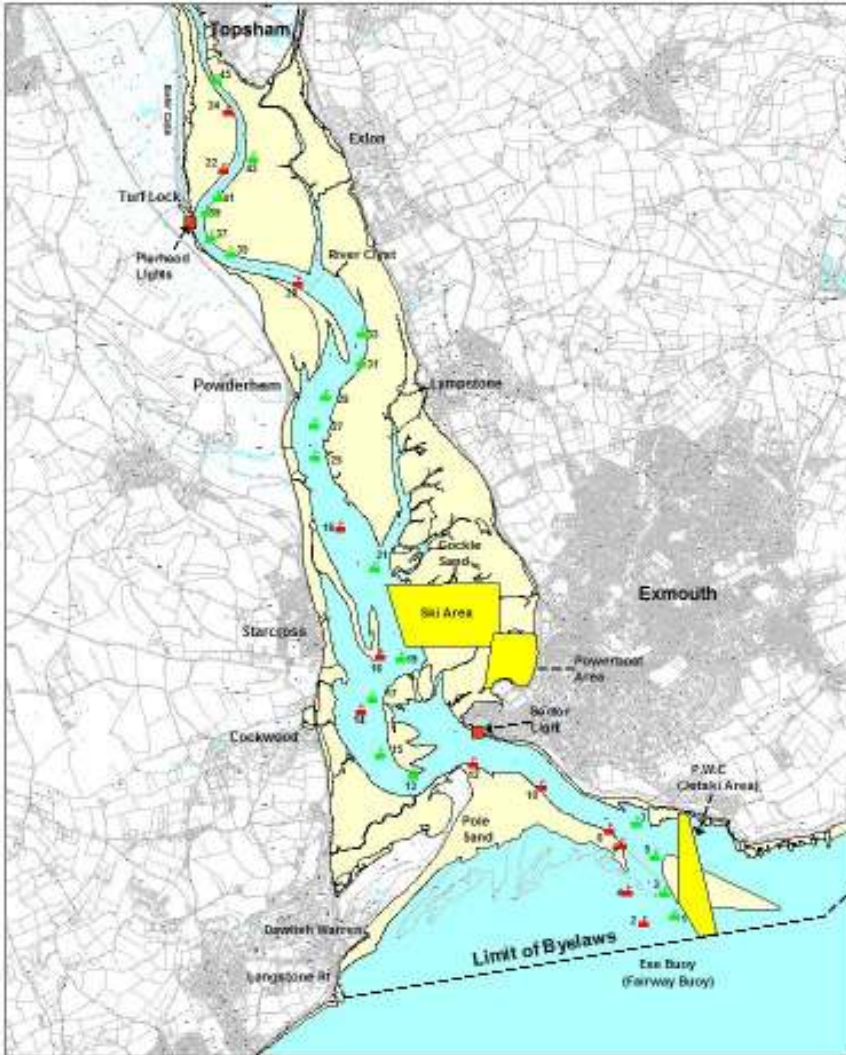


Colin Acton

Waterways Team Manager

Exeter City Council



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The River Exe and Exe Estuary Buoyage
 Navigation Bylaws areas for indicative purposes only

All Buoys to IALA standard this chart not to be used for navigation

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Statutory Harbour Authority for the Port of Exeter (Canal & River)

Navigation

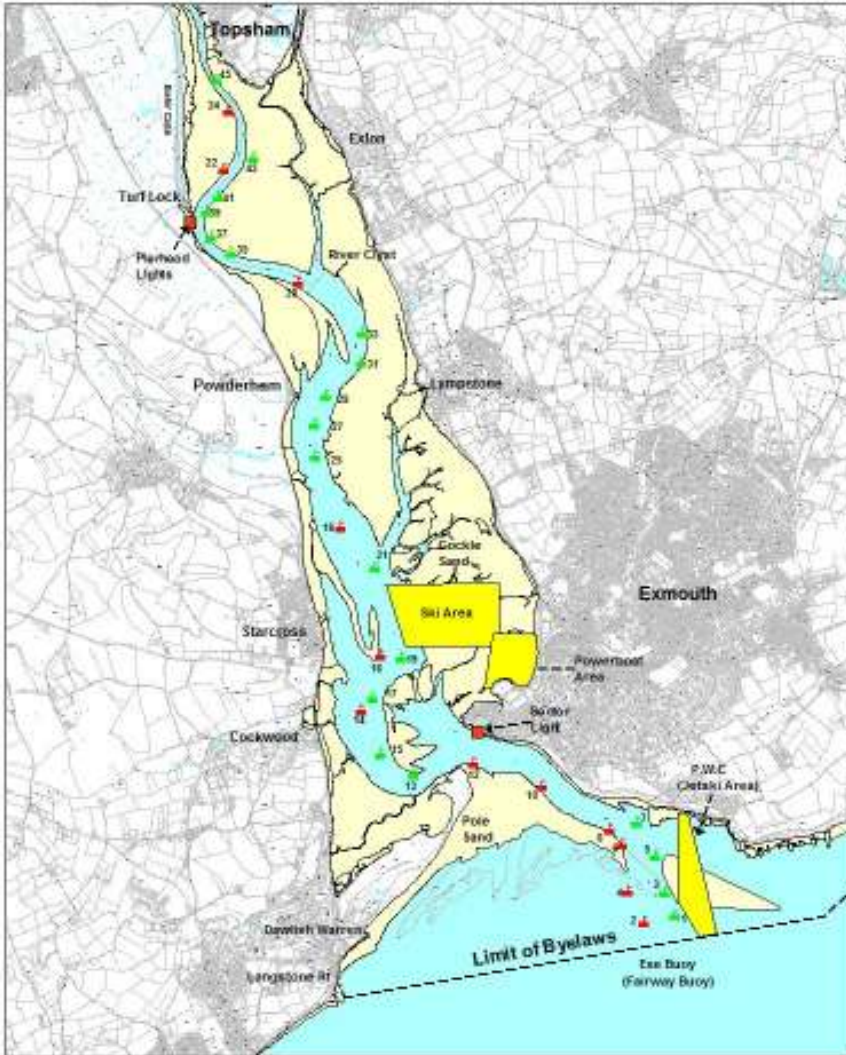
Notices to Mariners

Bye-laws

Patrol Boat

Safe Harbour & Port Marine Safety Code

Harbour Directions



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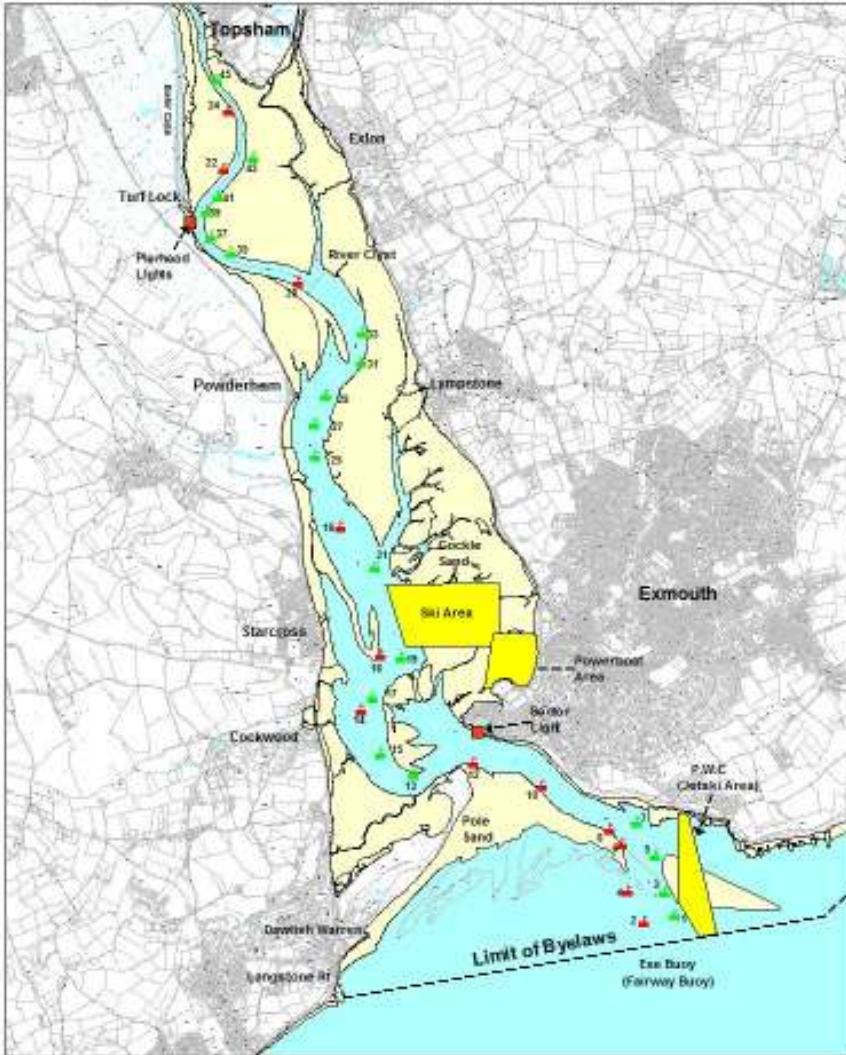
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Navigation

Maintain buoyage to mark the deepest part of the River Channel from the Exe Fairway Buoy to Topsham

More recent changes to markers include replacing Perch 43 with a lighted buoy and the sector light at Exmouth

Responsible for ensuring compliance with Trinity Authority for third party markers on the Exe (examples include the re-instating of the Exmouth Dock Pierhead lights and the Exe Gas pipeline markers)



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Trinity Authority

Annual on the water inspections and auditing

Reporting of navigation “casualties” to Trinity

Permissions to make changes to navigation

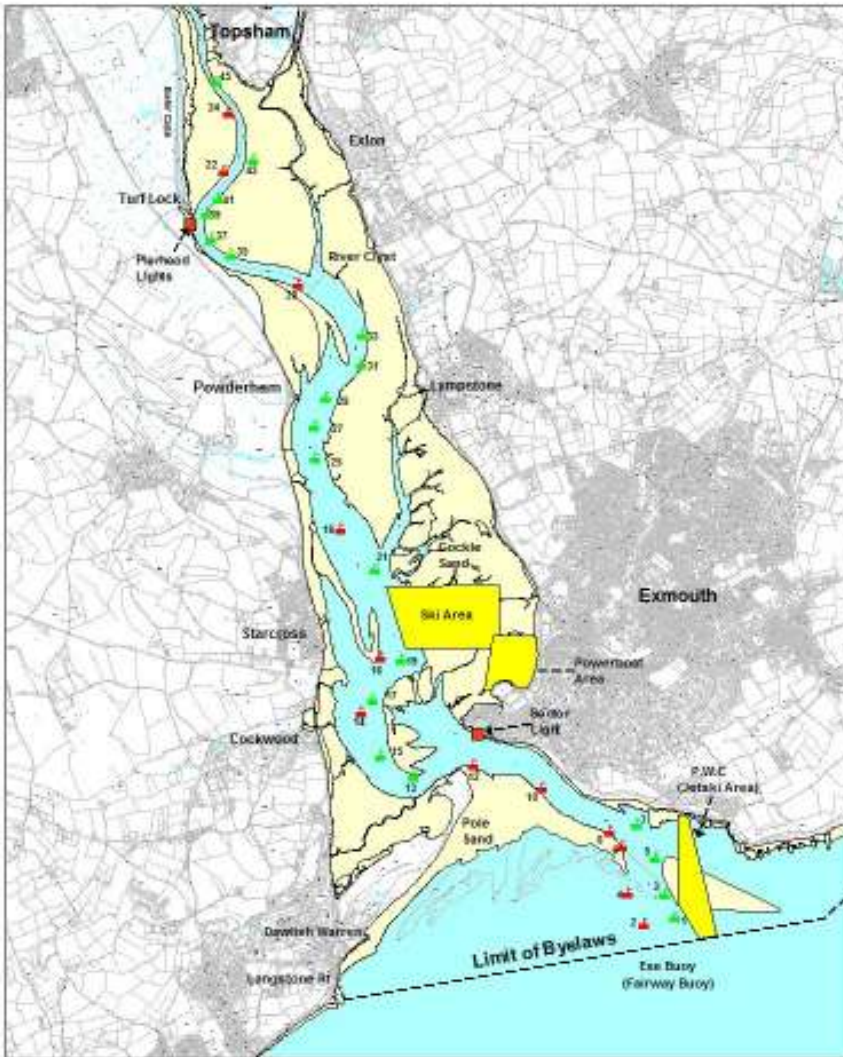
UK Hydrographic Office at Taunton are informed of any changes – issue Notices to Mariners and update admiralty charts

Local Notice to Mariners

Exeter City Council issue Local Notices
to Mariners

<https://exeter.gov.uk/leisure-and-culture/sport-and-leisure/waterways/local-notices-to-mariners/>

The River Exe and Exe Estuary Byelaws



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The River Exe and Exe Estuary Buoyage Navigation Bylaws areas for indicative purposes only

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The River Exe and Exe Estuary Byelaws

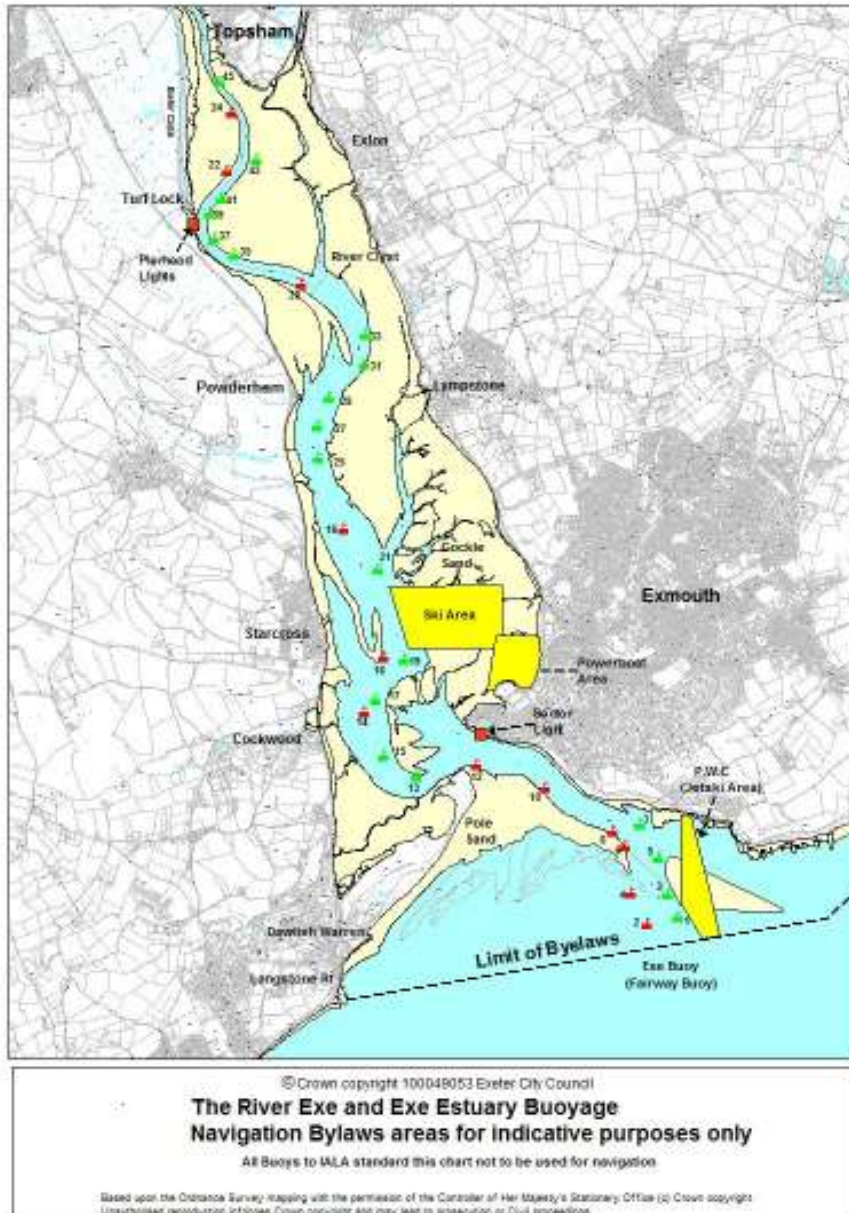
Byelaw 4

“No person in charge of a vessel shall cause or suffer a vessel to proceed at a speed greater than ten knots through the water”

Exceptions:

- 4a Power Boat Area
- 4c PWC (Jetski) Area
- 5 Ski area

Events or the testing of a vessel or equipment in connection with a business authorised in writing by the Council



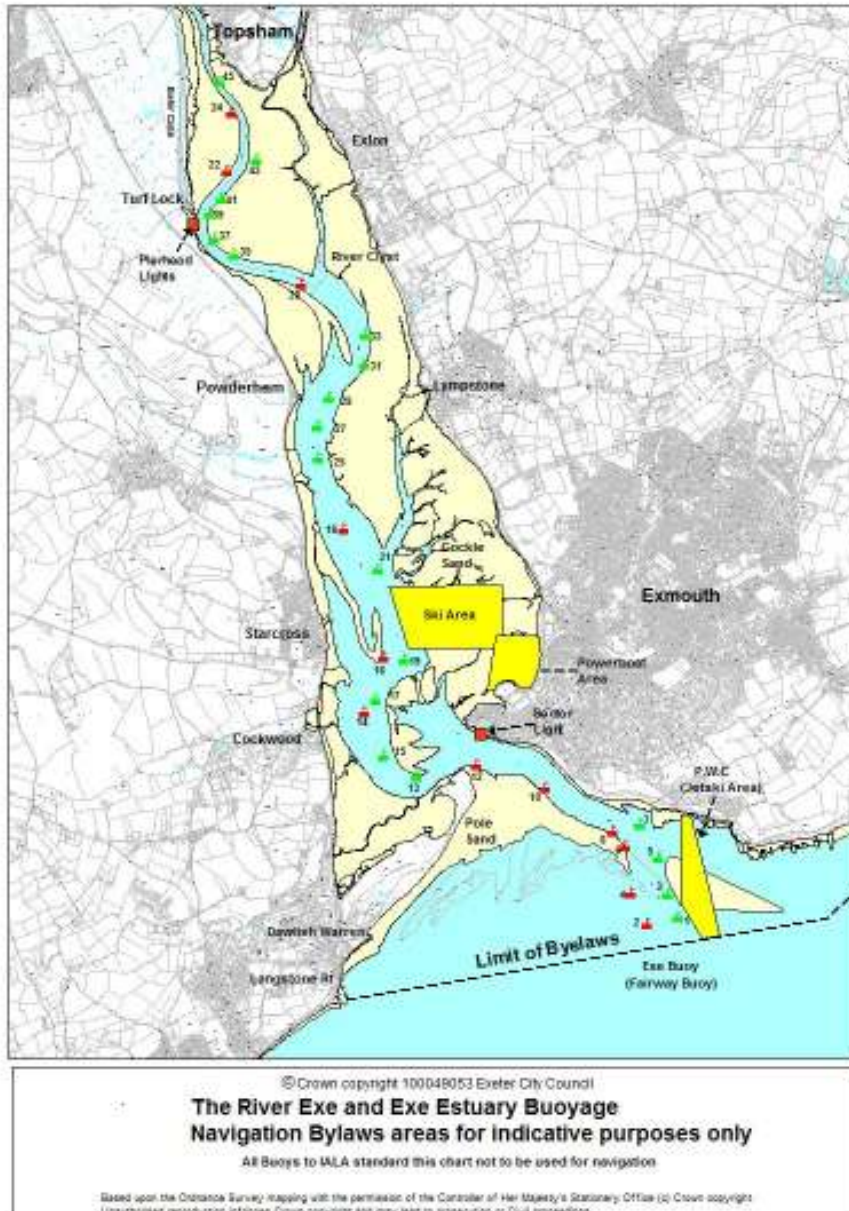
The River Exe and Exe Estuary Byelaws

Byelaw 6

“No person in charge of a vessel shall cause or suffer a vessel to be navigated without due care and attention or without reasonable consideration for other vessels or for the public using the water”

Byelaw 7

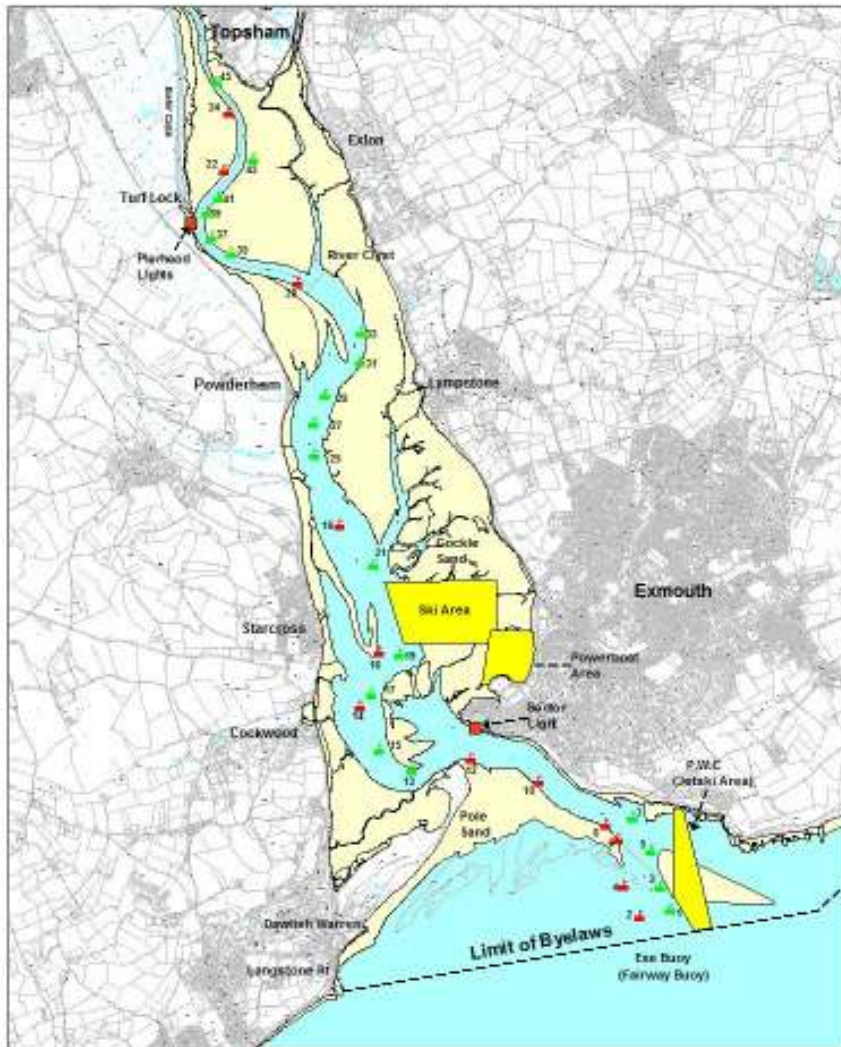
No person in charge of a vessel shall cause or suffer a vessel to be navigated in such a manner as to hamper the safe passage of:-”
Specific ferry crossings
Commercial shipping under pilotage



The River Exe and Exe Estuary Byelaws

Penalties

“Any person who without reasonable excuse offends against any of these Byelaws shall be liable on summary conviction to a fine



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The River Exe and Exe Estuary Buoyage Navigation Bylaws areas for indicative purposes only

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Harbour Patrol Boat Objectives

- Promote Water Safety on the Exe
- Having a presence – increase time boat is out on the water
- Gather evidence & report users not complying with bye-laws or other unsafe behaviour
- General advice

Port Marine Safety Code

For all UK Harbour Authorities and other marine facilities, berths and terminals



The UK **Port Marine Safety Code** (PMSC) was developed in 2000 and offers a national standard for **port safety** in the UK with the aim to "improve **safety** for those who use or work in **ports**, their ships, passengers and cargoes, and the environment".

<https://www.gov.uk/government/publications/port-marine-safety-code>

Port Marine Safety Code

For all UK Harbour Authorities and other marine facilities, berths and terminals



Who is the Code for?

The Code is applicable both to statutory harbour authorities and to other marine facilities which may not have statutory powers and duties. These are collectively referred to throughout the Code as 'organisations' and may include, but are not limited to, the following:

Competent Harbour Authorities
(authorities with statutory pilotage duties)

Municipal Port or Harbour Authorities

Trust Port or Harbour Authorities

Private Port or Harbour Authorities

Marine berths, terminals or jetties

Port Marine Safety Code

For all UK Harbour Authorities and other marine facilities, berths and terminals



What does the Code cover?

The Code has been developed to improve safety in the port marine environment and to enable organisations to manage their marine operations to nationally agreed standards. It provides a measure by which organisations can be accountable for discharging their statutory powers and duties to run harbours or facilities safely and effectively. It also provides a standard against which the policies, procedures and performance of organisations can be measured. The Code describes the role of board members, officers and key personnel in relation to safety of navigation and summarises the main statutory duties and powers of harbour authorities. The Code is designed to reduce the risk of incidents occurring within the port marine environment and to clarify the responsibilities of organisations within its scope.

Port Marine Safety Code

For all UK Harbour Authorities and other marine facilities, berths and terminals



What does the Code cover?

- 1. Accountability for marine safety**
- 2. Key measures to secure marine safety**
- 3. General duties and powers**
- 4. Specific duties and powers**

Port Marine Safety Code

For all UK Harbour Authorities and other marine facilities, berths and terminals



What does the Code cover?

Accountability for marine safety

This part identifies who is accountable for the management of marine safety

Port Marine Safety Code

For all UK Harbour Authorities and other marine facilities, berths and terminals



What does the Code cover?

Key measures to secure marine safety

- Review existing powers
- Use formal risk assessment
- Implement a marine safety management system
- Competence standards
- Incident reporting and investigation
- Monitoring performance and auditing
- Enforcement
- Publication of Plans and reports
- Consensus
- Monitoring Compliance

Port Marine Safety Code

For all UK Harbour Authorities and other marine facilities, berths and terminals



What does the Code cover?

General duties and powers

- **Safe and efficient port marine operations**
- **Open Port Duty**
- **Conservancy duty**
- **Revising duties and powers**
- **Environmental duty**
- **Civil Contingencies duty**
- **Harbour authority powers**

Port Marine Safety Code

For all UK Harbour Authorities and other marine facilities, berths and terminals



What does the Code cover?

Specific duties and powers

- **Powers of Direction**
- **Regulation of dangerous vessels and substances**
- **Pilotage**
- **Local lighthouse authorities**



Port of Exeter

Harbour Directions



Harbour Directions What are they?

The Harbours Act 1964, as amended by the Marine Navigation Act 2013, provides a mechanism by which the Secretary of State may by Order designate harbour authorities with a power to make harbour directions to better regulate shipping and improve safety within their harbour area. Such harbour authorities are called “designated harbour authorities”.

(new sections 40A to 40D of the Harbours Act 1964, inserted by section 5 of the marine Navigation Act 2013)



Harbour Directions

What are they used for?

Harbour directions may be used by a designated harbour authority to regulate ships within their harbour, or entering or leaving their harbour. They may relate to the movement, mooring and unmooring, equipment and manning of ships. For example directions could be used:

- a. to regulate the use of any main navigation channel or fairway;
- b. to prescribe where and how vessels are to moor and move within the harbour;
- c. to ensure ships above a certain size have working radios to allow communication between harbour master and ship;
- d. to specify requirements for no deficiency in machinery; and,
- e. to ensure sufficient people with relevant experience crew specific types of ship.



Harbour Directions

Who will they apply to?

Harbour directions will only apply to ships as defined in the Harbours Act 1964. This Act defines a ship as including every description of vessel used in navigation, seaplanes and hovercraft. The Court of Appeal has held that to be used in navigation, a vessel must be used to make ordered progression from one place to another.



Harbour Directions

Why apply for Harbour Directions?

Harbour authorities are responsible for managing and running safe and efficient harbours. They have particular responsibilities in relation to the safety of vessels and people within the harbour, efficient navigation and the protection of the port environment



Harbour Directions

Why apply for Harbour Directions?

To meet these responsibilities effectively, harbour authorities have currently up to four powers available under their local legislation which they may use in regulating their harbour areas:

Byelaws

Special directions

General directions

Pilotage directions



Harbour Directions

Why apply for Harbour Directions?

If designated, a harbour authority will have an additional power:

Harbour directions - power to issue directions in relation to ships in the harbour area, or entering or leaving the harbour.



Harbour Directions

Why apply for Harbour Directions?

Since its first publication in 2000, the Port Marine Safety Code (PMSC) has recommended that additional powers should be sought by a harbour authority, if a risk assessment concluded that it would be well advised to secure additional powers to support effective management of vessels in their harbour waters.

Obtaining the powers to give harbour directions may meet such a recommendation



Harbour Directions Consultation

Consultation with user groups on the Exe has led to the creation of the Exeter Port Users Group (PUG) which is limited to 16 members from:

| | |
|-------------------|-----------|
| Exmouth | 7 members |
| Topsham | 3 members |
| West Bank | 3 members |
| Lympstone | 1 member |
| Canal Users Group | 2 members |



Harbour Directions Consultation

| | |
|--|------------------------|
| Deadline for expressions of interest: | 31 January 2016 |
| Deadline for formal applications | 31 March 2016 |
| Review of applications and preparation of material for consultation | April/July 2016 |
| Public consultation on applications received (DfT lawyers to draft Designation Order concurrently) | September 2016 |
| Analysis of responses received and preparation of Summary of Responses | November/December 2016 |
| Making of Designation Order | Late February 2017 |
| Order into force (first common commencement date) | 6 April 2017 |



Website general
information

<https://exeter.gov.uk/leisure-and-culture/sport-and-leisure/waterways/>



Thank you for your attention