



Associated British Ports

**THE GOOLE  
DOCKS BYELAWS  
2006**

# ASSOCIATED BRITISH PORTS

## The Goole Docks Byelaws 2006

Associated British Ports<sup>1</sup> in exercise of the powers conferred by Section 83 of the Harbours, Docks & Piers Clauses Act 1847 (incorporated by Section 4 of the British Transport Docks Act 1964 and applied by section 51 of that Act), Associated British Ports Act 1987<sup>2</sup>, sections 52 and 53 of the British Transport Docks Act 1964, section 16 of the British Transport Docks Act 1972 and of all other powers it enabling<sup>3</sup>, hereby make the following byelaws.

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### PART I

#### PRELIMINARY

#### Byelaw Numbers

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### Application

3. (1) These byelaws shall apply to all parts of the Goole Docks and within 300 yards<sup>4</sup>, yards or 274.2 metres thereof as indicated on the plan signed by Hywel Rees an authorised signatory of ABP and marked by a red line drawn on the "Plan of the Goole Docks Byelaws 2006" annexed to these byelaws. A copy of the plan may be inspected at the Harbour Master's office at Goole Docks when open during normal business hours.
  
- (2) Nothing in these byelaws shall be deemed to be or shall operate by or on behalf of the Crown of any estate or interest or right over the foreshore or seabed or any part thereof owned by the Crown from time to time, nor shall anything contained or done under any provision of these byelaws in any respect prejudice or injuriously affect the rights and interest of the Crown in such foreshore an seabed, or prevent the exercise thereon of any public rights or prejudice or injuriously affect any right, power, or privilege legally exercisable by any person in over or in respect of the foreshore or seabed.

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<sup>1</sup> By the Transport Act 1981 and the Associated British Ports (Appointed Day and Designated of holding Company) Order 1982 (SI 1982/1887) the British Docks Board which was established by the Transport Act 1962 was reconstituted on 31 December 1982 under the name of Associated British Ports.

<sup>2</sup> By virtue of the reorganisation of nationalised transport undertakings in the Transport Act 1962 the functions of the British Transport Commission for Goole Docks were transferred to the British Transport Docks Board.

<sup>3</sup> Section 57 of the Criminal Justice Act 1988 increased the maximum fine which can be imposed on summary conviction for an offence under harbour byelaws

<sup>4</sup> S56 Ouse (Lower) Improvement Act 1884

## Interpretation

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

**"ABP"** means Associated British Ports;

**aquaplaning**" means to ride on a board or other watercraft, including water skis or other recreational apparatus while being towed or propelled in any manner by a vessel of any description;

**"Collision Regulations"** means regulations for the prevention of collisions made under Section 85 of the Merchant Shipping Act 1995;

**"dive"** and **"diving"** mean commercial and non commercial diving operations;

**"Docks"** and **"Dock Premises"** means the docks, quays, jetties, locks, basins, cuts, canals, roads, railways, bridges, dry docks, piers, stages, approaches and all other works, land and buildings in, at or within Goole Docks, owned, occupied or administered by ABP as defined in S56 Ouse (Lower) Improvement Act 1884;

**"fairway"** means a navigable channel which is a regular course or track of shipping including navigable channels designated, dredged or maintained by the ABP;

**"goods"** means any type of article and merchandise, whatsoever, together with any plant (as defined hereunder), package, case, pallet, container or other thing which conveys, carries, contains, protects or supports cargo or is designed to be made to do so;

**"harbour master"** means any harbour master or dock master appointed by ABP and includes his authorised assistants;

**"houseboat"** includes any small vessel which is not mechanically propelled and which is used, or is capable of being used, for habitation, storage, recreational, commercial and/or non commercial use;

**"hovercraft"** means a vehicle which is designed to be supported when in motion wholly or partly by air expelled from the vehicle to form a cushion of which the boundaries include the ground, water or other surface beneath the vehicle;

**"master"** when used in relation to a vessel means any person (whether the owner, or other person, and whether lawfully or otherwise) having command, charge or management of the vessel for the time being;

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

- (1) to a mooring chain or buoy; or
- (2) alongside any vessel; or
- (3) by anchor(s); or
- (4) alongside any quay.

**"owner"** when used in relation to goods includes any 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, agent or mortgagee in possession of the vessel or other person or persons entitled for the time being to 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 for the time being;

**"personal water craft"** means a small recreational boat propelled by a directionally controlled water jet or by other mechanical means of propulsion and steered either :

- (1) by means of a handlebar operated linkage system (with or without a rudder at the stern); or
- (2) by the person or persons riding the craft using his or their body weight for the purpose; or
- (3) by a combination of the methods referred to in (a) and (b) above.

**"plant"** shall mean any vehicle, trailer (whether or not carrying or incorporating any tank or container) machine or container;

**"power driven vessel"** means any vessel propelled by machinery;

**"quay"** means any quay, wharf, jetty, dolphin, landing stage, stairs or other place or structure used for mooring vessels and includes any adjacent pier, bridge, roadway or footway providing access thereto;

**"sail board"** means a raft, board or float with a sail or sails designed to be operated by a

person or persons standing upright thereon and includes windsurfing and sailboarding means the navigation or propulsion of a sailboard;

"**small vessel**" means any vessel, excluding tugs or other vessels operating or present in the Docks with the permission of ABP, of less than 20 metres in length or a sailing vessel and for the purposes of this definition "sailing vessel" means a vessel designed to carry sail, whether as the sole or as a primary or supplementary means of propulsion;

"**underway**" when used in relation to a vessel means a vessel that is not at anchor or moored or made fast to the 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;

"**vessel**" means a ship, boat, lighter or craft of every kind whether navigated by steam or otherwise;

"**sailing vessel**" includes a "yacht" and means a vessel designed to carry sail, whether as the sole or as a primary or supplementary means of propulsion, and whether or not fitted with an auxiliary propulsion unit.

## **PART II**

## **NAVIGATION**

### **Notice of vessel movements**

5. (1) The master of any vessel shall give reasonable prior notice to the harbour master of the vessel's arrival at, departure from or movement within the Docks by VHF, or by other means approved by the harbour master;
- (2) If requested by the harbour master, the master of a vessel about to enter the Docks shall, prior to entering the Docks, inform him of the purpose for which entry is required.

### **Declaration of particulars of vessel**

6. The master of a vessel arriving at the Docks, if required by the harbour master, shall provide him with a declaration in the form required containing a correct statement of the tonnage and draught of the vessel, its last port of call, ownership, destination and particulars of its cargo.

### **Vessel or other craft entering or leaving Docks**

7. (1) No person shall take, or attempt to take, any vessel into or out of the Docks, or shall navigate within, moor, anchor a vessel, watercraft of any description, seaplane, other thing constructed or adapted for floating on or being submersed in water, hovercraft or other amphibious vehicle, or leave any quay without the permission of, and in accordance with any directions given by, the harbour master.
- (2) Save with the permission of the harbour master or in an emergency a vessel shall not enter or depart from or be navigated within the Docks unless its master is on board.

### **Unsafe and/or unseaworthy vessels**

8. (1) The master of a vessel shall ensure that, at all times, his vessel is capable of being safely navigated;
- (2) No master shall knowingly cause or permit a vessel to be navigated within the Docks in an unsafe and/or unseaworthy condition, except as may be necessary in the interests of the safety of such vessel and/or her crew.

### **Damaged or defective vessels**

9. (1) The master of a damaged or defective vessel within the Docks, or about to enter the Docks, where such damage or defect is affecting or is likely to affect her stability, seaworthiness or manoeuvrability shall:
  - (a) report the condition of the vessel to the harbour master forthwith upon such damage or defect being ascertained and provide full particulars thereof;
  - (b) ensure, insofar as full particulars are not available at the time of notification in 9 (1) (a)

above, these are provided to the harbour master as soon as is reasonably practicable.

(2) The harbour master upon being notified as in paragraph 9(1) (a) and (b) may give such directions as he considers necessary to the master of the vessel, including but not limited to the requirement by the master to employ the service(s) of a tug or tugs and shore linesmen.

### **Vessel underway**

**10.** The master of a vessel underway shall:

- (1) either be on the bridge or at the control position of the vessel himself or ensure 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 of understanding and acting upon any directions given by a pilot;
- (2) ensure a proper and efficient all-round lookout is maintained at all times;
- (3) ensure the vessel is steered at all times by a member of the crew competent to do so. No automatic devices or equipment shall be used for steering purposes unless attended by a competent helmsman.

### **Alcohol/drugs**

**11.** (1) No person shall navigate or attempt to navigate a vessel when unfit to do so by reason of alcohol or drugs.

(2) No master or owner of a vessel shall knowingly cause or permit any person to navigate or attempt to navigate the vessel in contravention of this byelaw.

(3) A person found to be under the influence of alcohol or drugs or otherwise in an intoxicated condition on the Dock Premises and causing annoyance, disturbance or a risk or danger to himself, other persons or property shall be in breach of these byelaws.

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

**12.** A person under the age of 16 years shall not take control or attempt to take control of a power driven vessel except in the case of an emergency or with the permission of the harbour master.

### **Vessels to navigate with care**

**13.** No person shall navigate a vessel without care and caution or at a speed or in a manner which endangers the safety of or causes injury or damage, directly or indirectly, to any person, vessel, buoy, mooring, river bank or other property or obstructs the navigation, manoeuvring, loading or discharging of any vessel.

### **Speed of vessels**

**14.** No person shall navigate or operate a vessel:

- (1) without due care and caution or a speed or in a manner which, having regard to all the circumstances at the time including weather conditions and the type, condition and use of other vessels underway or moored, or which might reasonably be expected to be underway or moored, endangers the safety of, or causes injury to any person, any other vessel, buoy, moorings, the Docks or any other property;
- (2) without reducing speed and wash effect to a safe level before passing other vessels, buoys, moorings or any dredging, diving or other operations or work underway;

### **Notification of collisions, etc**

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

- (1) has been involved in a collision with any other vessel, navigational mark, shore facility or property or been sunk **or** grounded or become stranded in the Docks or in the approaches thereto, or
- (2) 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
- (3) in any manner gives rise to an obstruction to a fairway or to other vessel(s) entering the Docks shall, as soon as reasonably practicable, report the occurrence to the harbour master and provide the harbour master with full particulars in writing. Where the damage to the

vessel is such as to affect or be likely to affect its stability, seaworthiness or manoeuvrability the master shall not move the vessel, except to clear the fairway or to moor or anchor in safety, save with the permission of and in accordance with the directions of the harbour master.

#### **Navigational lights, systems and aids**

- 16.** (1) A master of a vessel shall observe at all times all signals, buoys and other aids to navigation including the operation of any flood protection gates and systems.  
(2) Between sunset and sunrise all vessels navigating within the Docks shall show their regulation lights as a vessel underway as prescribed in the Collision Regulations. A vessel lying outside another vessel at any quay shall show on her off side a white light or lights in such a position as to be clearly visible to other vessels passing in either direction.  
(3) No lights shall be exhibited or shown on any vessel in the Docks or anywhere, and/or by any person and/or by or on any vehicle, on the Dock Premises which may be mistaken for aids to navigation and/or which could interfere with the night vision of mariners.

#### **Obstruction to navigation, other vessels and moorings**

- 17.** No vessel, anchor or other obstacle to navigation shall be sunk or laid in any part of the Docks, nor shall any vessel be anchored, loaded or discharged in such a manner as to obstruct, impede or endanger navigation or to create a risk or cause injury to any vessel, mooring, buoy or other property or persons.

#### **Vessels to be kept in a moveable condition**

- 18.** (1) The master of a vessel shall not take any steps to render his vessel incapable of movement without first notifying the harbour master and shall at all times keep his vessel so loaded and/or ballasted and in such condition that it is capable of being safely moved.  
(2) Where a vessel is at any time incapable of being safely moved by means of its own propulsive machinery the master thereof shall inform the harbour master as soon as is reasonably practicable and shall provide any further information the harbour master may reasonably require.  
(3) The master shall comply as soon as is reasonably practicable with any directions given by the harbour master.

#### **Abandonment of vessels prohibited**

- 19.** (1) No person shall abandon a vessel unless this is necessary for the safety of the crew.  
(2) For the purposes of paragraph 19(1) a person who leaves a vessel in the Docks in such circumstances or for such a period that he may reasonably be assumed to have abandoned it shall be deemed to have abandoned it unless the contrary intention is shown.  
(3) The harbour master may move, remove and/or take such other action he considers reasonable and necessary to remove, move or dispose of an abandoned vessel.

#### **Abandoned/missing vessels**

- 20.** (1) The master of a 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 the harbour master may reasonably require;  
(2) Any person who finds, or has knowledge of a vessel to which paragraph 20(1) refers shall notify the harbour master forthwith.

#### **Vessels adrift**

- 21.** The master of a vessel which parts from its moorings shall, as soon as reasonably practicable, report the same to the harbour master.

## **Housing of anchors**

22. When any vessel is passing through a lock or approaching a quay, its master shall cause her anchors to be housed in such a manner as to prevent them causing damage to any walls, quay or other property.

## **PART III**

## **MOORING AND MANAGEMENT OF VESSEL**

### **Mooring person to be in attendance**

23. The master of any vessel entering the Docks shall have competent persons in attendance to operate mooring ropes and lines and shall also have sufficient competent persons in attendance for mooring and tendering purposes.

### **Provision of proper fenders**

24. (1) The master of a vessel shall ensure it has sufficient fenders for the size of the vessel and that such fenders do not consist of or are made from material which, if lost overboard, will float and be liable to obstruct navigation or to create a risk or cause injury to any vessel or persons.

(2) When mooring, unmooring or leaving or lying at a quay or against other vessels or whilst in or passing through a lock the master shall cause the vessel to be fended off from the quay, or those other vessels or lock walls or gates so as to prevent and damage thereto or to any other property.

### **Vessels to be properly moored**

25. (1) The master of a moored vessel shall ensure such vessel is securely made fast and that its moorings are adjusted as necessary to allow for the rise and fall of the tide and for the loading and unloading of cargo.

(2) The master of a moored vessel shall ensure such vessel is laid as close as possible alongside the land or premises at which the vessel is moored and that neither the vessel nor the vessel's moorings obstruct other vessels in the Docks or the use of a dock entrance, pier, wharf, quay or jetty.

(3) The master shall move, navigate, place or remove his vessel from or to such berth or mooring as the harbour master may reasonably direct at any time.

(4) A vessel moored in such a manner that it projects beyond a corner around which other vessels pass must have a white light clearly visible at the projecting part between sunset and sunrise.

(5) The harbour master may direct the master of a vessel to employ the services of shore linesmen and/or a tug or tugs for the purposes of this byelaw.

(6) Vessels, upon completion of loading or discharging, and vessels moored adjacent to bridges or locks may be required to move by the harbour master to such berth or place as may be directed, at any time, by the harbour master.

(7) No person shall moor, unmoor, anchor, place, navigate, load or unload any vessel within the Docks contrary to the directions of the harbour master. After a vessel has been moored, anchored, or placed in or at any berth or place no person shall thereafter move such vessel contrary to any directions given by the harbour master.

(8) In the event of the failure to comply with the directions of the harbour master under this byelaw, the harbour master may moor, unmoor, transport or move the vessel or take such other action as he considers necessary.

### **Sufficiency of crew**

26. (1) The master of a vessel shall at all times ensure there are sufficient crew or other competent persons readily available at all times:

(a) to attend to the vessel's moorings;

(b) to comply with any directions given by the harbour master for the unmooring, mooring or moving of the vessel; and

- (c) to deal, so far as is reasonably practicable, with any emergency that may arise.
- (2) The harbour master may direct the master of a vessel to employ the service(s) a tug or tugs and/or shore linesmen for the purposes of this byelaw.
- (3) In the event of failure to comply with the directions of the harbour master under this byelaw, the harbour master may moor, unmoor, transport or move the vessel or take such other action as he considers necessary in connection therewith.

#### **Attendance onboard**

27. The master of a vessel in the Docks shall not, without the permission of the harbour master, absent himself from the vessel unless he leaves onboard a member of the crew in charge of the vessel who is competent to safely move the vessel and attend to the moorings of the vessel.

#### **Vessels not to be made fast to navigation buoys or unauthorized objects**

- 28. (1) A vessel shall not be made fast to a buoy, beacon or mark used for navigational purposes or, without the consent of its owner, to any mooring.
- (2) No person shall make fast any rope, chain or tackle to any quay, post, ring, fender, shed, crane, hydrant, lamp-post or other object, thing or place not designated for that purpose.
- (3) No ropes or lines are to be placed across any quay or dock without the permission of the harbour master. If the use or placement of such ropes is permitted by the harbour master, the master of the vessel shall ensure the ropes or lines do not cause obstruction on the Dock Premises or obstruct navigation, are properly supervised and attended by the crew at all times and between sunset and sunrise are illuminated so as to be clearly visible.

#### **Vessel not to anchor**

29. Vessels shall not anchor in the Docks without the permission of the harbour master. Any vessel so anchored shall not obstruct the movement of other vessels within the Docks.

#### **Access to and egress from vessels**

- 30. The master of a vessel (other than a small vessel) while moored alongside a quay shall, except where the Merchant Shipping (Means of Access) Regulations 1988 apply, provide and maintain a sufficient and proper gangway for the access and egress of persons having lawful business on the vessel and shall:
  - (1) provide sufficient lighting during the hours of darkness to illuminate the whole length of the gangway;
  - (2) ensure the gangway has a properly fitting and effective safety net.

#### **Access across decks**

31. The master of a vessel moored alongside a quay or any vessel already moored in the Docks, if required to do so by the harbour master, shall give unrestricted access across the deck of his vessel for persons and goods moving, or being moved, to and from vessels moored alongside his vessel.

#### **Testing of engines**

32. The master of a vessel within the Docks shall not cause or permit the engines of such vessel to be set in motion for trial without the permission of the harbour master and save in compliance with his directions.

#### **Use of engines whilst vessel is moored.**

33. The master of a moored vessel shall not permit the engines of his vessel to be operated, in such a manner as to cause injury to persons or damage to the bed or banks of the Docks or to any vessel or property.

## **Hot working and fire safety**

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

(2) No person shall burn or heat any flammable matter or have or permit any fire on any vessel in the Docks:

- (a) in such a manner as to cause a fire; or
- (b) without due precautions to prevent danger of fire on or to such vessel or elsewhere;

(3) No person shall carry out any operations involving burning, welding or the use of naked flame on board vessels or on quays without the permission of the harbour master.

(4) No person shall displace or wilfully or intentionally interfere with any safety or fire equipment except in an emergency.

(5) The master of a vessel, save for rowing boats and similar light non-powered vessels, shall have fire-extinguishing equipment available for immediate use in any part of the vessel at all times.

## **Fires, explosions and emergency services**

35. (1) The master of any vessel or occupant(s) of any building within the Docks which is on fire, or where there has been an explosion or is in the vicinity of either, shall inform the harbour master as soon as possible of such outbreak and shall take immediate action to summon the fire brigade and emergency services and to bring all available fire fighting equipment into operation.

(2) In the case of a fire, explosion or similar accident occurring on or in connection with a vessel:

- (a) the vessel's master shall provide the harbour master with a written report within 24 hours of the incident;
- (b) the master shall give unrestricted access to the vessel and every reasonable facility to aid and assist ABP in their inspection of the vessel;
- (c) provided the master gives ABP all reasonable facilities, within three working days of receiving notice hereunder ABP shall inspect or cause the vessel to be inspected. For that purpose, the master shall keep the vessel as nearly as possible in its exact condition, as after the fire or incident.

(3) Only vessels used by ABP and by police, fire and ambulance services may display a blue flashing light at any time in the execution of their duties.

(4) The maximum prescribed speed limit shall not apply to vessels in use by ABP or by police, fire and ambulance services in the execution of their duties

## **Access to vessels and inspection facilities by harbour master**

36. (1) The harbour master may enter and inspect any vessel and the master of such vessel shall give every reasonable facility and assistance to the harbour master and the emergency services for dealing with, alleviating or preventing a fire, danger or other emergency on that vessel.

(2) The master of a vessel, so far as may reasonably be required by the harbour master in the exercise of his duties, afford the harbour master unrestricted access to any part of the vessel and provide all reasonable facilities for its inspection and examination.

## **Lost anchor, chain, cable or propeller**

37. (1) The master of a vessel which has slipped or parted from, or lost any anchor, chain, cable or propeller or other substantial item shall, as soon as is reasonably practicable:

- (a) give the harbour master notice and full particulars thereof including the position of the anchor, chain, cable or propeller or other item; and
- (b) if the harbour master so directs, recover the anchor, chain, cable, propeller other item;

(2) where reasonably practicable, mark the position of that object with a float;

(3) comply with any directions given by harbour master. Failing compliance with such directions, and in any event, the harbour master may take whatever action he considers necessary, to recover the lost item.

### **Oil transfer**

38. The master of a vessel intending to load and/or discharge oil products take onboard bunkers and/or lubricating oil or products in bulk shall give the harbour master as much advance notice thereof as is reasonably practical.

### **Damage to dock lights, buoys, beacons**

39. The master of any vessel running into, fouling or damaging any dock light, buoy, beacon or other navigational mark shall report the same, forthwith, to the harbour master.

### **Unauthorised moorings**

40. (1) No person shall lay down any mooring, buoy or similar tackle without the consent in writing of the harbour master and save in accordance with any directions he may give.  
(2) A mooring, buoy or similar tackle shall be removed as soon as is reasonably practicable by its owner or any other person claiming possession thereof if the harbour master so directs.  
(3) Failing compliance with any directions given under this byelaw the harbour master may move or remove the mooring, buoy or tackle.

## **PART VI**

## **GOODS. ROAD AND RAIL TRAFFIC**

### **Handling of goods**

41. The master of a vessel and/or owners of goods shall comply with such reasonable directions as the harbour master may give for regulating the time, place and manner of discharging, loading or otherwise bringing into or removing those goods from the Docks or Dock Premises.

### **Precaution against spillage/leakage of goods into Dock waters or onto Dock Premises**

42. (1) The master of a vessel and a person undertaking the loading of cargo into, or the discharging of cargo from, a vessel shall use or cause to be used such methods as ABP may direct for the prevention of any cargo, dunnage, ballast or other material from falling into waters of the Docks or onto the Dock Premises.  
(2) If any cargo, dunnage, ballast or other material does fall or escape into the waters of the Docks the master or the person undertaking the loading or discharging of the material shall:  
(a) forthwith give notice of the occurrence to the harbour master and, if possible, particulars of the material which has fallen or escaped: and  
(b) if the harbour master directs take action, as soon as practicable, comply with such directions and recover the dunnage, ballast or other material.

### **Obstruction/Interference at Dock Premises**

43. No person shall, without the permission of ABP, on the Dock Premises:  
(1) use, operate, move or tamper with any crane, plant, machinery, equipment or apparatus;  
(2) place any goods or materials on any quay so as to obstruct access to any crane, hoist, vessel, mooring, working area, fire hydrants or life saving equipment or and/or in such a manner as likely to cause injury or damage;  
(3) enter or remain in or cause any vehicle to enter or so remain upon any swing bridge or lock gate whilst it is in motion;  
(4) remove, unfasten, pass over, under or beyond any chain or barrier placed before or across the end of any bridge or lock gate before swinging commences or step on such swing bridge or lock gate before the chain or barrier shall have been removed by ABP.

### **Safe driving**

44. (1) No person shall drive or otherwise operate a vehicle within the Dock Premises without due care and attention or without reasonable consideration for other persons using the Dock Premises.  
(2) ABP is empowered to erect traffic signs complying with The Traffic Signs Regulations and General Directions 1994 as though it were a highway authority.

- (3) Drivers of all vehicles shall comply at all times with speed and other traffic regulations and traffic signs operative within the Dock Premises. Where otherwise not prescribed and indicated a maximum speed limit for road and rail vehicles of 10 miles per hour shall apply.
- (4) Only vessels and vehicles used by ABP and the police, fire and ambulance services may display a blue flashing light at any time.
- (5) The maximum prescribed speed limit shall not apply to vessels and vehicles used by ABP and the police, fire and ambulance services in the execution of their duties.

#### **Supervision of vehicles**

**45.** A person having charge of a vehicle on Dock Premises shall at all times comply with the reasonable directions given by ABP in connection with the loading, discharging, manoeuvring and removal thereof and shall not, without the permission of ABP:

- (1) leave the vehicle unattended
- (2) take the vehicle into any shed or working area for any longer than is reasonably necessary to load or unload goods and/or to set down or take up passengers.

#### **Abandonment of vehicles prohibited**

**46.** (1) No person shall abandon a vehicle within the Docks or in or on the Dock Premises. For the purposes of this paragraph a person who leaves a vehicle in such circumstances, condition or manner, or for such a period that he may reasonably be assumed to have abandoned it shall be deemed to have abandoned it unless the contrary intention is shown.

(2) The harbour master may give directions to the owner or operator of an abandoned vehicle, if known, or may have the vehicle removed at his discretion.

#### **Loads not to leak, spill or drop**

**47.** The owner, driver or other person having charge of a vehicle on the dock premises shall not permit to leak, spill or drop from the vehicle any polluting substance or any substance which is likely to present a hazard to other users of the Docks or Dock Premises.

#### **Precedence of locomotives**

**48.** A person driving or otherwise operating a road vehicle within the Dock Premises shall give way to any locomotive/railway rolling stock or other rail vehicle.

#### **Driving on weighbridges**

**49.** No person shall drive or otherwise operate a vehicle across any weighbridge within the Dock Premises except for the purpose of weighing the vehicle.

## **PART V**

## **GENERAL**

#### **Water Skiing, aquaplaning, personal watercraft, swimming etc**

**50.** (1) No person shall anywhere within the Docks or Dock Premises:

- (a) water ski or aquaplane;
- (b) kite or parachute tow;
- (c) operate a personal water craft
- (d) use a hovercraft;
- (e) use a sail board;
- (f) except for transit through the Docks, navigate, moor or use a houseboat;
- (g) dive or conduct diving operations;
- (h) bathe or swim;
- (i) fish, cast or place drift, trawler or other nets;
- (j) use a model boat, hovercraft, yacht or underwater object, plane or other flying device

whether radio controlled or otherwise.

### **Small vessels**

**51.** (1) No person shall use a small vessel within the Docks except:

- (a) in the case of an emergency; or
- (b) for transit purposes across the Docks between the River Ouse and Knottingley - Goole Canal, or vice versa, by means of the Ocean or Victoria Locks and Ouse, Ship, Barge or South Docks. Transit shall be subject to the payment of any applicable lock and/or dock dues or charges and:
- (i) transit being undertaken entirely at the master's and his vessel's own risk;
- (ii) transit being conducted (except in an emergency or for safety purposes) without stopping, mooring, delay or deviation;
- (iii) transit being conducted safely, transiting vessels at all times keeping clear of berths and quays and ensuring that neither the moorings nor the navigation of other vessels within the Docks are obstructed or impeded.

### **Dumping prohibited**

**52** (1) No person shall deposit or throw article cause any article, material or thing, whatsoever, into the waters of the Docks and/or the Ocean, Ouse or Victoria locks or elsewhere within the Docks Premises or place it in such a position that it can fall, flow, blow, drift or run into the Docks. This byelaw shall not apply to a vessel's sea toilet nor to the discharge or escape of any substance which is subject to the provisions of the Prevention of Oil Pollution Act 1971 or Part IV of the Merchant Shipping Act 1995.

(2) The discharge of water ballast shall only be permitted if authorised by the harbour master.

### **No dragging or grappling without permission**

**53.** Unless he has been directed to do so by the harbour master no person shall drag, dredge or grapple for any material or article nor remove the same from the bed of any water area of the Docks without the permission of the harbour master.

### **Vessels to have names marked on them**

**54.** 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 and port of origin (if any) unless exempted from this requirement by ABP.

### **Unauthorised movement of chains, fences, posts, moorings**

**55.** (1) Any person unhooking or unfastening any chains from posts and/or moving any protective fencing for the purpose of loading or unloading vessels, or for any other necessary purpose, shall:

- (a) require the permission of the harbour master;
- (b) refasten such chains and/or replace such other fencing immediately upon the completion or discontinuance of loading or unloading or other work;

(2) No person shall swing on, climb onto, or interfere with any posts, chains or other protective fencing;

(3) No person shall, without the permission of the harbour master, loosen or cast adrift a vessel within the Docks;

### **Prohibition of smoking and fires**

**56.** (a) The Master and owner of any vessel shall not permit any person to smoke or for any open fire or naked lights to be present where a dangerous or combustible substance is being loaded or discharged, nor shall the same be permitted by the Master or owner of any other vessel in the vicinity.

(b) No person shall cause or permit any fire or naked light in or on the Docks or Dock Premises

without the permission of the harbour master.

#### **Lifesaving appliances**

**57.** No life saving appliances belonging to ABP must be used for any other purpose other than for saving life or attempting to save life.

#### **Unauthorised use or obstruction of lock gates**

**58.** No person shall open or close or obstruct the opening and closing or interfere with any lock gates, swing bridge, tide flaps, sluices or sewer doors without the permission of the harbour master.

#### **Destruction of vessels**

**59.** No person shall set fire to, detonate, or break up any vessel wreck or structure within the Docks or Dock Premises without the written permission of the harbour master and in accordance with any directions given by the harbour master.

#### **Posting of posters, bills and signs**

**60.** No person shall, without the permission of the harbour master post any posters, bills, or signs on or within the Dock Premises.

#### **Excavations and interference with pipes, sewers, drains**

**61.** Except in an emergency no person shall carry out excavations work on or interfere with any pipes, sewers, drains, cables etc in, on, under or over the Dock Premises without the permission of ABP.

#### **Unauthorised access**

**62.** No person shall enter any of ABP's quays, warehouses or other premises without the prior permission of the harbour master.

#### **Obstruction of officers of ABP**

**63.** No person shall intentionally obstruct the harbour master or any officer or employee of ABP in the execution of their duties.

#### **Meetings**

**64.** Except with the permission of the harbour master, no person shall within the harbour premises:

- (a) organise any general meeting; or
- (b) deliver any address to an audience or gather together 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

#### **Unauthorised trading prohibited**

**65.** No person, without the written permission of the harbour master or unless he is entitled and authorised as a tenant or licensee of ABP to do so, shall engage by way of trade in buying or selling any goods or property in the Dock Premises.

#### **Application of Collision Regulations**

**66.** Nothing in these byelaws shall affect the operation of the Collision Regulations or the duty on the master of a vessel to comply therewith. In the event that and insofar as, the rules contained in Schedule 1 to the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996 do not apply within themselves to any enclosed waters of the Goole Docks by virtue of Rule I (a) of the said Schedule I, the like rules shall so apply as part of these byelaws.

**Penalties**

**67.** Any person who contravenes or otherwise fails to comply with any of these byelaws or any condition, requirement or prohibition imposed by ABP 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 summary conviction, to a fine not exceeding level 3 on the standard scale except in the case of byelaws 10 & 11 where level 4 will apply.

**Offence committed by body corporate**

**68.** (1) Where an offence under these byelaws which is committed by a body corporate is proved to be committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly

(2) For the purposes of (1) above "director", in relation to anybody corporate whose affairs are managed by its members, means any member of the body

**Defence**

**69.** (1) In any proceedings for an offence under these byelaws, it shall be a defence for the person charged to prove:

- that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence; or
- that he had a reasonable excuse for his act or failure to act.

(2) If in any case the defence provided by paragraph (1) (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 the 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.

**Costs**

**70.** The costs and expenses incurred on the part of ABP pursuant to the implementation and enforcement of these byelaws shall be recoverable from the party contravening and/or failing to comply with the relevant byelaws as a debt in any court of competent jurisdiction.

**Revocation of Byelaws**

**71.** The Goole Docks Byelaws made by the Undertakers of the Aire and Calder Navigation on 14th February 1912 are hereby revoked without prejudice however to the validity of anything done thereunder or any proceedings, pending or existing.

## **LIMITS OF GOOLE DOCKS AS DEFINED**

As shown in the Plan attached hereto:  
The Goole Docks

THE COMMON SEAL of  
ASSOCIATED BRITISH PORTS  
was hereunto affixed in the  
presence of:-

} Assistant  
Secretary

**L.S.**

**THE SECRETARY OF STATE hereby confirms the  
foregoing byelaws.**

**SIGNED** by the Authority of the Secretary of State  
On the thirtieth day of May 2006

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PHIL CAREY

HEAD OF PORTS DIVISON, DEPARTMENT FOR  
TRANSPORT

# The Goole Docks Byelaws 2006

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