a personal buoyancy aid of the Ship and Boat Builders' National Federation approved type, two hand held distress signals and a fire extinguisher; and

(ii) for each person water skiing or aquaplaning, a rescue quoit with line or other sufficient hand thrown rescue device

(c) No person shall engage in kiting or parachute towing in the harbour without the prior written consent of the Authority given either specifically or generally and in accordance with such reasonable conditions as may be imposed by the Authority.

### **Personal Water Craft**

**78.** No person shall operate or cause to be operated a personal water craft within the deep water channel of the harbour.

### **Sail Boards**

**79.** No person shall operate or cause to be operated a sail board within the deep water channel of the Harbour

### **Houseboats**

**80.** No vessel moored in the Authority's area (other than a vessel bona fide used for navigation) shall be used for the purposes of residence unless it is berthed alongside a frontage where there is direct access from the shore by agreement with the owner of the frontage.

### **Swimming**

**81.** Swimming within the deep water channel of the Harbour is prohibited except with the consent of the Harbour Master

## **PART VI – MISCELLANEOUS**

### **Applicable in addition to the General Byelaws in Part II hereof**

#### **Discharging or Dumping of Materials, Substances**

**82.** No person shall deposit or throw into the water of the harbour or any dock or lock or part thereof or in any part of the river within the Authority's jurisdiction any rubbish or other material substances or fluid whatsoever or place in it a position that it can fall, blow or drift into the same.

#### **Unauthorised movement of Chains, Fences and Posts etc,**

**83.** (a) Any person unhooking or unfastening any chains from the posts and/or moving any protective fencing located at the sides of the dock or channel or river, for the purpose of loading or unloading vessels, or for any other necessary purpose, shall refasten such chains and/or replace such other fencing immediately upon the completion or discontinuance of loading or unloading or other work.

(b) No person without necessity or authority unhook or unfasten or otherwise move any such chain from posts or any protective fencing and no person shall swing on, climb on to, damage or interfere with such posts, chains and other protective fencing.

#### **Trespass and damage to Boundary Fencing**

**84.** No person shall damage, break or get over, through or under any boundary or other fence, nor shall they enter upon the Authority's premises and trespass thereon.

#### **Prohibition of obstruction, damage and/or interference within Harbour premises/Dock estate.**

**85.** No person shall:-

(a) except with the permission of the Harbour Master, deposit or place on any part of the Harbour premises/Dock estate, any goods or park any vehicles causing an obstruction to the road, railway, building, mooring place, plant, machinery or apparatus or the access thereto.

(b) without lawful authority use, work, move or tamper with any plant, machinery, equipment or apparatus at the Harbour premises/Dock estate.

(c) damage any vessel or any of her stores, tackle, cargo, fastenings or moorings nor unless duly authorised slacken, loosen or cast adrift such vessel within the Harbour, nor shall they unlawfully work, set in motion or otherwise interfere with any crane, vehicle or other plant or machinery on Harbour premises/dock estate.

### **Unauthorised Use or Obstruction of Lock Gates**

**86.** No person unless duly authorised shall open or close or obstruct the opening and closing or interfere with any lock gates, swing bridge, tide flaps, sluices or sewer doors

### **Damage/Defacement**

**87.** No person shall damage or deface or post any bills or placards on or within any buildings, erection, machinery, plant, fences, pales, railings, gates, doors, walls, trees or shrubs or any property of the Authority.

### **Diving Operations**

**88.** (a) No person shall undertake any diving, whether for recreation or commercial purposes, without the advance authorisation of the Harbour Master.

(b) Diving authorisation by the Harbour Master shall be effected in compliance with the directions of and conditions imposed by the Harbour Master and in accordance with the [Health and Safety Diving regulations](#).

### **Nets in Dock of Lock Chamber**

**89.** No person shall cast or place in the dock or lock chamber any drift, trawler or other net in such a position as to be likely to become an obstruction or danger to any property including in particular, but without prejudice to the generality of the foregoing, any vessel or mooring.

### **Excavations, Interference with pipes, sewers, drains etc.**

**90.** No person shall connect to or alter or cut off from any pipe, sewer, drain or cable belonging to the Authority or to do any works for the purpose of connecting to or cutting off from any other pipe, sewer, drain or cable, neither shall he make any excavation whatsoever

on the Authority's premises without the written permission of the Authority being first obtained.

### **Unauthorised Access**

**91.** No person shall enter any of the Authority's quays, warehouses or other premises without authorisation. Any such person shall on the request of the Harbour Master or other agent or servant of the Authority, give a satisfactory account of himself and of his business and in default thereof may be removed as soon as reasonably practicable and excluded from the premises of the Authority

### **Nuisance/Obstruction**

**92.** No person shall commit any nuisance or cause any obstruction on any of the quays, roads or other parts of the harbour premises/dock estate.

### **Meetings**

**93.** Except with the consent of the Harbour Master, no person shall within the harbour premises/dock estate:-

(a) take part in any general meeting; or

(b) gather together with persons, or deliver any address to an audience or gather any persons whereby any work or business at the harbour or the control, management or use of the harbour is, or is likely to be, obstructed, impeded or hindered.

This byelaw shall not apply to any meeting held for the purposes of or in connection with the requirements under the [Health and Safety at Work Act 1974](#) or any regulations made under the act.

### **Unauthorised Trading Prohibited**

**94.** No person shall engage by way of trade, in buying or selling any goods, services or property on the harbour premises/dock estate without the written consent of the Authority.

## Penalties

**95.** (a) 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 in the exercise of the powers conferred upon them or him by these byelaws shall be guilty of an offence and be liable, on conviction before a court summary jurisdiction, to a fine not exceeding level 3 on the standard scale.

(b) Where the commission by a 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.

(c) In any proceedings for an offence under these byelaws, it shall be a defence for the person charged to prove:-

(i) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence; or

(ii) that he had a reasonable excuse for his act or failure to act

(c) If in any case the defence of this byelaw involves the allegation that the commission of the offence was due to an 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.

**Addendum**

1.

**Ipswich Port Authority**

Harbour Master's Office  
New Cut East,  
Ipswich. IP3 0EA

Old Custom House, Key Street Ipswich IP4 1BY  
Telephone Ipswich (0473) 230603  
Telex 068787 (Hase 0769) Telex 49940 (H42/GDS)  
Fax (0473) 230314

Our ref:

Your ref:

1st January 1990

To Whom it May Concern

SPEEDING on the RIVER ORWELL

In addition to the Port of Ipswich Harbour Bye-Laws [Part II, Section 5.] issued on the 12th August 1976, regarding Speed Restrictions, there is a Harbour Master's Direction, issued under the Harbours, Docks, and Piers Clauses Act of 1847 [With amendments], Section LII, which states that:-

The Speed Limit for All Pleasure Craft under 50 Gross Registered Tons, in the River Orwell, is 6 Knots.



Captain G.C. Jones  
Harbour Master