

Ullapool Harbour Trustees

General Directions for Navigation in Ullapool Harbour

2017

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ULLAPOOL HARBOUR TRUSTEES

GENERAL DIRECTIONS FOR NAVIGATION IN THE ULLAPOOL HARBOUR

The Ullapool Harbour Trustees, in exercise of their powers under article 14 of the 1986 Act and after consulting with the UK Chamber of Shipping, give the following general directions to vessels in the Harbour.

1. **Citation and commencement**

- 1.1 These directions may be cited as the Ullapool Harbour General Directions 2017 and come into force on [] 2017.

2. **Application**

- 2.1 These directions apply:-

- (a) to all vessels;
- (b) to the whole of the Harbour unless otherwise specified; and
- (c) at all times.

3. **Special directions to have precedence**

- 3.1 In the case of a conflict between a special direction and a general direction, the special direction must have precedence.

4. **Interpretation**

- 4.1 In these directions, except so far as the context otherwise requires, all words and expressions used in these directions, have the same meanings as in the 1986 Act and, for ease of reference, some of those definitions are set out in paragraph 4.2 of this direction.

- 4.2 In these directions:-

“1986 Act” means the Ullapool Harbour Order Confirmation Act 1986 (c.ix);

“Collision Regulations” means the International Regulations for Preventing Collisions at Sea 1972 or as amended or replaced from time to time;

“the Harbour” means the area within limits prescribed by section 21 (Harbour and rating limits) of the Ullapool Pier Order 1965 (S.I. 1965/1387.) (as substituted by section 3 of the Ullapool Pier Order 1981 (1981 c. xxix.))

“the Harbour Master” has the meaning given in section 2 of the Harbours, Docks, and Piers Clauses Act 1847 (1847 c. 27) as applied to the undertaking of the Trustees;

“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”, in relation to a vessel, means any person having or taking command, charge, management or conduct of the vessel for the time being;

“personal watercraft” means any watercraft propelled by a jet engine or other mechanical means of propulsion and steered either –

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

“special direction” means a direction authorised by section 15 of the 1986 Act or by section 52 of the Harbours, Docks and Piers Clauses Act 1847 (1847 c.27.);

“the Trustees” means the Ullapool Harbour Trustees; and

“vessel” means every description of vessel, however propelled or moved, and includes –

- (d) anything constructed or used to carry persons or goods by water,
- (e) any rig, platform or other man-made structure on or in navigable water;
- (f) a seaplane on or in the water, a hovercraft and a hydrofoil vessel.

5. Navigation

- 5.1 **Collision Regulations:** The Master must at all times comply with the Collision Regulations.
- 5.2 **Speed Limit:** Unless otherwise authorised in writing by the Harbour Master and having regard also to the requirements of the Collision Regulations and the need to maintain adequate steerage way and control, the Master must not navigate the vessel in the Inner Harbour at a speed exceeding 6 knots. *Speed Restriction Area Plan Appendix 1*
- 5.3 The speed limit specified in General Direction 5.2 is the maximum permitted speed allowed. Complying with the maximum permitted speed will not exonerate the owner, Master or crew of any vessel from the responsibility of reducing speed as necessary in the observance of normal safe seamanship. This includes but is not limited to when passing mooring trots, pontoons, vessels alongside, quays, jetties or pontoons, and vessels engaged in maritime works.
- 5.4 **Wash:** The Master must not navigate or manoeuvre the vessel in any part of the Harbour in a manner or at a speed so as to cause wash to be generated that may cause damage to or endanger the safety of any other persons, vessels or property.
- 5.5 General Direction 5.2 does not apply to any vessel on any occasion when it is being used by the Police, Fire Service or RNLI or other recognised rescue or patrol craft in an emergency situation. Further, General Direction 5.2 does not apply to any vessel being used by the Harbour Master in an emergency situation or for the purposes of enforcing these General Directions, any Special Directions or the Byelaws.
- 5.6 **Navigating whilst under influence of drink or drugs:** The Master must not navigate the vessel in the Harbour whilst under the influence of drink or drugs to such an extent as to be incapable of taking or keeping proper control of the vessel.
- 5.7 The Master or owner of the vessel must not knowingly cause or permit any person to navigate or attempt to navigate the vessel in contravention of General Direction 5.6.
- 5.8 **Departing berths or moorings:** The Master preparing to leave a berth or mooring within the Harbour must give way to vessels underway.
- 5.9 **Reporting incident or collision:** The Master of the vessel must as soon as reasonably practicable, and certainly within 24 hours, report to the Harbour Master any collision in the

Harbour in which the vessel is involved, and complete an incident report form as required by the Harbour Master, except that this General Direction does not apply to any collision between sailing dinghies or between sailing dinghies and safety boats if no significant damage, or personal injury requiring the attendance of emergency services, has occurred. If a vessel under tow has been involved in any collision within the Harbour, the Master of the towing vessel must similarly report that collision to the Harbour Master and complete an incident report form in accordance with this General Direction.

- 5.10 The Master of a vessel which has sunk or grounded in the Harbour must immediately report its position to the Harbour Master and provide any other particulars which the Harbour Master may require for the safety of navigation. If a vessel under tow has sunk or grounded the Master of the towing vessel must similarly report that incident to the Harbour Master and provide particulars of the sunk or grounded vessel to the Harbour Master.
- 5.11 The owner or Master of a vessel which has been abandoned or has gone adrift or is missing from its moorings in the Harbour must notify the Harbour Master of the relevant facts (including the date, time and circumstances) as soon as practicable after the owner or Master, as appropriate, becomes aware of the incident.
- 5.12 The Master of the vessel colliding with or cutting adrift a navigation mark or mooring buoy, or running into, fouling or damaging any such mark, buoy, mooring buoy or other sea mark must immediately report the incident to the Harbour Master.
- 5.13 **Unseaworthy vessel:** The Master must not navigate the vessel in an unsafe or unseaworthy condition in the Harbour except where necessary for that vessel's safety and that of its crew, and the Master must then navigate it to such place as may be directed by the Harbour Master.
- 5.14 **Due care for vessels engaged in work:** The Master of the vessel must navigate the vessel with due care and caution and at a speed and in such manner as not to cause injury to or endanger the lives of persons engaged in the laying or retrieving of moorings, navigational works, dredging works, salvage or construction works or underwater work.
6. **Commercial and leisure activities**
- 6.1 No person shall intentionally or recklessly set fire to, detonate, destroy, break up or remove any vessel or wreck within the Harbour without the prior written consent of the Trustees and then only in compliance with any reasonable instructions or conditions stipulated by them.
- 6.2 **Regattas:** All race and similar events shall, when taking place in the Harbour, be conducted in accordance with conditions relating to vessels previously approved in writing by the Trustees.
- 6.3 **Personal water craft:** No person shall engage or take part in any activity involving personal water craft within the Harbour except with the written permission of the Trustees, given either specifically or generally, and only in such areas as may be designated and in compliance with such reasonable conditions as may be imposed by them.
- 6.4 **Water skiing/parascending:** The Master must not permit any vessel to be used for the purpose of water skiing or parascending within the Harbour except with the written permission of the Trustees, and only in such area as may be designated and in compliance with such reasonable conditions as may be imposed by them.
- 6.5 **Board sailing/kite surfing:** No person shall engage or take part in board sailing or kite surfing within the Harbour except with the written permission of the Trustees, and only in such area as may be designated and in compliance with such reasonable conditions as may be imposed by them.
- 6.6 **Hovercraft:** No person shall engage or take part in any activity involving hovercraft within the Harbour except with the written permission of the Trustees, and only in such area as may be designated and in compliance with such reasonable conditions as may be imposed by them.

- 6.7 **Underwater diving:** No person shall undertake any underwater or diving operations from a vessel within the Harbour without a written permit to dive given by the Harbour Master.
7. **Mooring and Management of Vessels**
- 7.1 **Responsibility to moor securely:** The Master of the vessel stationed at a mooring within the Harbour must cause it to be properly and effectively moored and appropriately fendered, so that it is not only secure but also incapable of causing any damage to any other vessel or property (including any pontoon, mooring or quay).
- 7.2 The Master or owner of the vessel stationed or moored alongside or near a quay within the Harbour must, at all times when the vessel is so stationed or moored, have the anchor or other equipment of the vessel securely housed, with no projections protruding outside of the rail of the vessel so as to cause obstruction to other vessels wishing to pass or moor alongside.
- 7.3 **Moor as directed:** The Master of a vessel must berth or moor the vessel at such a part of the Harbour and shall from time to time remove it to such location in the Harbour as the Harbour Master may direct.
- 7.4 **Vessels not to make fast to unauthorised objects:** A Master must not make the vessel fast to any post, quay, ring, fender, aid to navigation or any other thing or place not assigned for that purpose.
- 7.5 **Manning when anchored or moored:** When conditions so require or when required by the Harbour Master, the Master of the vessel must cause at least one competent person to be on board at all times while the vessel is anchored or moored in the Harbour.
- 7.6 **Rafting:** In areas of the Harbour where the Harbour Master requires vessels to raft together, the Master of the vessel must raft in accordance with instructions given by the Harbour Master.
- 7.7 **Access across decks:** The Master of the vessel lying alongside a quay or alongside any vessel already berthed within the Harbour must, if required to do so by the Harbour Master, give free access across the deck of the vessel for persons and goods to and from any other vessel berthed alongside the vessel.
- 7.8 **Lost anchor:** If any vessel lying within the Harbour parts from its anchor, the Master of the vessel must report the fact, including the position of the lost anchor forthwith to the Harbour Master and if the Harbour Master so directs, shall cause it to be recovered as soon as practicable. The Master of a vessel slipping or parting from an anchor must leave a buoy to mark the position of the anchor.
- 7.9 **Fouled anchor:** If at any time the anchor of a vessel hooks a mooring in the Harbour, the Master of the vessel must not proceed to clear the mooring, but must as soon as possible advise the Harbour Master so that the Harbour Master may provide assistance in clearing the mooring without causing any damage to the mooring.
- 7.10 **Use of engines when moored:** The Master of the vessel which is at a quay or attached to any mooring must not permit the engines of the vessel to be worked in such a manner as to cause injury or damage to the bed, banks or walls of the Harbour or to any other vessel or property.
- 7.11 **Public landings:** A Master must not use or permit the vessel or any equipment or other items to obstruct any public landing place, pier, pontoon, jetty or slipway within the Harbour.

- 7.12 **Fire precautions:** The owner or Master of the vessel must take all reasonable precautions to prevent accidents by fire.

THE COMMON SEAL of the **Ullapool**)
Harbour Trustees was affixed hereto)
on the 14 August 2017)
in the presence of:- K Peach CEO/HM)

NOTES FOR THE GUIDANCE OF MASTERS AND OWNERS

(These notes do not form part of the General Directions)

1. Ullapool Harbour Trustees

Ullapool Harbour is a Trust Port and the Ullapool Harbour Trustees are constituted as a statutory harbour authority and have powers and duties to maintain, operate and improve Ullapool Harbour as a safe and efficient harbour facility which is open for public use.

2. Purpose for giving general directions

The aim of the Ullapool Harbour Trustees is to promote and encourage the use of the Harbour for the enjoyment and benefit of all, to include business and leisure activities. This aim is taken into consideration in the putting into place of, and will be considered in the enforcement of, these General Directions. An enforcement of the General Directions by Court action will be a matter for the Ullapool Harbour Trustees, and a decision to take such formal action will be considered by the Trustees acting reasonably in the interests of stakeholders and Harbour users as a whole.

3. Responsibility of owners and agents of vessels

The owner and agent of a vessel must take all reasonable steps to ensure that the Master of a vessel is made aware of and understands these general directions.

4. Failure to comply with a general or special direction

Failure by the Master of a vessel to comply with a general direction or a special direction constitutes an offence, and renders the Master liable to a fine in accordance with section 18 of the 1986 Act.

5. Enforcement of special direction

If a special direction is not complied with within a reasonable time, the Harbour Master may, pursuant to section 19 of the 1986 Act, put persons on board the vessel to carry out the special direction or may otherwise cause the vessel to be handled in accordance with the special direction.

Appendix 1 Speed Restriction Area Plan

