



General Directions to Vessels

Given by the Teignmouth Harbour Commission in terms of the powers vested in it by Section 18 of Teignmouth Harbour Revision Order 2003 to take effect from 1st January 2005.

Application

These Directions shall unless otherwise specified apply within the harbour limits and approaches as defined in Section 3 of the Teignmouth Harbour Order 2003.

The General Directions should be read in conjunction with the Teignmouth Harbour Byelaws 1985.

Interpretation

In these Directions, unless the context otherwise requires, the following words or expressions shall have the following meanings:-

1. "Harbour" means the area of the jurisdiction of the Harbour Commission as described in the Teignmouth Harbour Order 1924 but in general terms runs from the entrance to the Harbour as far upstream as the Stover Canal.
2. "Approaches" means an area bounded by an arc approximately one mile from the entrance to the Harbour and more specifically defined in the Teignmouth Harbour Revision Order 2003.
3. "Harbour Master" means the Harbour Master, his Deputy and any assistant or a person so appointed and authorised by the Commission to act in such a capacity.
4. "Master" means any person in command or control of any vessel at the time in question.
5. "Vessel" includes every description of watercraft including any ship, boat, dinghy, personal watercraft, hydrofoil, hovercraft, sailboard, non-displacement craft, WIG craft, sea plane or any device so constructed as being capable or being used as a means of operation, transportation or navigation on water. Any vessel so defined is for the purpose of these directions still a vessel when sunk or abandoned on a beach or middle ground.

6. "Water ski-ing" means any activity wherein a person or persons are towed by a power driven vessel and supported on skis or a disc or sled or inflatable tube or cylinder or similar apparatus.

7. "Sail board" means a vessel in the form of a raft intended to be used with a sail sails kite parachute or similar and designed to be navigated or operated by a person or persons standing upright thereon.

8. "Board Sailing" means the operation of a sail board whether by sail or parachute/kite or other means of propulsion.

9. "Parascending" means any activity by which a person, persons or object are towed or pulled by a vessel with the intention that person, persons or object shall become airborne through attachment to the vessel by some apparatus.

Safe Speed and Navigation

10. The Master of a vessel shall at all times proceed with care and caution and in such a manner so as not to endanger the lives of or cause injury, inconvenience or discomfort to persons, or damage to any property, and so as not to interfere with the navigation, manoeuvring, loading or discharging of vessels or with moorings, river banks or other property, and not so as to adversely affect wildlife.

11. Throughout the Harbour no Master of a powered vessel shall cause or permit that vessel to exceed a speed of 6 knots over the ground nor shall any vessel create an excessive wash save in the case of emergency or in order to comply with the International Regulations for Preventing Collisions at Sea 1972 (as subsequently amended) made pursuant to Section 85 of the Merchant Shipping Act 1995 or as authorised by the Harbour Master.

12. No power driven vessel with an engine capacity exceeding 10 horsepower shall be in the control of any person under the age of fourteen in the Harbour unless that person holds a certificate of competency equivalent to RYA Powerboat level II course save in an emergency.

Notification Of Collisions, Etc.

13. Within the Harbour every vessel shall comply with the International Regulations for Preventing Collisions at Sea 1972 (as subsequently amended). The Master of the vessel which:

- (a) Has been involved in a collision with any vessel or property, or has sunk or grounded, or become stranded in the Harbour, or Approaches, 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 to be likely to create pollution, or
- (c) In any manner gives rise to an obstruction;

shall as soon as reasonably practicable, report the occurrence to the Harbour Master, and thereafter provide the Harbour Master with full details in writing, and 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 any fairway or to moor or anchor in safety, otherwise than with the permission, and in accordance with the directions of the Harbour Master.

Navigation Aids

- 14. No Master shall make fast to any navigation buoy, mark or beacon.

Vessels To Be Clearly Identified

- 15. Any vessel moored in the Harbour shall be clearly identified by name or registered number.

Vessels To Be Moored-As Directed

- 16. No mooring shall be placed or used within the Harbour or Approaches without the Harbour Master's prior written permission. A vessel shall be moored securely whether at a mooring, pontoon or berth.

Abandonment Etc. Of Vessels Prohibited

- 17. (a) No person who owns or has charge of a vessel shall intentionally abandon, break up, set fire to or otherwise destroy that vessel on the banks or shore of the Harbour except with the permission of the Harbour Master.

(b) A person who leaves a vessel 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 there intentionally and the Commissioners may authorise such vessel's removal 14 days after attaching notice to such vessel to that effect without liability for loss and the Commission may recover the reasonable costs of removal and or disposal from the owner as if it were a charge of the Commissioners in respect of the vessel.

Powers To Board Vessels

18. The Master, owner or anyone in charge even temporarily, of any vessel shall permit the Harbour Master to board the vessel at such time as the Harbour Master may desire for the purpose of inspecting its equipment, safety, risks of pollution or otherwise in order to comply with the Harbour Master's duties.

19. The Master, owner or anyone in charge even temporarily, of any vessel shall upon request from the Harbour Master inform him of its contents and shall permit the Harbour Master to board such vessel and to inspect its contents and shall not obstruct the Harbour Master in the exercise of such inspection.

Water Sports - Water Ski-Ing And Aquaplaning Etc.

20. There shall be no water ski-ing, aquaplaning, board sailing, kite boarding/surfing, use of personal watercraft, parascending nor the operation of any vessel for these purposes in the Harbour except with the permission of the Harbour Master and upon such reasonable conditions including the relaxation of the speed limit and other byelaws and directions as the Harbour Master may permit.

Laying of Fishing Equipment

21. The Master of any vessel shall not lay any fishing equipment in the navigable channels, fairways and approaches which may impede safe navigation.

Notice of Movement of Vessels or Towage

22. (a) The Master of any vessel engaged in towing where the overall length of the tug and tow exceeds 50 metres shall give the Harbour Master at least 12 hours notice of any intended movement within the Harbour.

(b) The Master of any vessel engaged in the movement of any barge or pontoon or intending to conduct works within the Harbour or Approaches to the Harbour shall not conduct such movement without having first obtained the consent of the Harbour Master (such consent not to be unreasonably withheld) save in the case of an emergency.

Unseaworthy Vessels

23. (a) No Master shall cause a vessel to proceed in the Harbour or Approaches in an unsafe or unseaworthy condition except as may be necessary in the interests of the safety of such vessel and of her crew.

(a) For the purpose of this Direction a vessel is in an unsafe or unseaworthy condition if its presence in the Harbour or Approaches might involve –

(i) grave and imminent risk to the safety of other users of the Harbour or Approaches, or

(ii) grave and imminent risk that the vessel may, by sinking or foundering in the Harbour or Approaches, prevent or seriously prejudice the use of the Harbour or Approaches by other vessels.

Penalty

24. By Section 22 of the Teignmouth Harbour Revision Order 2003, the Master of a vessel who fails without reasonable excuse to comply with a general direction or a special direction shall be guilty of an offence and liable to summary conviction to a fine not exceeding level 4 on the standard scale.