



BLYTH HARBOUR COMMISSION GENERAL BYELAWS

Blyth Harbour Commission

General Byelaws

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BLYTH HARBOUR GENERAL BYELAWS

The Blyth Harbour Commissioners, in exercise of the powers conferred by section 162 of the Blyth Harbour Act 1912 and of all other powers enabling them in that behalf, hereby make the following byelaws.

PART 1: PRELIMINARY

Title, commencement and repeals

- 1.1 These byelaws may be cited as the Blyth Harbour Byelaws 1990 and shall come into operation at the end of the period of 28 days beginning with the date of their confirmation by the Secretary of State.
- 1.2 On the commencement of these byelaws the byelaws made by the Commissioners on 3rd September 1925 shall cease to have effect.

Application

2. Except as is otherwise expressly provided, these byelaws shall apply to all parts of the harbour.

Interpretation

3. In these byelaws, except where the context otherwise requires –
 - "ballast" means any substance which is being or has been used for the purpose of ballasting a vessel, except water which is free from any contamination;
 - "berth" means any place in the harbour where a ship can lie, whether or not afloat;
 - "the Commissioners" means the Blyth Harbour Commissioners;
 - "drifting" means being without steerageway;
 - "ferry boat" means any vessel for the time being used for the purpose of providing a ferry service;
 - "goods" means all articles and merchandise of every description, including fish, livestock and animals, but does not include ballast or rubbish;

"the harbour" has the meaning given by the Blyth Harbour Act 1986;

"Harbour Master" means the person appointed as such pursuant to the Blyth Harbour Acts and Orders 1858 to 1989, his deputies and assistants and any other person authorised by the Commissioners to exercise any of the functions of the Harbour Master to the extent that that person is so authorised;

"harbour premises" means the lands acquired by the Commissioners under any local enactment which are for the time being owned, occupied or administered by them for the purposes of the undertaking;

"hopper barge" means a vessel part of the underwater section of whose hull is capable of being opened for the purpose of discharging cargo or any other material;

"hovercraft" has the meaning given by section 4 of the Hovercraft Act 1968;
"master", in relation to a vessel, means any person for the time being having the command, charge or management of it;

"night-time" means the period between sunset and sunrise;

"owner", 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 any other person in charge of them and his agent in relation thereto;

"owner", in relation to a vessel, includes any part owner, broker, charterer, agent or mortgagee in possession of the vessel or other person entitled for the time being to be in possession of the vessel;

"port manager" means the person appointed by the Commissioners to supervise the reception and discharge of cargo and control land-based activities within the harbour premises, his deputies and assistants and any other person authorised by the Commissioners to exercise any of the functions of the port manager to the extent that that person is so authorised;

"quay" means any quay, wharf, jetty, pier, landing stage, shore or other landing place, including any bridge, roadway or pier immediately adjacent and affording access thereto;

"rubbish" includes ballast, wreck, ashes, filth and any other waste materials and substances;

"sea-going vessel" means any vessel which is capable of being used for sea-going voyages;

"small vessel" means any vessel of less than 20 metres in length;

"the South Harbour" means the area described as such on Admiralty Chart "Blyth Harbour" (1626);

"vehicle" includes any vehicle propelled on rails, any machinery on wheels or caterpillar tracks, trailers, caravans, mobile homes, hovercraft and other amphibious craft;

"vessel" includes every description of water craft (including non-displacement craft and seaplanes), used or capable of being used as a means of transport on water.

PART 2: NAVIGATION

Vessel movements

4. The master of a sea-going vessel shall not –
 - (a) enter or leave the harbour; or
 - (b) otherwise move his vessel within the harbour; unless he has received the permission of the Harbour Master.

Declaration of particulars of vessel

5. The master of a vessel arriving at the harbour shall, if required by the Harbour Master, furnish him with a declaration in the form to be obtained from him containing a correct statement of the tonnage and draught of the vessel, its last port of call, ownership and destination, and particulars of its cargo.

Vessels to navigate with care

6. The master shall navigate his vessel with such care and caution and at such speed and in such manner so as not –
 - (a) to endanger the lives of or cause injury to persons or damage to property; or
 - (b) to interfere with the navigation, manoeuvring, loading or discharging of vessels or with moorings, river banks or other property.

Navigation in fog

7. In the case of fog, the master of a vessel which is underway shall as soon as practicable moor or anchor out of the navigable channel and advise the Harbour Master of his actions and of the best estimate of his position; and a master shall not get a vessel underway without the permission of the Harbour Master.

Speed of vessels

- 8.1 Except with the permission of the Harbour Master and subject to byelaw 6 and the provisions of any regulations for the prevention of collisions made under the Merchant Shipping Act 1979 and for the time being in force, the master of a vessel shall not knowingly cause or permit the vessel to proceed at a speed greater than 4 knots.

- 8.2 The master of a vessel which is approaching another vessel shall, if necessary, slacken the speed of his vessel and the master of a vessel which is going against the tide shall in all cases give way to one which is going with the tide.
- 8.3 The Master of a vessel shall cause its speed to be reduced to the slowest possible consistent with safety, and shall keel the vessel itself clear, when passing any craft or appliance belonging to or employed by the Commissioners which is at work or otherwise in use and is carrying a white flag (or, where diving is taking place, a flag indicating that fact) at least two meters above the highest part of the craft or appliance.
- 8.4 The reduction in speed required by paragraph (3) above shall commence at a point at least 300 metres before reaching the craft or appliances concerned and shall continue for 50 metres after they are passed.
- 8.5 Where sunken vessels or other obstructions are being lifted or removed, or when moorings are being drawn or fixed, by or under the direction of the Commissioners' officers or servants the master of a vessel –
- (a) shall ensure that it goes dead slow when within 300 metres of the place where the operation is being performed and
 - (b) shall keep it well clear of that place so as not to occasion any danger, injury or interruption.

Overtaking

- 9.1 The master of any vessel which is overtaking another vessel –
- (a) shall keep his vessel out of the way of that other vessel;
 - (b) shall ensure that his vessel does not cross the bows of that other vessel until at such a distance as will not necessitate the stopping or slowing-down of that vessel.
- 9.2 The master of a vessel which is being overtaken by another vessel –
- (a) shall keep his vessel on its course; and
 - (b) shall not knowingly cause or permit any obstruction of the overtaking vessel.

Readiness for emergencies

10. The master of a vessel navigating in the harbour shall ensure that its anchor and chain are ready to let go in the event of any emergency requiring their use for the safety of that or any other vessel.

Vessels not to obstruct navigable channel

- 11.1 The master of a small vessel which is not confined to the navigable channel shall not make use of it so as to cause an obstruction to a vessel which can navigate only within that channel.
- 11.2 The master of a vessel under sail shall not proceed upriver beyond the entrance to the South Harbour.

Towing

- 12.1 The master of a tug or other vessel which is towing into port a vessel which does not have a pilot on board shall ease or, if necessary, stop his vessel to enable a pilot to board the towed vessel, unless the master of that vessel has previously informed the master of the towing vessel that he does not intend to take a pilot.
- 12.2 The master of a tug or other vessel shall not knowingly cause or permit his vessels to tow at any one time –
 - (a) more than one sea-going vessel of more than 200 gross registered tons;
 - or
 - (b) two or more vessels in line so that the stern of the last vessel is more than 150 metres away from the stern of the towing vessel;
 - (c) two or more vessels abreast; or
 - (d) rafts exceeding 80 metres in length and 10 metres in breadth.

Vessels not to be made fast to navigation buoys or marks

13. The master of a vessel shall not make fast his vessel to or cause his vessel to lie against any buoy, beacon or mark used for navigational purposes.

Drifting prohibited

- 14.1 The master of a vessel –
 - (a) shall not permit it to drift in any part of the harbour; and
 - (b) shall ensure that it is moored clear of the navigable channel.
- 14.2 The master of a vessel which parts from its moorings shall report the fact to the Harbour Master as soon as possible.

Notification of collisions, etc.

- 15.1 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 the harbour;
 - (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 the obstruction of the navigable channel; shall forthwith report the occurrence to the Harbour Master, and shall as soon as practicable thereafter provide the Harbour Master with full details in writing.
- 15.2 Where the damage to a vessel is such as to affect or be likely to affect its seaworthiness the master shall not move the vessel except to clear the navigable channel or to moor or anchor in safety, otherwise than with the permission and in accordance with the directions of the Harbour Master.

PART 3: BERTHING AND MOORING

Provision of proper fenders

16. 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, leaving a quay or lying against other vessels, the master shall cause the vessel to be fended off from that quay, or those other vessels so as to prevent damage to that quay, those other vessels or other property.

Vessels to be properly moored and capable of being safely moved.

- 17.1 Upon entering the harbour, the master of a vessel -
- (a) shall take it to such mooring place as the Harbour Master may direct; and
 - (b) shall not knowingly cause it to be moved from that mooring place for any purpose without the prior permission of the Harbour Master.
- 17.2 The master of a vessel shall at all times keep his vessel properly and effectively moored when berthed or lying at any quay.
- 17.3 The master of a vessel shall not make it fast to any post, quay, ring, fender or any other thing -
- (a) which is not assigned for that purpose; or
 - (b) in respect of which the Harbour Master has not given prior permission for the vessel to be made fast.
- 17.4 The master of a vessel shall not, without the prior permission of the Harbour Master, permit it to lie alongside another vessel which is moored at any post, quay, ring, fender or other thing.
- 17.5 The master of a vessel which does not belong to, or is not being employed by, the Commissioners shall not moor it at any moorings which –
- (a) are painted white; and
 - (b) are provided for the use of any craft or appliance of the Commissioners.
- 17.6 The master of a marine store dealers' boat shall not place it alongside of, moor it to or permit it to be towed by any craft or appliance belonging to or employed by the Commissioners.
- 17.7 Except with the permission of the Harbour Master, the master of every sea-going vessel shall keep it at all times so loaded or ballasted, or in such a condition, as to be capable of being safely moved.

Use of anchors

- 18.1 Except in the case of an emergency or with the prior permission of the Harbour Master, the master of a vessel shall not permit an anchor to be put down, whether or not the vessel is moored.
- 18.2 The master of a vessel shall cause any anchor which is put down –
- (a) to be placed clear of the navigable channel and so as not to endanger any other vessel; and
 - (b) to be removed as and when the Harbour Master directs.
- 18.3 The master of a vessel which is moored shall cause its anchors –
- (a) to be taken in clear of the gunwale;
 - (b) to be properly housed or hung perpendicularly from the hawse pipe in such a position as shall be least likely to cause damage or injury to that or any other vessel; or
 - (c) to be dealt with partly as stated in sub-paragraph (a) and partly as stated in sub-paragraph (b) above, in accordance with the directions of the Harbour Master.
- 18.4 The master of a vessel which has slipped or parted from or lost any anchor, chain, cable or propeller shall forthwith give to the Harbour Master notice of the fact; and, if possible, of the position of the anchor, chain, cable or propeller and, if the Harbour Master so directs, shall cause it to be recovered as soon as possible.
- 18.5 The master of a vessel which slips or parts from an anchor or propeller shall leave a buoy to mark the object.

Access to and across, and egress from, vessels

- 19.1 The master and the owner of a vessel (other than a small vessel) while berthed alongside a quay –
- (a) shall provide and maintain a sufficient and proper gangway for the access and egress of all persons having lawful business on the vessel; and
 - (b) shall during the night provide sufficient lighting to illuminate the whole length of the gangway.
- 19.2 The master of a vessel alongside a quay or alongside any vessel already berthed shall, if required to do so by the Harbour Master or the port manager, give free access across the deck of his vessel for persons and goods to and from vessels berthed alongside his vessel.

Sufficiency of crew

20. Except with the permission of the Harbour Master, the master of a vessel shall at all times ensure that it is capable of being safely moved and navigated and that there are sufficient and competent persons readily available –
- (a) to attend to the moorings of the vessel;
 - (b) to comply with any directions given by the Harbour Master for the mooring, unmooring and moving of the vessel; and
 - (C) to deal, so far as reasonably practicable, with any emergency that may arise.

Vessels to be kept in moveable condition

21. Except where his vessel is lying aground, the master of a seagoing vessel –
- (a) shall not take any steps to render it incapable of movement without first obtaining the consent of the Harbour Master; and
 - (b) shall at all times keep it so loaded and ballasted and in such a condition that it is capable of being safely moved.

Use of engines while the vessel moored or berthed.

22. The master of a vessel which is moored shall not permit its engines to be worked except with the consent of the Harbour Master.

Obstruction of wharfs, quays, etc.

- 23.1 Subject to paragraph (2) below and except with the prior permission of the Harbour Master, no person shall knowingly place himself, or knowingly cause or permit any vessel or material of any kind to be placed in such a position as to obstruct or interfere with –
- (a) access to any wharf, quay or landing place, except for the purpose of loading or unloading cargo or ballast; or
 - (b) access to any dock entrance or any part of the navigable channel.
- 23.2 Paragraph (1) above does not apply to any vessel belonging to or employed by the Commissioners.

Lights on moored vessels

- 24.1 The master of a vessel (other than a small vessel) shall sea-going vessel - ensure that a white light is exhibited in accordance with (a) shall not take any steps to render it incapable of paragraph (2) below at night-time.
- 24.2 The light –
- (a) shall be exhibited where it can be best seen, but not higher than 6 metres from the upper deck; and
 - (b) shall have a luminous intensity as specified in Section 8 of Annex I to the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1989 so as to be visible at not less than 1 nautical mile.

PART 5: DISCHARGING AND TAKING IN OF BALLAST, RUBBISH, ETC

Regulation of delivery or discharge of ballast

- 25.1 The master of a sea-going vessel shall not deliver or discharge ballast into any vessel or at any quay or other place unless –
- (a) within 24 hours of the vessel's arrival in the harbour he has previously delivered to the Harbour Master a written report containing the following information –
 - (i) his name;
 - (ii) the name and registered tonnage of his vessel;
 - (iii) the port at which his vessel is registered;
 - (iv) a description of the ballast to be delivered or discharged;
 - (v) the name of the port at which the ballast was taken on board;
 - (vi) the quantity of the ballast; and
 - (b) he has previously obtained from the Harbour Master a written consent authorising the delivery or discharge in question and specifying the place of deposit; and
 - (c) where the ballast is to be delivered into any vessel and the Harbour Master so requires, an inspector appointed by him is on board in order to supervise the delivery of the ballast.
- 25.2 The master of a vessel shall not receive any ballast into his vessel unless –
- (a) he has previously obtained from the Harbour Master a written consent authorising the reception in question; and
 - (b) where the Harbour Master so requires, there is present on board his vessel an inspector appointed by the Harbour Master to supervise the delivery of the ballast.
- 25.3 The master of a vessel which has received ballast from another vessel shall deliver it only at such place as shall be specified in a written warrant of the Harbour Master.
- 25.4 The master of a vessel which is underway or being towed shall not discharge any ballast into any other vessel or into any part of the harbour.

Deposit of rubbish prohibited

- 26.1 No person shall deposit any rubbish within the harbour or knowingly cause or permit it to be placed in such a position that it can fall, blow or drift into the harbour.
- 26.2 No person shall carry in any vessel any rubbish or other substances intended to be cast into the sea, except where that vessel is either under the control of the Commissioners or licensed by them for the purpose.

Inspection of hopper barges used for carrying ballast, rubbish, etc.

27. A surveyor authorised by the Commissioners may, after giving not less than 1 days' notice to the master of a hopper barge and on production of his authority, board the hopper barge in order to examine it; and no person shall use such a barge for carrying ballast, rubbish or other substance after the date on which it is last inspected in accordance with the direction unless the surveyor has certified it to be in proper repair and condition.

Further requirements as to hopper barges

- 28.1 The master of a hopper barge shall not knowingly cause or permit it to be towed above the entrance to the South Harbour by means of a tow-line which is longer than 30 metres.
- 28.2 The master of a hopper barge or of any vessel which is towing a hopper barge shall ensure that satisfactory and adequately marked sounding-lines are carried on his vessel.

PART FIVE: FERRIES

Prohibition on boarding or leaving ferry boat whilst in motion, or causing obstructions

29. No person shall –
- (a) board or attempt to board any ferry boat after the signal has been given for its departure from any landing place or stage;
 - (b) leave or attempt to leave any ferry boat unless it has ceased to be in motion and has been properly secured to any landing place or stage;
 - (c) board or attempt to board any ferry boat until all outgoing passengers have left the boat; or
 - (d) intentionally obstruct any landing place or stage being used by any ferry boat.

Prohibition of certain behaviour

30. No person shall act in such a way as intentionally to obstruct any other person on any ferry boat or any landing place, stage or other premises used in connection with such boats.

Ferry boats, not to be obstructed

31. No person shall knowingly cause or permit any vessel, timber or other thing to prevent the free transit of any ferry boat to and from any landing place or stage.

Prohibition on unauthorised entry of ferry premises and parts of ferries.

- 32.1 No person shall –
- (a) enter any part of a ferry which is not intended or set apart for the use of ferry passengers; or
 - (b) remain in any such part which is intended or set apart for the use of ferry passengers; if he ceased to be such a passenger;
- If he knows that he is not authorised to do so.
- 32.2 In paragraph (1) above "authorised" means authorised by the Commissioners or by any other person who is empowered to grant the authorisation.

Passengers to comply with directions

33. For the purpose of regulating traffic and preventing crowding and accidents, every passenger on any ferry boat or landing place, stage or other premises used in connection with such boats shall comply with the lawful directions of any person having charge of the boat, landing place, stage or premises.

Passengers not to deface tickets

34. No person shall intentionally damage or deface any ticket issued to him in connection with the use of any ferry boat, so as to render the date, number or any other material portion illegible.

Power to refuse to receive drunken or otherwise incapable persons

- 35.1 A person having charge of any landing place or stage, any station or any ferry boat, may refuse entry or access to any person who, by reason of drunkenness or otherwise, is in such a state or misconducts himself in such a manner as to cause, or be likely to cause, annoyance to any person.
- 35.2 If any person is in such a state or so misconducts himself on board any ferry boat, the person having charge of the boat may put him ashore at any safe and convenient landing place.

Harmful, offensive, etc. articles prohibited

36. No person shall take or attempt to take into any ferry boat or station or on any landing place or stage any article which is likely to give reasonable cause for annoyance to any person or cause damage to the vessel.

PART SIX: GOODS AND ROAD TRAFFIC

Requirements as to handling and movement of goods in the harbour

- 37.1 The owner of any goods loaded or discharged at the harbour shall ensure that they are removed from the harbour as soon as practicable and in any case within 48 hours, unless the Harbour Master or the port manager otherwise agrees.
- 37.2 The owner of any goods shall comply with such directions as the Harbour Master or the port manager 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.
- 37.3 Cargo shall not be unloaded into craft or shipped on any vessel, without the previous consent of the Harbour Master or the port manager.
- 37.4 No person shall discharge, float or otherwise put into the water any timber or wood without the permission of the Harbour Master or otherwise than in accordance with any directions or conditions which he may give or impose.
- 37.5 Any person who puts any timber or wood into the harbour shall ensure that it is -
- (a) properly formed into rafts;
 - (b) removed to such part of the harbour as the Harbour Master may direct; and
 - (c) effectively secured there.

Obstruction or interference

38. No person shall -
- (a) except with the permission of the Harbour Master or the port manager, deposit or place any goods or park any vehicle so as to obstruct any road or access to or use of any quay, building, mooring, plant, machinery or apparatus; or
 - (b) without lawful authority use, work, move or interfere with any plant, machinery, equipment or apparatus.

Safe driving of vehicles

39. No person shall drive or otherwise operate a vehicle in the harbour premises without due care and attention or without reasonable consideration for other persons using those premises.

Regulation of vehicles

40. A person driving or otherwise having charge of a vehicle in the harbour premises shall, subject to byelaw 38, at all times in driving or otherwise operating or parking the vehicle comply with such signs, including road markings, signals and notices relating to the regulation of traffic as the Commissioners may from time to time place, erect or exhibit.

Speed limit for vehicles

41. Except where a sign under byelaw 40 requires the observance of a lower speed limit, no person shall allow a vehicle to proceed in the harbour premises at a speed greater than 20 miles per hour.

Supervision of vehicles

42. A person having charge of a vehicle in the harbour premises –
- (a) shall at all times comply with any directions of the port manager or the Harbour Master concerning the driving, parking, loading, discharging, manoeuvring and removal of the vehicle;
 - (b) shall not, without the permission of the port manager or the Harbour Master, park or leave the vehicle unattended except in an area allocated for that purpose by the Commissioners; and
 - (c) shall not, without the permission of the port manager or the Harbour Master, take the vehicle into any building or working area of the Commissioners.

Loads not to leak, spill or drop

- 43.1 Subject to paragraph (2) below, the person having charge of a vehicle in the harbour premises shall not permit any substance to leak, spill or drop from the vehicle.
- 43.2 Paragraph (1) above shall not apply to any spillage from a vehicle in which fish are being transported in bulk where that spillage could not have been reasonably prevented.

Loads to be secured

44. The person having charge of a vehicle in the harbour premises shall ensure that any load being carried on or in it is properly secured and that it complies with all such statutory restrictions on the weight of goods to be so carried.

Refuelling, etc. of vehicles

45. Except with the permission of the port manager or the Harbour Master, no person shall in the harbour premises charge or re-charge any vehicle with, or empty it of fuel.

Driving on weighbridges

46. No person shall drive or otherwise operate a vehicle across any weighbridge except for the purpose of weighing a vehicle.

Accidents to be reported

47. Any person ("the driver") who whilst driving or otherwise operating a vehicle is involved in an accident in the harbour premises whereby any injury is caused to any person or any damage is caused to any property, shall stop the vehicle, report the accident to the port manager or the Harbour Master and give him the driver's name and address.

PART SEVEN: GENERAL

Fire Precautions

- 48.1 The master of a vessel shall take all reasonable precautions for the prevention of fire.
- 48.2 Without prejudice to paragraph (1) above, the master of every sea-going vessel shall at all times have on board a hose and pipe of sufficient length and section, in good working order and capable of being immediately attached to a force pump, for the purpose of extinguishing a fire.
- 48.3 In the event of a fire occurring on a vessel, the master shall ensure that the fire brigade is immediately summoned.
- 48.4 In paragraph (3) above, "fire brigade" means the brigade which is for the time being providing the services of a fire brigade under the Fire Services Act 1947 for the fire authority whose area the harbour is situated.

Sunk or stranded vessels

49. The master of any vessel which has sunk or become stranded in the harbour shall –
 - (a) Immediately send notice of the fact to the Harbour Master; and
 - (b) ensure that a buoy or beacon of a type approved by the Harbour Master is moored at or over the vessel.

Notification of breaking up vessels

50. The master of a vessel which is to be broken up shall not permit it to enter the harbour for that purpose without the written consent of the Harbour Master.

Removal of unused vessels

51. The master of a vessel which it to be laid up as unfit for service shall remove it to a place in the harbour specified by the Harbour Master and shall not thereafter remove it except in accordance with the instructions of the Harbour Master.

Control of vessels in dangerous condition.

52. The Master of a vessel which, or any machinery of which, is in an unsafe or dangerous condition –
- (a) Shall not enter the harbour; or
 - (b) if the vessel is moored in the harbour, shall not move it;
- without the consent of the Harbour Master.

Towing of vessels

53. The master of a vessel which is in or entering the harbour for the purpose of towing.-
- (a) shall ensure that the vessel takes its turn in accordance with the directions of the Harbour Master; and
 - (b) shall not without the permission of the Harbour Master permit the vessel to tow more than one vessel into or out of the harbour at the same time.

Repairing of vessels

54. The master of a vessel shall not permit it to be repaired or scraped without the previous permission of the Harbour Master; and such permission shall be subject to the master agreeing in writing to conform to such conditions as the Harbour Master may reasonably impose.

Registration of vessels, etc.

- 55.1 The owner of any vessel intending to ply within the harbour shall apply for it to be registered at the office of the Commissioners in the manner prescribed by them.
- 55.2 A person may not ply in the harbour as a boatman until he has been licensed to do so by the Commissioners.
- 55.3 The Commissioners may require as a condition of registration under paragraph (1) above that the vessel in question bear –
- (a) a designated number; and
 - (b) the name of the owner of the vessel;
- and that the number and name be of a size to be prescribed by the Commissioners.

Passengers not to disembark whilst vessel in motion

56. The master of a vessel which is carrying passengers shall not permit any of them to embark or disembark while the vessel is in motion.

Use of plant and equipment, etc.

57. No person shall use any plant, equipment, weighing machine, weight or measure belonging to, erected or provided by the Commissioners except with their permission and in accordance with their directions.

Restrictions on boiling tar, etc.

58. Except with the permission of the Harbour Master, no person shall boil, heat or set fire to any tar, pitch, resin, turpentine, oil, shavings or other combustible material –
- (a) on any vessel; or
 - (b) within 15 metres of any timber structure.

Restrictions on smoking

59. No person shall smoke in any part of the harbour where smoking is prohibited by the Commissioners.

Licensing of certain vessels

- 60.1 The Commissioners may, on such terms and conditions as they may from time to time think fit, grant licences in respect of vessels which are or are intended to be –
- (a) permanently moored in the harbour and used for the storage of merchandise or for any other purpose; or
 - (b) used for carrying stores for sale or marine stores; and may make a reasonable charge for the grant of any such licence.
- 60.2 No person shall use any vessel in respect of which the Commissioners have determined that a licence under this byelaw is required at any time when he knows that no such licence is in force.
- 60.3 A licence under this byelaw shall be for such a period as the Commissioners shall specify in the licence.

60.4 The master of a vessel licensed under this byelaw for carrying stores for sale or marine stores shall land those stores only at such places in the harbour as shall be specified by the Commissioners.

Regulation of entry into and presence in harbour

61.1 A person without lawful authority shall not enter or remain in the harbour unless he has the permission of the Commissioners or of a servant or agent of theirs who is duly authorised to give that permission.

61.2 Permission under paragraph (1) above may be given (in relation to the whole or any specified part of the harbour) either generally or individually and subject to such reasonable conditions as may be imposed.

61.3 Notwithstanding paragraphs (1) and (2) above, a person without lawful authority shall not enter or remain in the harbour if he is requested not to do so by a duly authorised servant or agent of the Commissioners.

61.4 A duly authorised servant or agent of the Commissioners may require any such person to produce for inspection by that servant or agent any pass or other authority which may have been issued to him by or on behalf of the Commissioners.

Interference with lighthouses, navigation lights, buoys, beacons or marks

62. No person shall, without lawful authority or permission under byelaw 61, climb onto or otherwise gain access to or intentionally interfere in any manner whatsoever with any lighthouse, floating or other light, signalling apparatus, buoy, beacon or other sign or mark intended for use for navigational purposes.

Interference with fire-fighting or life-saving equipment

63. No person shall –

- (a) intentionally or recklessly obstruct the use or operation of, or intentionally interfere with any fire-fighting or life-saving equipment or apparatus; or
- (b) use or remove any such equipment or apparatus or any part thereof except for the purpose of combating fire or saving life or with lawful authority for inspection or maintenance purposes.

Firearms and offensive weapons

64.1 Without prejudice to the Firearms Act 1968, no person shall –

- (a) without lawful authority have with him –
 - (i) a loaded shotgun;
 - (ii) a loaded air weapon;
 - (iii) any other firearm, whether loaded or not, together with ammunition suitable for use in that firearm; or
 - (iv) an offensive weapon; or
- (b) discharge any firearm other than
 - (i) with the authority of the Commissioners, for the purposes of pest control;
 - (ii) as a lawful distress signal;
 - (iii) in the proper use of life-saving apparatus; or
 - (iv) a firearm loaded with blank ammunition for use as a starting signal, where he has the permission of the Commissioners to discharge it for that purpose.

64.2 In this byelaw "offensive weapon" has the same meaning as in the Prevention of Crime Act 1953 and other expressions have the same meanings as in the Firearms Act 1968.

Inspection facilities, etc. to be made available to Harbour Master

65. If it is necessary in the exercise of his duties for the Harbour Master to have access to a vessel, he shall inform the master of the vessel of that fact; and the master shall thereupon be required to afford the Harbour Master access to the vessel and provide all reasonable facilities for its inspection and examination.

Navigation under influence of drink or drugs prohibited

66. A person shall not navigate any vessel whilst under the influence of any intoxicating substance to such an extent as to be incapable of taking proper control of the vessel.

Vessels not to be fumigated without permission

- 67.1 The owner or master of a vessel shall not intentionally cause or permit it to be fumigated without the prior permission of the Harbour Master.
- 67.2 Permission under paragraph (1) above may be given subject to such conditions as the Harbour Master thinks fit.

Vessels to have names marked upon them

68. Without prejudice to byelaw 55 above, the owner of a vessel which is not registered as a ship under the Merchant Shipping Act 1894 or the Merchant Shipping Act 1983 and marked accordingly shall ensure that the vessel is marked conspicuously with its name or other means of identification, unless otherwise exempted by the Commissioners.

Abandonment of vessels prohibited

- 69.1 No person shall abandon a vessel on the banks or shore of the harbour.
- 69.2 For the purposes of paragraph (1) above, a person who leaves a vessel on the banks or shore of the harbour in such circumstances or for such a period that he may reasonably be assumed to have abandoned it shall be deemed, unless the contrary intention is shown, to have abandoned it there and the Commissioners may dispose of the vessel as they see fit.

Control of bathing

70. No person shall bathe –
- (a) in any dock or basin;
 - (b) in the river from off the outer wall of any dock;
 - (c) from any property of the Commissioners; or
 - (d) from or within 100 metres of any public landing place or public place in the harbour, except from such parts of the foreshore or river banks and other places as the Commissioners may from time to time indicate by means of signs.

Obstruction of employees etc. of Commissioners

71. No person shall –
- (a) intentionally obstruct any servant or agent of the Commissioners in the execution of his duties;
 - (b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Commissioners; or
 - (c) intentionally obstruct any other person in the proper use of the harbour, or behave so as to give reasonable grounds for annoyance to other persons.

Unauthorised employment of labour and unauthorised trading

- 72.1 Subject to paragraph (3) below, no person shall employ or cause labour to be performed within the harbour unless he has obtained the consent of the Commissioners.
- 72.2 Subject to paragraph (3) below, no person shall engage by way of trade in buying or selling any goods or property in the harbour unless he has obtained the consent of the Commissioners.
- 72.3 This byelaw does not apply to those parts of the harbour which consist of beach or foreshore to which the public has, for the time being, unrestricted access from the landward side.

Regulation of fishing

- 73.1 No person shall fish in the harbour unless he has the permission of the Commissioners or of a servant or agent of theirs who is duly authorised to give that permission.
- 73.2 Permission under paragraph (1) above may be given (in relation to the whole or any specified part of the harbour) either generally or individually and subject to such reasonable conditions as may be imposed.

Fishing nets and lines not to cause obstruction

74. No person shall cast or place any fishing drift, trawl or other net or any fishing line or lobster-pot in such a manner or position as to be or to be likely to become an obstruction or danger to any person or property including, in particular, any vessel or mooring.

Penalties

- 75.1 Any person who contravenes or otherwise fails to comply with any of these byelaws or any condition, requirement or prohibition imposed under or by virtue thereof, shall be guilty of an offence and liable on summary conviction –
- (a) in the case of byelaws 4, 5, 19, 28, 30, 34 to 37, 46, 47, 50, 54, 55, 60, 61.4, 65, 67, 68, 72 and 73, to a fine not exceeding level 2 on the standard scale;
- (b) in the case of byelaws 7 to 18, 20 to 27, 29, 31 to 33, 38 to 45, 49, 51 to 53, 56 to 59, 61.1 and 61.3, 69, 71 and 74, to a fine not exceeding level 3 on the standard scale; and
- (c) in the case of byelaws 6, 48, 62 to 64, 66 and 70, to a fine not exceeding level 4 on the standard scale;

and, in the case of a continuing offence under any of byelaws 26.1, 37.1 to 37.3, 38 and 68, to a further fine not exceeding-

(i) one tenth of level 2 on that scale, in the case of any provision mentioned in paragraph (a) above;

(ii) one tenth of level 3 on that scale, in the case of any provision mentioned in paragraph (b) above; and

(iii) one tenth of level 4 on that scale, in the case of any provision mentioned in paragraph (c) above; for each day during which the offence continues after conviction for it.

75.2 Where the commission by any person of an offence under any of these byelaws is due to the act or default of some other person, that other person shall be guilty of an offence under the provision in question; 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.

75.3 In any proceedings for an offence under any of these byelaws, it shall be a defence for the person charged to prove –

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

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

75.4 If in any case the defence provided by paragraph (3)(a) above 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.

IN WITNESS whereof the BLYTH HARBOUR COMMISSIONERS have caused their
Common Seal to be hereunto affixed the TWENTY FOURTH day of September 1990.

COMMISSIONER *J. W. Stevenson*
J. W. STEVENSON

COMMISSIONER *J. A. Carter*
J. A. CARTER

SECRETARY *R. G. Elwen*
R. G. ELWEN



Signed by Authority of the Secretary of State
2nd November 1990

M. W. Jackson

M. W. JACKSON

An Assistant Secretary in the Department of Transport