

 Broads Authority

Vessel Dimension Byelaws 1995

VESSEL DIMENSION BYELAWS

(Limiting the maximum beam and length for vessels navigating within the Broads Authority's Navigation Area)

Byelaws made by the Broads Authority under Section 10(3) and (5) and paragraph 4 of Schedule 5 to the Norfolk and Suffolk Broads Act 1988.

- Citation** 1 These Byelaws may be cited as the Broads Authority Vessel Dimension Byelaws 1995.
- Commencement** 2 These Byelaws shall come into operation on the 1st January 1997. With effect from their coming into operation, the Norfolk Broads (Beam Restriction) Byelaws 1981 are repealed.
- Application** 3 These Byelaws shall apply to the whole of the Navigation Area of the Broads Authority as for the time being defined in accordance with Section 8(1) and 10(4) of the Norfolk and Suffolk Broads Act 1988 and hereinafter referred to as "the Navigation Area".
- Interpretation** 4 In these Byelaws, unless the context otherwise requires:
"The Authority" means the Broads Authority.
"Extreme Beam" means the full width of a vessel at its widest part and includes fixed fendering.
"Length" means the full length of a vessel and includes any fixed fendering, bowsprit and any davits which are not retractable.
"Pleasure Vessel" means any vessel used for sport or recreation whether hired or privately owned and includes a houseboat.
"Vessel" includes a sailboard.
- Maximum Beam** 5 Subject to Byelaws 6 and 10 no person shall navigate or cause or permit to be navigated on any stretch of water specified in Part 1 of the Schedule a vessel which has an extreme beam greater than that specified in the Schedule in relation to that stretch of water.

- Beam Exemptions** 6 Byelaw 5 does not apply to any vessel:
- (a) used normally for the purpose of maintaining or repairing the Navigation Area or bridges or engaged in construction works adjacent to the Navigation Area; or
 - (b) belonging to or used in the service of the Authority or any other body exercising statutory functions in the Navigation Area; or
 - (c) used exclusively for the carriage of animals, fish or goods; or
 - (d) first registered with the Great Yarmouth Port and Haven Commissions or the Authority on or before 24 October 1991; or
 - (e) if the vessel has not since the preceding 1 January made on the stretch of water in question four passages and if also notice of the proposed passage specifying the start and finishing places has been given in writing to the Authority at least seven days before the start of the passage; or
 - (f) while it is undergoing test or trials and is in the charge of a person bona fide employed by a boatyard provided that notice of the movement has been given to the Authority at least seven days before the start of the test or trials; or
 - (g) which is
 - (i) a restored sailing wherry or keel; or
 - (ii) a replica of a sailing wherry or keel;not being, in either case, a vessel which is used for the carrying of goods.

- Maximum Length** 7 Subject to byelaws 8 and 10 no person shall navigate or cause or permit to be navigated on any stretch of water specified in Part 2 of the Schedule a pleasure vessel which is greater in length than 14 metres (46 feet).

- Length Exemptions** 8 Byelaw 7 does not apply to any vessel:
- (a) first registered with the Great Yarmouth Port

and Haven Commissions or the Authority on or before 31 March 1992; or

(b) which is a rowing vessel; or

(c) if the vessel has not since the preceding 1 January made on the stretch of water in question four passages and if also notice of the proposed passage specifying the start and finishing places has been given in writing to the Authority at least seven days before the start of the passage; or

(d) while it is undergoing test or trials and is in the charge of a person bona fide employed by a boatyard provided that notice of the movement has been given to the Authority at least seven days before the start of the test or trials; or

(e) which is

(i) a restored sailing wherry or keel; or

(ii) a replica of a sailing wherry or keel.

- 9(1) The owner of a vessel shall permit an Officer of the Authority on the giving of reasonable notice to board, enter, inspect and measure the vessel in such a manner as is reasonable for the purposes of:
- (a) ascertaining whether or not these Byelaws are duly observed;
 - (b) ensuring compliance with these Byelaws.
- (2) The owner of a vessel shall afford the Authority reasonable facilities for the purposes of inspecting and measuring the vessel under paragraph (1).

Defences

- 10 In any proceedings for an offence under 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 such an offence; or
 - (b) that it was reasonably necessary for the vessel to be navigated on the stretch of water in question for

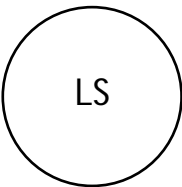
the purposes of providing or offering assistance in an emergency arising out of illness, accident, collision, fire or other circumstances which might reasonably be expected to involve danger to persons or property; or

(c) that he had other reasonable excuse for his act or failure to act.

Penalties

- 11 Every person contravening any provision of these Byelaws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

THE COMMON SEAL OF THE BROADS AUTHORITY was hereto affixed in the presence of



the 14th day of August 1995

Nicholas Hancox
Solicitor to the Broads Authority

Signed by Authority of the Secretary of State for Transport
J D Hence
(Head of Ports Division, Department of Transport)

Date 5th September 1996

SCHEDULE

Size Restrictions

Part 1 (Beam Restrictions)

(a) Vessels having a beam of 3.8 metres (12ft 6ins) or less.

No restriction.

(b) Vessels having a beam exceeding 3.8 metres (12ft 6ins).

River Wensum: Upstream of Foundry Bridge

River Yare: Upstream of Trowse Eye
Bird's Dyke and Surlingham Fleet Dyke
Rockland Boat Dyke, Fleet Dyke and Short Dyke
Langley Dyke
Hardley Dyke

River Chet: The entire waterway

River Waveney: Geldeston Boat Dyke

River Bure: Upstream of "The Rising Sun", Coltishall
Upton Dyke
Hermitage Dyke, Acle

River Ant: The entire waterway and its navigable branches
including Barton Broad

River Thurne: Upstream of Dungeon Corner
Catfield Dyke and its branches
Waxham Cut
Meadow Dyke
Candle Dyke
Womack Dyke and Womack Water

(c) Vessels having a beam exceeding 4.27 metres (14ft).

River Waveney: Upstream of Beccles Town Road Bridge

River Bure: The entire waterway including Ranworth Dam and South Walsham Fleet Dyke

River Thurne: The entire waterway downstream of Dungeon Corner

(d) Vessels having a beam exceeding 5.5 metres (18ft).

Haddiscoe New Cut: The entire waterway

River Waveney: The entire waterway downstream of Beccles Town Road Bridge

(e) Vessels having a beam exceeding 6.10 metres (20ft).

River Wensum: Downstream of Foundry Bridge

River Yare: Downstream of Trowse Eye

Part 2 (Length Restrictions)

The same waterways as in Part 1 (b).

EXPLANATORY NOTE

(Not forming part of the Byelaws)

These byelaws impose maximum beam and length restrictions on vessels navigating in certain parts of the Broads Authority Navigation Area.

Beam Restrictions

There is no restriction on vessels of beam 3.8 metres (12ft 6ins) or less.

Restrictions on vessels with greater beam are set out in Byelaw 5 and the Schedule to the Byelaws.

There are certain exemptions from the beam restrictions which are set out in Byelaw 6.

Length Restrictions

Byelaw 7 imposes a length restriction of 14 metres (46ft) on pleasure vessels navigating in certain waters, set out in Part 2 of the Schedule.

Exemptions from the length restrictions are set out in Byelaw 8.

NB: There is provision for vessels of greater beam and length to make up to four passages each year provided seven days prior written notice has been given to the Broads Authority. (See Byelaws 6(e) and 8(c)).