

**North Sunderland Harbour  
Commissioners**

**Seahouses  
Northumberland**

**BYELAWS**

**2022**

# NORTH SUNDERLAND HARBOUR COMMISSIONERS BYELAWS

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## **NORTH SUNDERLAND HARBOUR COMMISSIONERS BYELAWS**

**North Sunderland Harbour Commissioners, in exercise of the powers conferred by section 83 of the Harbours, Docks and Piers Clauses Act 1847 and article 38 of the North Sunderland Harbour Order 1931, hereby make the following byelaws.**

### **PART I – PRELIMINARY**

#### **1. Title and Commencement**

These byelaws may be cited as the North Sunderland Harbour Commissioners Byelaws 2022 and come into force at the end of the period 28 days from the date of their allowance and confirmation by the Secretary of State.

#### **2. Application**

These byelaws apply to all parts of the Harbour (as such term is defined in byelaw 3 below) or to such part of the Harbour as may be expressly provided.

#### **3. Interpretation**

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

“Collision Regulations” means the Merchant Shipping (Distress Signals and Prevention of Collision) Regulations 1996 (S.I.1996/75);

“Commissioners” means the North Sunderland Harbour Commissioners as defined in article 7 of the North Sunderland Harbour Order 1931;

“competent”, when used in relation to a master, skipper or any other person means a person having such qualifications, training and/or experience that he or she is capable of properly carrying out his or her duties required in accordance with the law;

“core working hours” means between 08:30 and 16:30 Monday to Friday throughout the whole year;

“goods” means all articles and merchandise of every description and includes fish, livestock and animals;

“Harbour” means the harbour as delineated in article 23 of the North Sunderland Harbour Order 1931, whose limits are illustrated on the map annexed to these byelaws;

“Harbour Master” means the person appointed as such by the Commissioners pursuant to section 51 of the Harbours, Docks and Piers Clauses Act 1874 and includes his or her authorised deputies, assistants and any other person authorised by the Commissioners to act in that capacity;

“Harbour Notices” means notices published by the Harbour Master to facilitate compliance with these byelaws;

“Harbour Premises” means the piers, wharves, quays, jetties, stages, berths, slipways, roads, sheds and other works and conveniences and the lands, buildings and property of every description and of whatever nature which are for the time being vested in or

occupied by the Commissioners as Harbour Authority for the purpose of the Harbour undertaking;

“hovercraft” has the same meaning as that set out in section 4 of the Hovercraft Act 1968;

“Inner Harbour” means that part of the Harbour lying between the two inner piers, illustrated by the shaded pink area on the on the map annexed to these byelaws;

“master” or “skipper” when used in relation to any vessel means any person having the command, charge, control or management of the vessel for the time being;

“owner”, when used in relation to goods, includes any consignor, consignee, shipper or agent for the sale or custody of any goods or articles; and when used in relation to a vessel, means the person or persons in whose name or names the vessel is registered or, if the vessel is unregistered, any legal or beneficial owner of the vessel; and when used in relation to a vehicle means the registered keeper of the vehicle;

“personal watercraft” means a watercraft intended for personal use such as sports and leisure purposes, of less than 4 metres in hull length, which uses a propulsion engine having a water jet pump as its primary source of propulsion, and designed to be operated by a person or persons sitting, standing or kneeling on, rather than within the confines of, a hull;

“pleasure vessel” has the same meaning as that set out in the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998 (S.I. 1998/2771);

“quays” means any quay, wharf, jetty, dolphin, landing stage or structure used for berthing or mooring vessels, and includes any pier, bridge, roadway or footway immediately adjacent and affording access thereto;

“small vessel” means any vessel of less than 20 metres in length overall;

“vehicle” includes any vehicle propelled on rails, any machinery on wheels or caterpillar tracks, bicycles, wagons, carts, trailers, caravans and mobile homes and includes a hovercraft or any other amphibious vehicle; and

“vessel” has the same meaning as that set out in the North Sunderland Harbour Order 1931.

## **PART II – NAVIGATION**

### **4. Vessel Movements**

The master or skipper of a vessel must give prior notice to the Harbour Master of the vessel's arrival at, departure from or movement within the Harbour outside core working hours, unless otherwise previously agreed with the Harbour Master.

### **5. Declaration of Particulars of Vessel**

The master or skipper of a vessel arriving at the Harbour must, if required by the Harbour Master, supply the Harbour Master with a declaration in the form to be specified by the Harbour Master containing a correct statement of the name and official/registered number of the vessel, the vessel's port of registry, the vessel's

tonnage and draught, the vessel's ownership, the vessel's last port of call and destination, the name of the master or skipper of the vessel, particulars of the vessel's cargo and the number of passengers and crew on board.

#### **6. Vessels to Navigate with Care**

The master or skipper of a vessel must navigate that vessel with such care and caution and at such speed and in such manner – having regard to all the circumstances at the time including weather conditions and use of other vessels underway, berthed or moored – as not to endanger the lives of or cause injury to persons or damage to property, and as not unreasonably to obstruct the navigation, manoeuvring, loading or discharging of vessels or to cause damage to moorings.

#### **7. Speed Limit of Vessels**

- (1) Except with the permission of the Harbour Master and subject to Byelaw 8 and the Collision Regulations, the master or skipper of a vessel must not cause or permit such vessel to exceed a speed of 3 knots through the water.
- (2) Paragraph (1) of this byelaw does not apply to: (i) a person going to the assistance of any person or vessel in distress; (ii) a person taking part in an event organised by or with the consent in writing of the Harbour Master; nor where (iii) the vessel is being used for search and rescue, fire brigade, ambulance, law enforcement, public or recreational safety, security or police purposes or for training for such purposes or for the purposes of the Harbour Master, if the observance of paragraph (1) of this byelaw would be likely to hinder that use of the vessel.

#### **8. Small Vessels Not to Obstruct Fairway**

The master or skipper of a small vessel which is not confined to a fairway must not make use of the fairway so as to cause obstruction to other vessels which can navigate only within the fairway.

#### **9. Vessels not to be Made Fast to Navigation Buoys or Marks**

The master or skipper of a vessel must not make fast that vessel to or lie against any buoy, beacon or mark used for navigational purposes.

#### **10. Notification of Collision etc.**

The master or skipper 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; or
- (b) by reason of accident, negligence, fire, defect or otherwise is in such a condition as to affect its safe navigation or give rise to danger to other vessels, persons or property; or
- (c) in any manner gives rise to an obstruction to a fairway;

must as soon as reasonably practicable report the occurrence to the Harbour Master (and as soon as practicable thereafter, provide the Harbour Master with full details in writing). Where the damage to a vessel is such as to affect or be likely to affect its

seaworthiness, the master or skipper must not move the vessel (except to clear the fairway or to moor or anchor in safety) otherwise than with the permission, and in accordance with the reasonable instructions, of the Harbour Master.

**11. Competent Persons to be in Charge of Vessels**

A person must not have the charge of a vessel entering, leaving or manoeuvring within the Harbour unless: he or she is themselves a competent person; he or she is under the direct supervision of some competent person; or he or she is acting on the instructions or with the permission of the Harbour Master.

**12. Use of Emergency Engine Cut-outs**

Where a power-driven vessel is fitted with a "kill cord" emergency engine cut-out device, the master or skipper of that vessel must ensure that the kill cord is worn by the person at the helm of the vessel at all times while the vessel is under way.

**13. Mooring etc. and Navigation**

Except with the permission of the Harbour Master or in an emergency, the master or skipper of a vessel must not moor, anchor or station it so as unreasonably to impede or obstruct access to and from the quays, slipways or steps or the safe navigation of other vessels in the Harbour.

**14. Unsafe Vessels**

The master or skipper of a vessel must not take that vessel into the Harbour without the permission of the Harbour Master if the vessel:-

- (a) is or may be in danger of foundering or sinking or is incapable of being safely navigated; or
- (b) is on fire, or has been on fire at any time within the period of 14 days ending on the day on which his vessel is ready to enter the Harbour.

**15. Unauthorised Regulation etc. of Vessels**

Except in an emergency, a person other than the Harbour Master or other person engaged in the normal course of navigation must not hail, call, or otherwise, from any part of the Harbour Premises or from any vessel, attempt to regulate, control, or alter the navigation or management of any vessel within the Harbour.

**16. Person on Board during Loading etc.**

The master or skipper of a vessel within the Harbour must during all the time employed in loading, discharging, bunkering, embarking or disembarking the vessel remain or leave some other person on board competent to superintend the same.

**17. Horns etc.**

The master or skipper of a vessel must not permit any bell, siren, horn or whistle to be sounded unnecessarily and must cause the same to cease sounding immediately on being requested to do so by the Harbour Master.

**18. Fitting with Silencer**

The master or skipper of a vessel propelled by an engine must not use the engine unless it is fitted with a silencer which is suitable and sufficient to reduce as far as may be reasonable the noise caused by the escape of exhaust gases from the engine.

**PART III – BERTHING, MOORING AND ANCHORING****19. Provision of Proper Fenders**

The master or skipper of a vessel must provide sufficient and adequate fendering for such vessel when moored alongside a quay or another vessel.

**20. Proper Mooring**

The master or skipper of a vessel must at all times keep that vessel properly and effectively moored when berthed or lying at any quay. Where mooring posts or bollards are provided, the master or skipper of a vessel must ensure that the vessel is made fast to such mooring posts or bollards using appropriate lines or hawsers.

**21. Vessels Adrift**

The master or skipper of a vessel which parts from its moorings must, as soon as reasonably practicable, report the occurrence to the Harbour Master and, as soon as practicable thereafter, provide the Harbour Master with full details in writing.

**22. Embarking or Disembarking Passengers**

The master or skipper and the owner of a vessel must not embark or disembark passengers within the Harbour elsewhere than at the steps or slipways specified by the Harbour Master for such purpose, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose.

**23. Sufficiency of Crew**

Except with the permission of the Harbour Master, the owner and the master or skipper of a vessel must at all times when that vessel is within the Harbour ensure that the vessel is capable of being safely moved and navigated and that there are sufficient crew or other competent persons readily available –

- (a) to attend to the vessel's moorings or anchor;
- (b) to comply with any directions given by the Harbour Master for the unmooring, mooring and moving of the vessel; and
- (c) to deal, so far as reasonably practicable, with any emergency that may arise.

**24. Vessels to be kept in a Moveable Condition**

- (1) Except where that vessel is lying aground, the master or skipper of a vessel must not take any steps to render the vessel incapable of movement without first notifying the Harbour Master and must at all times keep the vessel so



loaded and ballasted, and in such condition, that it is capable of being safely moved.

- (2) Where a vessel is at any time not capable of being safely moved by means of its own propulsive machinery, the master or skipper (or, in his or her absence, the owner) must inform the Harbour Master as soon as reasonably practicable and give to him or her any further information which the Harbour Master may reasonably require.

**25. Use of Engines while Moored or Berthed**

The master or skipper of a vessel which is at a quay or attached to any mooring device must not permit the engines of that vessel to be worked in such a manner as to cause injury or damage to the bed or banks of the Harbour or to any other vessel or property.

**26. Vessels Not to Make Fast to Unauthorised Objects**

The master or skipper of a vessel must not make that vessel fast to any post, quay, ring, fender or any other thing or place not assigned for that purpose.

**27. Access Across Decks**

Except with the permission of the Harbour Master, the master or skipper of a vessel lying alongside a quay or any other vessel already berthed within the Harbour must give free access across the deck of his or her vessel for persons and goods to and from vessels berthed alongside his or her vessel.

**28. Lost Anchor, Cable or Propeller**

- (1) If a vessel has slipped, parted from, or lost, any anchor, chain, cable or propeller, the master or skipper of that vessel must as soon as reasonably practicable notify the Harbour Master, describing, if possible, the position of the anchor, chain, cable or propeller.
- (2) The master or skipper of a vessel slipping or parting from an anchor or propeller must leave a buoy to mark the position of such anchor or propeller.

**29. Laying Anchor**

Except in an emergency or with the permission of the Harbour Master, the master or skipper of a vessel must not lay an anchor for mooring that vessel in any part of the Harbour. If any vessel must let go an anchor on entering the Harbour, the master or skipper of that vessel must ensure that the anchor is taken up immediately after such vessel is berthed and moored or has taken the ground.

**30. Orderly Mooring of Vessels**

Where the Commissioners have laid moorings or ground chains within the Harbour, a person must not use such a mooring or a ground chain (otherwise than in an emergency) unless:-

- (a) he or she has first received a licence from the Commissioners, which licence may be given upon such conditions as the Commissioners think fit;

- (b) in the case of a ground chain, he or she uses swivels, rising chains and pendants which meet the Commissioners' specifications or which have been specifically approved by the Commissioners, and
- (c) such swivels, rising chains and pendants are fitted by a person authorised by the Commissioners to carry out such work.

**31. Fitting of Swivels or Rising Chains**

A person must not fit or attempt to fit any swivel, rising chain or pendant to a ground chain provided in the Harbour by the Commissioners unless he or she has first demonstrated to the satisfaction of the Commissioners that he or she is competent by reason of experience to carry out such work and has obtained from the Commissioners a licence to do such work, which licence may be granted upon such terms as the Commissioners think fit.

**32. Use of Buoyant Mooring**

A person must not use buoyant pick-up ropes on any moorings within the Harbour.

**33. Use of Large Moorings**

Except in an emergency, a person must not use any mooring for a vessel larger than that for which it was provided.

**34. Right to Use Mooring**

Except in any emergency, a person must not use any mooring for which a licence to use it has been granted by the Commissioners to some other person.

**35. Launching and Recovery of Vessels**

Except in an emergency, a person must not launch into or recover from the Harbour any vessel, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose.

**36. Storing or Leaving Vessels on Harbour Premises**

A person must not, without the permission of the Harbour Master, store or leave any vessel on any part of the Harbour Premises. Where such permission is granted the person to whom it is granted must comply with any conditions to which such permission is made subject as to the manner in which or the place at which the vessel is to be stored or left or as to ancillary matters.

**37. Stowing of Equipment**

The master or skipper of a vessel which is lying in the Harbour must stow the vessel's spars and rigging in-board and have its anchors in-board or hung to the bows, that is to say, by the chain at the hawse. The master or skipper of a vessel must ensure that any trawl boards, beams and other such gear are stowed in-board at all times while the vessel is under way within the Harbour.

**38. Unlawful Cutting Adrift or Moving of Vessel**

- (1) A person must not without lawful authority cut adrift or unloose any vessel which may be made fast or moored in any part of the Harbour.
- (2) When any vessel has been moored at the direction of the Harbour Master, a person must not, without the Harbour Master's permission, move the vessel or attempt to do so.

**39. Articles Moored to Buoys etc.**

A person must not moor timber, trees, wood, spars or shell-fish storage boxes or pots or other articles or things whatsoever (other than vessels) to buoys within the Harbour without the permission of the Harbour Master.

**PART IV – FOR THE REGULATION OF THE HARBOUR PREMISES****40. Unauthorised Use of Harbour Premises**

Except with the permission of the Harbour Master, a person must not in any part of the Harbour Premises –

- (a) deposit, place or keep any ballast, goods, bunkers, lubricants or other material or equipment;
- (b) haul a vessel up on any quay, slipway, beach or other part of the shore;
- (c) salt, gut, pack or cure, or allow to be salted, packed or cured, fish of any kind;
- (d) leave, or allow to be left, fish of any kind except for the purpose of removal and provided that such fish are removed immediately;
- (e) leave, or allow to be left, empty packages except for the purpose of filling such packages and provided that such packages are removed immediately upon filling;
- (f) dress any stones, spars or other articles, except for the purpose of building or repairing part of the Harbour Premises; or
- (g) loiter without having any legitimate connection with the Harbour undertaking or any vessel moored in the Harbour.

**41. Instructions of Harbour Master as to Loading etc.**

The master or skipper of a vessel into or from which ballast, cargo, bunkers, lubricants or other material are loaded or discharged and the person undertaking such loading or discharging must ensure that such loading or discharging is carried out in accordance with such reasonable conditions as the Harbour Master may impose for the prevention of any ballast, cargo, bunkers, lubricants, dunnage or other material from falling or escaping into the waters of the Harbour or onto the Harbour Premises.

**42. Discharging Offensive Matter**

- (1) A person must not within the Harbour discharge, leave or deposit or throw or allow to fall any ballast, earth, ashes, dust, stones, shavings or chips of wood, cinders, fish, offal, oily water, contaminated bilge water, sewage, rubbish or other offensive matter or other material or thing.
- (2) The master or skipper of a vessel from which such a discharge etc. is made must as soon as reasonably practicable report the occurrence to the Harbour Master (and as soon as practicable thereafter, provide the Harbour Master with full details in writing).

**43. Use of Commissioners' Equipment in the Harbour**

A person must not use any crane, hoist, machine, weight or measure erected or provided by or belonging to the Commissioners in the Harbour except with the permission of the Harbour Master, given either specifically or generally, and in accordance with such reasonable conditions as the Harbour Master may impose.

**44. Use of Heating, Burning and Welding Equipment**

- (1) A person must not within the Harbour boil, heat or set alight any pitch, tar, resin, turpentine or other combustible matter or have or permit any fire or naked flame, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose;
- (2) A person must not within the Harbour use hot rivets, welding or burning equipment or any other potential source of ignition, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose.

**45. Breaking Up or Burning of Vessels**

A person must not break up or burn, or attempt to break up or burn, or cause to be broken up or burnt, any vessel or wreck of a vessel in any part of the Harbour, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose.

**46. No Smoking**

A person must not smoke or carry a lighted pipe, cigar or cigarette or use electronic cigarettes or other vaping devices on any quay:-

- (a) where smoking and/or the use of electronic cigarettes or other vaping devices is expressly prohibited by the Commissioners by a notice exhibited in a conspicuous position in such part of the quay; or
- (b) near to or amongst any dangerous goods.

**47. Refuelling of Vessels**

A person must not refuel a vessel in any part of the Harbour not assigned for that purpose by the Harbour Master, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose.

**48. Removing Lifebuoys etc.**

A person must not without lawful authority remove from its station any lifebuoy, lifeline or any apparatus placed on the Harbour Premises for the saving of life or tamper with any light, fire hydrant, tap, buoy or navigational aid or use any naked light within any building or store.

**49. Embarking etc. from Vessels**

A person must not embark on or disembark from any vessel in any part of the Harbour not assigned for that purpose by the Harbour Master.

**50. Obstruction of Passengers**

A person must not obstruct access on any quay for passengers wishing to embark on or disembark from any vessel used for public or private hire in any part of the Harbour Premises assigned for that purpose.

**51. Obstruction of Emergency Services**

A person must not, or permit a vehicle or vessel to, obstruct access on any road, quay or slipway designated within a Harbour Notice as being a vital access route for lifeboat, fire service, ambulance or other emergency services or a route used for launching a lifeboat in response to, or recovering a lifeboat following the conclusion of, an emergency call-out.

**52. No Trading etc. Without Consent**

A person must not engage, by way of trade, in buying or selling any goods or property in the Harbour Premises, except with the permission of the Commissioners and in accordance with such reasonable conditions as the Commissioners or Harbour Master may impose.

**53. Exhibitions etc.**

A person must not within the Harbour give or take part in any exhibitions, performances, displays, demonstrations or meetings for any purpose whatsoever, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose.

**54. Exercising Craft etc.**

A person must not within the Harbour exercise any craft or skill for hire or reward or in the hope of any gratuity or offer or sell, peddle, or hawk any goods or things, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose.

**55. Touting for Passengers**

A person must not within the Harbour tout or ply for or solicit passengers for embarkation in the Harbour, except within the kiosks or at the booking board sites allocated by the Commissioners for the booking of passengers.

**56. Digging in Sea Bed**

A person must not dig for bait, whether for lugworms or otherwise, in any part of the Harbour, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose.

**57. Throwing Stones and Discharging Firearms**

A person must not within the Harbour throw from the hand or catapult or any engine any stone or other missile or have or discharge any firearm, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose.

**58. Affixing Notices etc.**

A person must not within the Harbour deface or disfigure any property or affix or cause to be affixed any bill, notice or paper, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose.

**59. Safe and Legal Driving of Vehicles**

A person must not drive or otherwise operate a vehicle in any part of the Harbour Premises which is not a "public highway" (as such term is defined in the Highways Act 1980):

- (a) unless he or she holds a valid driver's licence and the vehicle complies with the applicable legal requirements for use on the public highway, including (but not limited to) a current MoT certificate, insurance and road tax;
- (b) without due care and attention or without reasonable consideration for other persons using the Harbour Premises; or
- (c) if, in the reasonable opinion of the Harbour Master, that person has acted in breach of paragraph (a) of this byelaw and the Harbour Master has requested that person to desist from driving or otherwise operating that vehicle.

**60. Speed Limit for Vehicles**

A person must not drive a vehicle anywhere in the Harbour Premises at a speed in excess of 10 miles per hour.

**61. Loads not to Leak, Spill or Drop**

- (1) The owner of a vehicle in the Harbour Premises must not permit any substance to leak, spill, or drop from the vehicle.
- (2) This byelaw does not apply to any spillage of clean water or to any spillage from a vehicle in which fish are being transported in bulk where the spillage could not have been reasonably prevented.

**62. Loads to be Secured**

The owner of a vehicle in the Harbour Premises must ensure that any load carried thereon or therein is properly secured, and that it complies with all such statutory restrictions on the weight of goods to be so carried as are applicable on public roads.

**63. Refuelling etc. of Vehicles**

A person must not within the Harbour Premises charge or recharge any vehicle with (or empty it of) fuel, except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose.

**64. Incidents to be Reported**

The owner of a vehicle involved in an incident in the Harbour Premises whereby any injury is caused to any person, or any damage is caused to any property, must report the incident to the Harbour Master, and must give his or her name, address and insurance details to the Harbour Master provided that such reporting must be without prejudice to any reporting obligations under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

**65. Parking of Vehicles**

Except with the permission of the Harbour Master and in accordance with such reasonable conditions as the Harbour Master may impose:-

- (a) A person must not park or leave a vehicle in any place where it is likely to obstruct the use of the Harbour Premises, or in any part of the Harbour Premises where the parking of vehicles is prohibited and notice of such prohibition has been erected by the Commissioners or set out in a Harbour Notice.
- (b) A person must not park or leave a vehicle in any part of the Harbour Premises where the parking of vehicles is made subject to the payment of a fee and notice of such requirement has been erected by the Commissioners unless that person has paid the requisite fee and displayed the appropriate ticket in the vehicle.
- (c) A person must not park or leave a vehicle in any part of the Harbour Premises for a longer period of time than the maximum duration of stay prescribed in any notice of such requirement erected by the Commissioners .
- (d) Any notice erected under paragraphs (a), (b) and (c) of this byelaw must be conspicuously posted in or in proximity to the place to which it relates.

**PART V – GENERAL****66. Inspection Facilities, etc., to be Made Available to Harbour Master**

The master or skipper of a vessel must afford the Harbour Master reasonable access to any part of the vessel and provide all reasonable facilities for its inspection and examination by the Harbour Master in the exercise of his or her duties.

**67. Navigation under Influence of Drink or Drugs Prohibited**

- (1) A person must not navigate or attempt to navigate any vessel in the Harbour whilst under the influence of drink or drugs to such an extent as to be incapable of taking proper control of the vessel.
- (2) The master, skipper or owner of a vessel must not knowingly cause or permit any person to navigate or attempt to navigate that vessel in contravention of paragraph (1) of this byelaw.

**68. Fumigation of Vessels**

Except with the permission of the Harbour Master, a master or skipper of a vessel must not cause or permit the vessel to be fumigated in the Harbour.

**69. Laying down Moorings, Buoys and Other Tackle**

A person must not lay down any mooring, buoy, or similar tackle without a licence or prior consent in writing of the Commissioners nor except in accordance with such conditions as the Commissioners may impose. A mooring, buoy or similar tackle laid down without such a licence or prior consent of the Commissioners must as soon as reasonably practicable be removed by its owner or any other person claiming possession of it if the Harbour Master so requires.

**70. Casting or Spreading Nets etc.**

A person must not, without the permission of the Harbour Master:-

- (a) within the Harbour or on any part of the Harbour Premises cast or place any drift, trawl or other net in such a position as to be likely to become an obstruction or danger to any property including in particular, but without prejudice to the generality of the foregoing, any vessel or mooring;
- (b) spread any trawl, seine or net of any description or deposit any fishing gear, anchors, spars, chain, rope, line, sails or boats on the quays, sheds or slipways or any part of the Harbour Premises; or
- (c) within the Harbour or on any part of the Harbour Premises set boulders, spinners, ground lines, trammel, set net, seine, trawl or snares of any description for the capture of fish, or fish with rod or line or otherwise on any of the quays or slipways.

**71. No Dragging or Grappling without Permission**

Except with the permission of the Harbour Master, a person must not drag or grapple for any material or article nor remove the same from the bed of any water area of the Harbour.

**72. Vessels to have Names Marked on them**

The owner of a vessel which is not registered under Part II of the Merchant Shipping Act 1995 and marked accordingly must ensure that the vessel is marked conspicuously with its name or other means of identification, unless otherwise exempted from this requirement by the Harbour Master.



**73. Abandonment of Vessels Prohibited**

A person must not abandon a vessel or part of a vessel on the banks or shore of the Harbour. For the purposes of this byelaw, a person who leaves a vessel on the banks or shore of the Harbour in such circumstances that he or she may reasonably be assumed to have abandoned it is deemed to have abandoned it there unless the contrary intention is shown.

**74. Water Skiing, Aquaplaning etc.**

A person may engage or take part in water skiing, wake boarding, aquaplaning, kiting or parachute-towing within the Harbour but only with the permission of the Harbour Master, given either specifically or generally, and in accordance with such reasonable conditions as the Harbour Master may impose.

**75. Personal Watercraft and Windsurfing**

A person may operate or cause to be operated a personal watercraft or windsurfer in the Harbour but only:

- (a) in an emergency; or
- (b) with the permission of the Harbour Master, given either specifically or generally, and in accordance with such reasonable conditions as the Harbour Master may impose.

**76. Pleasure Vessels in Inner Harbour**

A person may operate or cause to be operated a pleasure vessel in the Inner Harbour but only:

- (a) in an emergency; or
- (b) with the permission of the Harbour Master, given either specifically or generally, and in accordance with such reasonable conditions as the Harbour Master may impose.

**77. Conduct of Regattas, Maritime Events etc.**

A person must not organise any regatta, boat race or any other such event in which a number of vessels is expected to assemble in the Harbour except with the permission of the Harbour Master, given either specifically or generally, and in accordance with such reasonable conditions as the Harbour Master may impose.

**78. Swimming and Bathing etc.**

A person must not, except in an emergency or with the permission of the Harbour Master, given either specifically or generally, and in accordance with such reasonable conditions as the Harbour Master may impose, swim or bathe in any part of the Harbour specified in a Harbour Notice or jump or dive into the water from any quay within the Harbour.

**79. Diving Operations**

- (1) A person must not dive or carry out a diving operation within the Harbour except:
- (a) in an emergency; or
  - (b) with the permission of the Harbour Master, given either specifically or generally, and in accordance with such reasonable conditions as the Harbour Master may impose.
- (2) In this byelaw the expressions "dive" and "diving operation" have the same meaning the Diving at Work Regulations 1997.

**80. Assistance to Fire and Other Services**

The master or skipper of a vessel must give every reasonable facility and assistance to the fire, police, ambulance and other emergency services for dealing with, alleviating or preventing any emergency.

**81. Fire Precautions**

The master or skipper of a vessel must take all reasonable precautions for the prevention of damage or injury caused by fire.

**82. Fire Extinguishing Equipment to be Available for Use at All Times**

The master or skipper of a vessel within the Harbour, other than a rowing boat or other similar light non-powered vessel, must have adequate fire-extinguishing equipment available for immediate use in any part of the vessel at all times. The nature and amount of such equipment must take into account any abnormal fire risk associated with any such vessel.

**83. Fires on Vessels to be In Suitable Containers and Under Watch**

The master or skipper of every vessel within the Harbour must ensure that any fire thereon is confined to suitable containers and kept under watch.

**84. Lights Impeding Safe Navigation**

Except in the ordinary course of safe and proper navigation, a person must not display or use lasers or other bright lights within the Harbour or on any part of the Harbour Premises in a manner which is likely to cause confusion with navigation lights or otherwise adversely impedes safe navigation.

**85. Obstruction of Officers of the Commissioners**

A person must not intentionally obstruct or hinder the Harbour Master or any other officer or employee of the Commissioners in the execution of his or her duties.

**86. Change of Ownership of Vessel**

On any change in the ownership of a vessel kept within the Harbour the owner must ensure that immediate written notification is given to the Harbour Master.

**87. Giving Information**

Any person found committing an offence against these byelaws must, upon being so required by an authorised officer of the Commissioners, give to such officer his or her name and address and must produce, if so required, such means of identification as he or she may have on his or her person.

**88. Penalties for Breach**

- (1) Any person who contravenes or otherwise fails to comply with any of these byelaws or any condition, requirement or prohibition imposed by the Commissioners or the Harbour Master under these byelaws is guilty of an offence and liable, on conviction before a court of summary jurisdiction, to a fine not exceeding level 3 on the standard scale.
- (2) Where the commission by any person of an offence under these byelaws is due to the act or default of some other person, that other person is guilty of an offence; and that other person may be charged with, and convicted of, the offence by virtue of this byelaw, whether or not proceedings for the offence are taken against any other person.
- (3) In any proceedings for an offence under these byelaws, it is a defence for the person charged to prove:-
  - (a) that he or she took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence; or
  - (b) that he or she had a reasonable excuse for his or her act or failure to act,

provided that if in any case the defence provided by paragraph (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 is not, without leave of the court, entitled to rely on that defence unless, within a period ending seven clear days before the hearing, he or she 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 or her possession.

**89. Revocation**

The North Sunderland Harbour Byelaws made on 26<sup>th</sup> February 1935 are hereby revoked.

THE COMMON SEAL OF THE )  
NORTH SUNDERLAND HARBOUR COMMISSIONERS )  
Was affixed on 18<sup>th</sup> February 2022  
In the presence of:-

TOM DOUGLAS CHAIRMAN *TDR*  
BRIAN WILSON HARBOUR MASTER *B Wilson*



The Secretary of State for Transport hereby confirms the foregoing byelaws.

Signed by the authority of the Secretary of State for Transport.

*JC* JOHN CONNELL  
DEF MARITIME DIRECTORATE

**ANNEX**  
**MAP OF THE HARBOUR**

North Sunderland Harbour Boundary Limits

