



The County Council of the City and County of Cardiff

CARDIFF HARBOUR AUTHORITY

HARBOUR BYELAWS

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The County Council of the City and County of Cardiff in exercise of the powers conferred by Section 16 of the Cardiff Bay Barrage Act 1993 and now vested in it by agreement made under Section 165 of the Local Government Planning and Land Act 1980 makes the following Byelaws:

Part 1 – Preliminary

Title and Commencement

1. These Byelaws may be cited as the Cardiff Harbour Byelaws 2008 and shall come into operation on the expiration of 28 days from the date of confirmation thereof by the Welsh Ministers.

Application

2. These Byelaws apply throughout the inland bay and the outer harbour as defined by the Cardiff Bay Barrage Act 1993 and, for the purposes of identification only, are shown edged red on the chart attached as Schedule 1 to these Byelaws.

Interpretation

3. The following words and expressions shall have the following meanings:

“**The Act**” means the Cardiff Bay Barrage Act 1993.

“**Aeration System**” means the system of underwater pipes, cables and other systems to protect and maintain the quality of water.

“**Barrage Control**” refers to any authorised officer appointed by Cardiff Council to supervise entry and exit from Cardiff Harbour .

“**Cardiff Council**” means the County Council of the City and County of Cardiff

“**Cardiff Harbour**” means the inland bay and the outer harbour as defined by The Act and, for the purposes of identification only is shown edged red on the chart attached as Schedule 1 to these Byelaws.

“**Consent**” means prior verbal consent by the Harbour Master, save where these Byelaws expressly state that prior written consent is required.

“**Emergency**” means any sudden unforeseen occurrence requiring immediate action.

“**Fishing**” means fishing of any description, including fishing with rod and line, pole, set line, net, trap or trawling or any other device designed to catch fish, shellfish or crustaceans.

“Harbour Master” means any person appointed as such by Cardiff Council under section 51 of the Harbours, Docks and Piers Clauses Act 1847, and includes his deputies, assistants and other employees of Cardiff Council for the time being authorised by Cardiff Council to act, either generally or for a specific purpose, in the capacity of Harbour Master

“Houseboat” means a Vessel which is primarily used for habitation or which is stationary for substantial periods and whose primary purpose is not to travel but to be used to provide shelter or act as a club premises, an office, kitchen or store place or the like.

“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 ground, water or other surface beneath the vehicle.

“Hydrofoil” means a vessel which has a structure attached to the hull of the vessel that raises all or part of the hull out of the water when the vessel is in motion.

“Master” means any Person for the time being having or taking the command, charge or management of a Vessel or pontoon.

“Moored” when used in relation to a Vessel, or Pleasure Craft or pontoon means;

- (a) made fast to a mooring chain, mooring pile or mooring buoy either ahead or astern or both; or
- (b) secured alongside any other Vessel, or Pleasure Craft or pontoon so moored; or
- (c) secured both ahead and astern by anchors.

“Mooring” includes any berth, pile, pontoon or other like structure, anchor cable or other tackle intended for the securing of Vessels.

“Owner”, when used in relation to a Vessel, means any owner, part owner, lessee, broker, charterer (including but not limited to a charterer by demise), or mortgagee of the Vessel or agent or broker acting for or on behalf of any owner, part-owner, lessee, charterer or mortgagee in possession or other Person entitled to possession of the Vessel.

“Person” includes an individual, corporation, club, company, and any other legal entity.

“Pleasure Craft” means a canoe, windsurfer board, kite board, jet ski, water bike, rowing boat, water ski, wake board, or dinghy sailing boat or other crafts which are similar to the foregoing.

“Public Landing Space” means any Quay owned by Cardiff Council and used for mooring, launching or recovery of Vessels.

“Quay” means any quay, wharf, jetty, dolphin, landing stage, slipway or other structure used for berthing or mooring Vessels and includes any pier, bridge, roadway or footway adjacent and affording access thereto.

“Under Way” means when the Vessel or Pleasure Craft is not at anchor or moored or made fast to the shore or aground, and includes a vessel which is dragging her anchor on the ground.

“Vehicle” means any machinery on wheels or caterpillar tracks, trailers, caravans, mobile homes, hovercraft or any amphibious vehicle.

“Vessel” means every description of vessel (whether with or without means of propulsion of any kind) and includes anything constructed or used to carry persons, goods or plant or machinery by water, or constructed to be propelled or moved on water, a seaplane on or in the water and a Hovercraft .

Part 2 - Navigation

Responsibility for Navigation

4. The Master of a Vessel or user of Pleasure Craft shall not cause or permit the Vessel or Pleasure Craft to be moved, navigated, moored, anchored, beached, secured or used in any other manner in Cardiff Harbour whilst in an unsafe or unseaworthy condition except as is necessary for the Vessel's or Pleasure Craft's safety or that of the crew.

Vessels and Pleasure Craft to Navigate with Care

5. The Master of a Vessel or user of Pleasure Craft in Cardiff Harbour shall navigate or use the Pleasure Craft with care and consideration and in such a manner and at such a speed that shall not:
 - (a) cause nuisance, annoyance or excessive wash, or
 - (b) cause damage or injury or danger of damage or injury to any other Vessel, or Pleasure Craft, person or property in Cardiff Harbour

Obstructions

6. The Master of a Vessel or user of Pleasure Craft:
 - (a) which is adrift, missing from Moorings, in danger of sinking, grounding or has sunk or become grounded, or
 - (b) which is towing or manoeuvring another Vessel or Pleasure Craft which sinks, or
 - (c) which gives rise to an obstruction to navigation

shall notify the Harbour Master as soon as practicable and provide full written details of any such incidents, including the position of the Vessel or Pleasure Craft, and other information the Harbour Master may require.

Entry and exit from the inland bay and the outer harbour

7. The Master of any Vessel or user of Pleasure Craft shall not enter or exit the lock without Consent from Barrage Control.
8. The Master of a Vessel or user of Pleasure Craft shall:
 - (a) observe and comply with Barrage Control instructions in relation to entering and exiting Cardiff Harbour
 - (b) comply with the traffic lights at Barrage Control in accordance with the following provisions:
 - (i) When three green lights are shown the Vessel or Pleasure Craft shall proceed into the lock indicated beneath the lights

- (ii) When three red lights are shown the Vessel or Pleasure Craft shall not proceed into the lock
 - (iii) When the middle light shows white, and upper and lower lights show green, the Vessel or Pleasure Craft shall enter a lock only on instruction from Barrage Control
 - (c) not exit the lock other than when the lock gates are fully open
 - (d) join the end of any queue and shall not attempt to enter the locks until three green lights are shown, or under the direction of Barrage Control.
9. Masters on board Vessels or users of Pleasure Craft approaching the locks must:
- (a) have appropriate bow and stern lines at the ready, have any fenders outboard and navigate as far forward as practically possible
 - (b) use VHF Ch. 18 to contact the Barrage Control or telephone 029 2070 0234
 - (c) use VHF Ch. 18 for a listening watch
 - (d) when tied up during locking operations, the Master shall ensure that any engines operated on the Vessel are turned off.

Lock Ladders

10. No person may use the lock ladders except in the case of Emergency or with permission from Barrage Control.

Collision - Reporting to the Authority

11. The Master of any Vessel or user of Pleasure Craft or Owner of a Mooring involved in a collision causing any damage with any other Vessel or Pleasure Craft or structure in Cardiff Harbour shall report the incident to the Harbour Master as soon as reasonably practicable.
12. The Master of a Vessel or user of Pleasure Craft which has collided with or cut adrift a navigation mark or buoy or which by reason of accident, fire, defect or otherwise is in such condition as to affect its safe navigation or to give rise to danger to other Vessels or Pleasure Craft shall report to the Harbour Master as soon as reasonably practicable and provide in writing full details of such incidents.

Vessels and Pleasure Craft Under Way

13. The Master of a Vessel or user of Pleasure Craft when Under Way shall ensure that the Vessel or Pleasure Craft is navigated, manoeuvred and moored safely.

Speed of Vessels and Pleasure Craft

14. Except for the safety of the Vessel or Pleasure Craft the Master of a Vessel or user of a Pleasure Craft shall not cause or permit the Vessel or Pleasure Craft to exceed the speed limits set from time to time by Cardiff Council as indicated by buoyage limit markers or those given by Notices to Mariners unless the Master of the Vessel or user of the Pleasure Craft has received the prior written consent of the Harbour Master confirming that the speed limit does not apply to a particular Vessel.

Restriction of Certain Vessels and Pleasure Craft

15. (a) No Vessel exceeding 22 metres overall length, shall navigate in Cardiff Harbour without the prior written consent of the Harbour Master.
- (b) No Hovercraft shall navigate in Cardiff Harbour without the prior written consent of the Harbour Master.
- (c) No Hydrofoil shall navigate foil-borne in Cardiff Harbour without the prior written consent of the Harbour Master.
- (d) No seaplane or flying boat shall navigate in, alight on or take off from the waters of Cardiff Harbour without the prior written consent of the Harbour Master.
- (e) Vessels, plant or any other floating objects that do not have the ability to steer when Under Way shall require Consent from the Harbour Master to navigate either by towing on the water or by any other means when navigating within Cardiff Harbour.

Part 3 – Anchorage, Launching and Mooring of Vessels

Launching of Vessels and Pleasure Craft

16. Vessels or Pleasure Craft must not be launched from a Public Landing Space without Consent of the Harbour Master.

Embarkation and Disembarkation of Fare Paying Passengers

17. The Master of a Vessel or Pleasure Craft carrying fare paying passengers shall not embark or disembark passengers in Cardiff Harbour without the prior written consent of the Harbour Master and such passengers may only embark or disembark at a Quay.

Regulation of Public Landing Space

18. The Master of a Vessel or user of Pleasure Craft Under Way shall not obstruct access to any Public Landing Space and shall not leave the Vessel or Pleasure Craft unattended at a Public Landing Space without the Consent of the Harbour Master who may remove any Vessel, Vehicle, trailer or any other item that obstructs access to a Public Landing Space.

Protection of Harbour Authority Equipment

19.
 - (a) No Person shall anchor, moor, lay or raise ground mooring tackle that is likely to foul any of the equipment or pipe work that comprises the Aeration System laid on the bed of Cardiff Harbour.
 - (b) No Person shall obstruct or interfere with any of Cardiff Council's buoys, Moorings or equipment within Cardiff Harbour.
 - (c) The Master of any Vessel or user of Personal Watercraft which fouls the equipment or pipe work of the Aeration System must notify the Harbour Master as soon as practicable and provide the Harbour Master of the chart position of the interference and any further information the Harbour Master may require in relation to any such interference.

Conduct of regattas, boat races, public processions, etc.

20. No regatta, boat race, public procession or any similar event, shall be conducted in Cardiff Harbour without the prior written consent of the Harbour Master.

Anchorage

21. No Vessel or Pleasure Craft shall anchor, moor or remain on swinging grounds within Cardiff Harbour unless the prior written consent of the Harbour Master is obtained.

Vessels to be properly berthed

22. The Owner and the Master of a Vessel or user of Pleasure Craft shall ensure that their Vessel or Pleasure Craft is provided with sufficient number of fenders and lines for its size to ensure that the Vessel or Pleasure Craft while alongside or letting go from a visitors Mooring or a permanent Mooring in Cardiff Harbour shall not cause damage or danger to any other Vessel or to the Mooring.

Moorings, Buoys and other tackle

23. (a) No Mooring, buoy, or other tackle shall be laid or maintained in Cardiff Harbour without the prior written consent of the Harbour Master.
- (b) Any unauthorised Mooring, buoy, or other tackle may be removed by the Harbour Master.

Removal of Vessels

24. (a) In the event of an Emergency or to avoid damage or injury to any person, Vessel, Pleasure Craft, Mooring or other property in Cardiff Harbour the Harbour Master may move, remove or arrange the movement or removal of a Vessel, Pleasure Craft or authorised Mooring.
- (b) Where a Vessel or Pleasure Craft or authorised Mooring is removed by the Harbour Master, the Harbour Master shall inform the Owner or Master of the Vessel or user of Pleasure Craft or Mooring of its removal and its new position as soon as is reasonably practicable.

Part 4 – General

Mooring Licence

25. (a) Except with a mooring licence from the Harbour Master, no Master or Owner of any Vessel shall moor in Cardiff Harbour for more than 28 days.
- (b) The Owner of a Vessel must ensure that the Vessel's name or number and mooring licence disc is clearly visible and in a prominent position on board the Vessel to which the licence refers.

Inspection

26. The Owner of a Vessel shall when so required by the Harbour Master in the exercise of his or her duties afford every reasonable facility to allow access to any part of the Vessel or Mooring for its inspection and examination by the Harbour Master.

Silencers, Sirens & Noise

27. (a) Without the prior written consent of the Harbour Master a Vessel or Pleasure Craft must not be used in Cardiff Harbour unless the engine is fitted with a silencer suitable and sufficient for reducing as far as may be reasonable the noise caused by the escape of exhaust gas from the engine.
- (b) No Person shall sound or use or cause or permit to be sounded or used in Cardiff Harbour a siren, steam hooter, fog horn, distress rocket, or other instrument or appliance for producing alarm signals on any occasion or for any purpose other than in connection with navigation, distress or race control.
- (c) No Person shall use any electrical or musical equipment resulting in the broadcasting or transmission of any noise, speech or sound to give cause for annoyance to any reasonable person without the prior written consent of the Harbour Master.

Waterborne Activities

28. No Person shall use a Pleasure Craft within Cardiff Harbour without the Consent of the Harbour Master.
29. No Person shall engage in scuba diving or other underwater operations within Cardiff Harbour without the prior written consent of the Harbour Master.
30. No swimming shall be permitted in Cardiff Harbour without the Consent of the Harbour Master.

Breaking up of Vessels

31. No Vessel shall be broken up, set fire to or destroyed in Cardiff Harbour except with the prior written consent of the Harbour Master.

Fishing

32. Fishing is prohibited within the area of Cardiff Harbour without a fishing licence issued by the Authority and the fishing licence holder shall not fish other than in those areas specified in the said licence.
33. No person shall dig for any form of fishing bait.

Lights and Fires

34. No searchlights, floodlights or other similar bright lights or pyrotechnics, other than those used for safe navigation or indicating Emergency or distress shall be used without the Consent of the Harbour Master.
35. Open fires of any description are prohibited in Cardiff Harbour without the prior written consent of the Harbour Master.

Dredging and Structures

36. No Person shall build or cause to be built any structure nor carry out any dredging operations without the prior written consent of the Harbour Master.

Dragging or Grappling

37. No grappling or dragging for any material or article from the beds of the waters of Cardiff Harbour is allowed without the prior written consent of the Harbour Master.

Throwing Stones etc

38. No person shall throw stones or other missiles or use a catapult in Cardiff Harbour.

Abandonment and repair of Vessels

39. No Person shall lay up a Vessel or Pleasure Craft on the land within Cardiff Harbour for repair in Cardiff Harbour without the prior written consent of the Harbour Master.

Navigation under influence of drinks and drugs

40. No person shall navigate any Vessel or use Pleasure Craft whilst under the influence of drink or drugs whereby they are unable to take proper control of the Vessel or the Pleasure Craft.

Houseboats

41. Houseboats are only permitted in Cardiff Harbour with the prior written consent of the Harbour Master.

Unauthorised trading or commercial activity

42. No Person shall engage by way of trade, in buying or selling of any goods or property or conduct or participate in any other commercial activity in Cardiff Harbour without the written prior consent of the Harbour Master.

Notification of outbreak of fire

43. In case of an outbreak of fire on board a Vessel the Master or persons onboard the Vessel or Pleasure Craft shall:
- (a) take immediate action with the Vessel's or Pleasure Craft's fire fighting equipment to extinguish the fire (unless it is too dangerous to do so); and
 - (b) ensure that the Fire Brigade and the Harbour Master are notified as soon as practically possible on discovery of the fire; and
 - (c) where practically possible, give a continuous warning by sounding the Vessel's or Pleasure Craft's siren, whistle or horn.

Vehicles

44. A Person shall not without the Consent of the Harbour Master park or leave a Vehicle in any place or part of Cardiff Harbour other than a designated parking space or car park.
45. A driver of a Vehicle or other person having charge of a Vehicle within Cardiff Harbour shall at all times comply with any directions given by the Harbour Master.
46. The driver of any Vehicle involved in an accident on the highways under the control of the Cardiff Council and within Cardiff Harbour causing injury to any person or animal or any damage to property shall report the matter to the Harbour Master as soon as is practical in the circumstances.

Prohibition of Meetings

47. Persons who want to:
- (a) organise or take part in any general or open meeting, demonstration, parade, rally or sit-in; or
 - (b) deliver an address to an audience; or
 - (c) gather or collect together any persons;

within Cardiff Harbour must obtain, at least 7 days prior to the proposed date of the event, the prior written consent of the Harbour Master.

Prohibition on Bills, Placards, Notices

48. (a) Except with the prior written consent of the Harbour Master no Person shall within Cardiff Harbour publicly exhibit, display, or show any bill, placard, or notice or distribute any leaflet, pamphlet or circular nor attach any such document to or write upon any part of the premises or land within Cardiff Harbour .
- (b) If the Authority so directs the Person responsible for any breach of byelaw 48(a) must remove the same from the Cardiff Harbour within 5 working days

Part 5 – Penalties

49. Any Person who contravenes or fails to comply with any of these byelaws shall be guilty of an offence.
50. A Person guilty of any such offence shall be liable on summary conviction-
 - (a) to a fine not exceeding level 3 on the standard scale, and
 - (b) in the case of a continuing offence, to a fine not exceeding £40 for each day on which the offence continues after conviction.

Schedule 1 – The Inner Bay and Outer Harbour



