

BRITISH TRANSPORT COMMISSION

BYE-LAWS

**GLOUCESTER & SHARPNESS CANAL
AND
RIVER SEVERN NAVIGATION**

1962

BRITISH TRANSPORT COMMISSION

BYE-LAWS

for the regulation of the GLOUCESTER & SHARPNESS CANAL and the RIVER SEVERN NAVIGATION made by the British Transport Commission in pursuance of the British Transport Commission Act 1954 and any other Act or power them enabling.

(Note : the sub-headings and marginal notes do not form part of these Bye-laws)

Application of Bye-laws

- Application of Bye-laws
1. These Bye-laws shall apply to
 - (a) the Gloucester & Sharpness Canal, being the canal forming the entrance to Sharpness Docks from the River Severn estuary and continuing therefrom to the Junction with the River Severn Navigation at Gloucester, and being the canal defined in Section 5 of the Gloucester and Berkeley Canal Act 1870;
 - (b) the River Severn Navigation, being the Eastern Channel of the River Severn, being the Eastern Channel of the River Severn from the Lower Parting to the Upper Parting, both in the County of Gloucester, and the Western Channel of the River Severn near Gloucester from the site of the entrance lock of the Herefordshire and Gloucestershire Canal to the Upper Parting aforesaid and the said River from the Upper Parting aforesaid to Gladder or Whitehouse Brook in the County of Worcester, and
 - (c) any works, lands or premises (including Gloucester Docks and Sharpness Docks) belonging to or under the control of the Commission and held or used by them in connection with the Canal and Navigation referred to in paragraphs (a) and (b) respectively of this Bye-law.

Provided that where the provisions of any of these Bye-laws are limited by such Bye-law to any particular canal or locality or part thereof, then such Bye-law shall apply only to such canal or locality to which it is so limited

These Bye-laws shall come into force on the expiration of twenty-eight days after their confirmation by the Minister of Transport as from which date all existing Bye-laws applicable to the canal (other than those made under the Explosives Act 1875 and the Petroleum (Consolidation) Act, 1928) shall cease to have effect, without prejudice to the validity of anything done thereunder or to any liability incurred in respect of any act or omission before the date of coming into force of these Bye-laws.

Interpretation

- Definition of Terms 2. In these Bye-laws, except so far as the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:-
- “authorised officer” means any officer, employee or agent of the Commission acting in the execution of his duty upon or in connection with the canal and includes, in relation to the Gloucester & Sharpness Canal and the Gloucester Docks and Sharpness Docks, the Harbour Master appointed by the Commission under the provisions of the Harbours, Docks and Piers Clauses Act 1847.
- “the canal” means the Canal, Navigation and works, land or premises or any part thereof referred to in paragraphs (a), (b) and (c) of Bye-law 1.
- “the Commission” means the British Transport Commission.
- “day” means the period between sunrise and sunset.
- “ferry boat” means a vessel used or intended to be used for the purpose of conveying passengers for pay or hire across the River Severn.
- “hauled vessel” means any vessel which is being hauled or towed from the towing path or which has ropes from time to time or continuously passed to the towing path to assist in the navigation of such vessel.
- “horse” means any draught animal.
- “master” means the person having for the time being the command, charge or management of a vessel.
- “narrow canal boat” means a vessel having a beam of less than seven feet six inches,
- “night” means the period between sunset and sunrise.
- “offside” means the side of the canal which at any place is opposite to the towing path.
- “owner” includes (a) in relation to any vessel, the master or hirer, and (b) in relation to any goods, a consignor, consignee, shipper, broker or agent.
- “passenger vessel” means any vessel constructed or used for carrying passengers for pay or hire propelled by mechanical means, and certified by the Ministry of Transport as a passenger steamer and includes a vessel constructed or used for carrying passengers for pay or hire and hauled by any other vessel so propelled and tug boats carrying passengers for pay or hire, but does not include a ferry boat.
- “pleasure boat” includes any yacht, launch, houseboat, randan, wherry, skiff, gig, dinghy, shallop, punt, canoe, float or other vessel (including amphibious craft) not being used solely as a tug or for the carriage of goods and not being a passenger vessel as defined above.

“powered vessel” means any mechanically propelled vessel.

“prolonged blast” means a whistle blast of from four to six seconds’ duration.

“short blast” means a whistle blast of about one second’s duration.

“sluice” means any sluice, clough, clowe, valve, paddle, penstock or other device for controlling the passage of water through weirs, dams, lock gates, the walls of locks or through the banks of a canal or any works connected therewith.

“towing path” includes any way alongside the canal provided for hauling or towing boats along the canal, together with any gantries, bridges or other works thereon.

“vehicle” means anything on wheels, runners or articulated tracks.

“vessel” includes any ship, boat, barge, lighter or raft and any other description of craft whether used in navigation or not.

“visible” when applied to lights, means visible on a dark night with a clear atmosphere at a distance of at least one mile.

“whistle” means any whistle, siren, klaxon, fog-horn or other instrument by means of which sound signals required by Bye-law 14 can be made.

As to Vessels to be used on the Canal

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| Fitness of vessels | 3. | No person shall bring use or leave in the canal any vessel which is not in every respect fit for navigation on the canal or part thereof where it is intended to be used. |
| Declaration as to vessel and cargo, and payment of tolls and dues. | 4. | The person in charge of a vessel shall on each voyage give (as and when required) to the toll collector or other authorised officer a full and true declaration in writing of the name and description of the vessel, the name of the owner and of the master, particulars of the cargo (if any) with the weight thereof, the draught of the vessel, the place of loading and unloading, and of all cargo he may have delivered at any place on the canal before arriving at the toll collector’s office, and of the place or places at which he intends to deliver the whole or any part of the cargo, so as to enable the tolls and dues to be correctly charged and shall pay the tolls and dues in such manner and at such places as the Commission may appoint. |
| Marking of vessels | 5. | (1) Every vessel navigated on the canal shall have her name or number, and, except in the case of a pleasure boat, the port of registration or name of the owner clearly cut or marked on the outside of the vessel so as to be clearly legible at all times. |

(2) Every owner of a ferry boat or pleasure boat for hire on the canal shall cause a number corresponding in every particular with the number of the licence granted to him by the Commission in respect of the boat to be clearly cut or marked thereon so as to be clearly legible at all times.

Vessels to have fenders ready for use. 6. Every vessel navigated on the canal shall have ready for immediate use proper fenders of suitable material and in good condition and the master of such vessel shall use such fenders whenever there is a risk of the vessel striking against any other vessel or against any wall, lock gate, bridge or other thing.

Stowage of equipment 7. Every vessel navigated on the canal shall have her goods and equipment stowed so that nothing except necessary fenders and spars shall project over the sides thereof whereby injury might be caused to any other vessel or to any works of the Commission, or to any person or persons on such vessel or works and such goods and equipment shall be secured so that no part thereof can be washed or otherwise fall into the canal. Provided that this Bye-law shall not apply to any vessel whilst engaged in maintenance works.

Stowage of inflammable spirit intended for use of vessel 8. The master of every vessel navigating on the canal shall take proper steps to ensure that inflammable spirit taken on to or carried on such vessel and intended for use on the vessel shall be loaded stowed and used in such manner as not to be or to become a danger or nuisance to persons or property and shall have available at all times adequate equipment and materials for fighting fire.

Vessels to have competent crew 9. Every vessel navigated on the canal shall have in attendance an adequate and competent crew.

Mode of Navigating Vessels

Care in navigating 10. Every vessel navigating on the canal shall at all times be navigated with care and caution and in such manner as will not obstruct the passage of any other vessel using the canal or involve risk of collision or endanger the safety of other vessels or their mooring or cause damage thereto or to the banks of the canal or to any part of the Commission's property.

Distances at which vessel 11. (1) No powered vessel shall navigate upon the River Severn Navigation within a distance of thirty feet from the water's edge on

should be navigated from banks.

either bank thereof except when proceeding into or out of any lock, or under any bridge, or when mooring PROVIDED ALWAYS that this Bye-law shall not apply to:

- a) any vessel in distress or engaged in maintenance works;
 - b) vessels navigating in the Eastern Channel of the River Severn Navigation from the Lower Parting to the Upper Parting; or
 - c) vessels navigating within thirty feet of the west bank of the River Severn Navigation between the following places:-
 - (i) in the parish of Hasfield in the County of Gloucester for a distance of 190 yards between the map reference point SO.846258 and the map reference point SO.847260.
 - (ii) in the parish of Forthampton in the County of Gloucester for a distance of 330 yards between the map reference point SO.871310 and the map reference point SO.873313.
 - (iii) in the parish of Hanley Castle in the County of Worcester for a distance of 290 yards between the map reference point SO.845417 and the map reference point SO.845420.
 - (iv) in the parish of Hanley Castle in the County of Worcester for a distance of 250 yards between the map reference point SO.852428 and the map reference point SO.853430.
- (2) No powered vessel shall overtake or attempt to overtake another powered vessel whilst either of such vessels is navigating any of the sections of the River Severn Navigation described in subparagraph (1)(c)(i), (ii), (iii) and (iv) of this Bye-law.
- (3) In this Bye-law a map reference point shall mean the point ascertained in accordance with the National Grid on the Ordnance Survey Map drawn to a scale of six inches to one mile.

Note: (This note is not part of the Bye-laws). A copy of the relevant sheets of the Ordnance Survey Map with the sections of the River Severn Navigation referred to in paragraph (1)(c) of Bye-law 11 marked thereon may be inspected during office hours at the Commission's Dock Office at Gloucester Dock.

Improper use of poles etc. 12. No person shall use any pole, boat hook or other instrument in such manner as to cause injury to any person or damage to any property.

Displaying of
lights and
visual signals.

13. (1) Subject as hereinafter provided, a powered vessel (other than a narrow canal boat) when under way at night shall display
- (a) on or in front of the foremast, or if a vessel without a foremast, then in the forepart of the vessel, and in either case at a height above the hull of not less than 4 feet, a visible white light so constructed as to show an unbroken light over an arc of the horizon of twenty points of the compass (225°) so fixed as to show the light ten points ($112\frac{1}{2}^\circ$) on each side of the vessel, that is from right ahead to two points ($22\frac{1}{2}^\circ$) abaft the beam on either side; and
 - (b) in addition to the above light, at her stern a white light so constructed as to show an unbroken light over an arc of the horizon of twelve points of the compass (135°) so fixed as to show the light six points ($67\frac{1}{2}^\circ$) from right aft on each side of the vessel;
and
 - (c) on the starboard side a visible green light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass ($112\frac{1}{2}^\circ$) so fixed as to show the light from right ahead to two points ($22\frac{1}{2}^\circ$) abaft the beam on the starboard side;
and
 - (d) on the port side a visible red light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass ($112\frac{1}{2}^\circ$) so fixed as to show the light from right ahead to two points ($22\frac{1}{2}^\circ$) abaft the beam on the port side;
- (2) A powered vessel (other than a narrow canal boat) when towing another vessel at night in addition to the lights prescribed in paragraphs (1)(c) and (d) of this Bye-law shall display :-
- (a) Two visible white lights in a vertical line one over the other, not less than 3 feet apart. Each of these lights shall be of the same construction and character as the white light prescribed in paragraph (1) (a) of this Bye-law and one of them shall be carried in the same position as that light;
and
 - (b) At the stern a white light similar in all respects to that prescribed in paragraph (1) (b) of this Bye-law.

- (3) A vessel being towed at night shall display lights of the same construction and character and in the same positions as the lights respectively prescribed in sub-paragraphs (b), (c) and (d) of paragraph (1) of this Bye-law.
- (4) Every vessel aground in the fairway or mid-channel shall by night display where it may best be seen, a bright white light of such character as to be visible all round the horizon.
- (5) Every vessel employed to mark the position of a wreck or of any other obstruction shall exhibit where the same may best be seen, by day a green flag and by night two bright green lights, placed horizontally not less than 6 feet, or more than 12 feet apart, of such character as to be visible all round the horizon.
- (6) A powered vessel, being a narrow canal boat, under way at night shall display in the forepart of the vessel, where it can best be seen and at a height above the deck or gunwale of not less than one foot a visible white light and at her stern a white light similar in all respects to that prescribed in paragraph (1) (b) of this Bye-law.
- (7) A vessel engaged in dredging, piling, diving or other works of repair or construction of the canal shall display from the yard arm
 - (a) by day, at right angles to the keel, and in a position visible to vessels approaching from either direction, on that side of the vessel on which work is proceeding or on which obstructions may be present and on which vessels must not pass, a red square (a side of which measures not less than 18 inches) and on that side of the vessel which is clear of obstruction and on which vessels may pass a white square similar in size to the said red square; and
 - (b) by night, three lights of such a character as to be visible all round and of which two shall be white and one shall be red placed not less than 6 feet apart in the form of an equilateral triangle with its base athwartships and its apex uppermost. The uppermost of the said lights shall be white and the said red light shall be placed at the end of the base of the said triangle which is nearer to the side of the vessel

on which work is proceeding or on which obstructions may be present and on which vessels must not pass.

- Sound signals 14. (1) Every powered vessel navigating on the canal shall be furnished with an efficient whistle.
- (2) When vessels are in sight of one another the master of a powered vessel under way in taking any of the courses hereinafter referred to in this Bye-law shall indicate that course by the following signals on such whistle, namely:-
- One short blast to mean "I am altering my course to starboard"
- Two short blasts to mean "I am altering my course to port"
- Three short blasts to mean "My engines are going astern"
- Four short blasts to mean "I am about to turn or to turn round". This signal shall be followed after a short interval by one short blast if turning to starboard or two short blasts if turning to port and shall be repeated to any approaching vessel, whereupon such approaching vessel shall take action to avoid collision.
- (3) In fog, mist, falling snow, heavy rain, storms or other conditions similarly restricting visibility whether by night or day, the following signals shall be used :-
- (a) A powered vessel making way through the water shall sound, at intervals of not more than two minutes, a prolonged blast.
- (b) A powered vessel under way but stopped and making no way through the water shall sound, at intervals of not more than two minutes, two prolonged blasts with an interval of about one second between each.
- (c) A vessel when towing and a vessel under way which is unable to get out of the way of an approaching vessel through not being under command or unable to manoeuvre as required by these Bye-laws shall sound, at intervals of not more than one minute, three blasts in succession, namely one prolonged blast followed by two short blasts.
- (d) Every vessel aground in the fairway or mid-channel shall, so long as she remains aground, signify the same by sounding five or more short blasts in rapid succession at intervals of not more than one minute.
- (4) When the view of the canal ahead is obstructed by a bend in the

canal and until such view is no longer obscured, a powered vessel making way through the water shall sound, at intervals of 20 seconds, a prolonged blast.

- (5) The master of a powered vessel approaching a lock and requiring the lock to be opened shall sound one prolonged blast.
- (6) The master of a powered vessel intending to pass a movable bridge on the Gloucester & Sharpness Canal and requiring the bridge to be opened shall sound one prolonged blast.

Vessels
passing

- 15. (1) Except as hereinafter provided where two vessels meet in any part of the canal where they cannot pass in safety the master of the vessel which is nearest to that part of the canal where the vessels can pass in safety shall navigate his vessel back to such passing place and allow the other vessel to pass.

Provided always that:-

- (a) A vessel which is not towing another vessel shall give way to a vessel which is towing another vessel or vessels.
 - (b) Vessels which are unladen shall give way to vessels which are laden.
 - (c) A vessel which is proceeding against the tide or stream shall give way to a vessel which is proceeding with the tide or stream.
- (2) A pleasure boat when meeting, overtaking or being overtaken by a powered vessel other than a pleasure boat shall as far as possible keep out of the main navigable channel.
 - (3) The master of a fishing boat using a net when meeting, overtaking or being overtaken by any other vessel shall keep the net in such part of the canal as to allow space for the passage of any vessel.

Course of vessels when passing or overtaking

16. Without prejudice to the generality of Bye-law No. 15 the following Bye-law shall apply to vessels passing or overtaking other vessels on the canal.
- (1) Except as hereinafter mentioned where two vessels proceeding in opposite directions meet the master of each vessel shall steer his vessel to its starboard side in such manner that such vessels pass freely with the port side of each vessel nearest to the port side of the other vessel. Provided always that:-
 - (a) Where one but not both of such vessels is a hauled vessel the masters of such vessels shall steer the vessels in such manner that the vessels pass freely with the hauled vessel between the towing path and the other vessel.
 - (b) Where both of such vessels are hauled vessels such vessels shall be steered and navigated in such manner that the vessel which is proceeding against the flow of the stream shall be between the towing path and the other vessel.
 - (c) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows:-
 - (i) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.
 - (ii) A vessel which is close-hauled on the port track shall keep out of the way of a vessel which is close-hauled on the starboard tack.
 - (iii) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.
 - (iv) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.
 - (v) A vessel which has the wind aft shall keep out of the way of the other vessel.
 - (d) When two pleasure boats one of which is a sailing vessel are proceeding in such directions as to involve risk of collision, the pleasure boat not being a sailing vessel shall keep out of the way of the sailing vessel.

(e) Where circumstances render it impracticable for vessels to pass port side to port side a powered vessel proceeding with the tide or stream shall have the right of way and must indicate to the other vessel by two short blasts on her whistle, in ample time to prevent collision, her intention to pass starboard to starboard. The approaching vessel shall immediately reply by a similar sound signal and pass accordingly, stopping, if necessary until the other vessel has passed clear.

(2) Except as hereinafter mentioned the master of a vessel overtaking another vessel proceeding in the same direction shall steer his vessel in such manner that his vessel shall pass with her starboard side nearest to the vessel overtaken and the master of the vessel overtaken shall steer his vessel to her starboard side so as to permit the overtaking vessel to pass in safety on the port side of the vessel overtaken. Provided that

(a) Where a vessel which is not a hauled vessel is overtaking a hauled vessel the masters of such vessels shall steer their vessels in such manner that the vessels pass with the vessel overtaken between the towing path and the overtaking vessel and the master of the vessel overtaken shall slacken his hauling line and keep his vessel as near as possible to the towing path whilst the other vessel is passing.

(b) Where a hauled vessel is overtaking another hauled vessel the master of the vessel overtaken shall slacken his hauling line and steer his vessel away from the towing path in such manner as to permit the overtaking vessel to pass freely between the towing path and the vessel overtaken and the master of the overtaking vessel shall keep his vessel as close as possible to the towing path whilst passing the other vessel.

Vessels turning or turning into canal	17. Vessels turning in or into the canal shall do so in such manner as not to cause any obstruction or interference to any other vessel using the canal.
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Vessels approaching ferry	18. The master of any vessel approaching any ferry shall reduce speed, shall thereafter navigate his vessel with caution and if necessary stop, so as not to obstruct or interfere with the effectual working of the ferry.
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Obstruction of Commission's	19. No person shall obstruct hinder or delay the passage through a lock or past a movable bridge or along any part of the canal of any inspection
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repair vessels maintenance or repair vessel of the Commission after the master of such vessel (who, when his vessel is engaged in or proceeding to works of inspection, maintenance or repair, shall be entitled so to demand) shall have demanded prior passage for such vessel.

Vessels approaching works of repair etc. 20. The master of any vessel approaching or being near any place where dredging, piling, diving or any other works of repair, maintenance or construction of the canal are in progress shall navigate his vessel at such speed and in such manner as shall not imperil the safety of any person or cause any damage or injury to any of the plant or equipment employed in such work or to any of such works or to the canal, and no person shall navigate a vessel past any vessel engaged in dredging, piling, diving or other work of repair, maintenance or construction on that side of the vessel so engaged on which is displayed from the yard arm by day a red square or by night a red light as prescribed in Bye-law 13(7) of these Bye-laws.

Speed of vessels 21. (1) No person shall navigate a vessel upon the River Severn Navigation at a speed exceeding six miles per hour over the bed of the said Navigation when travelling in the upstream direction or eight miles per hour over the bed of the Navigation when travelling in the downstream direction. Provided that no person shall be convicted of any offence against this paragraph of this Bye-law upon proof by him that the speed at which he navigated the vessel was necessary for safe navigation in conditions of flood tide or flood water.
(2) No person shall navigate a vessel upon the Gloucester & Sharpness Canal at a speed exceeding six miles per hour over the bed of the Canal.

Locks and Bridges

Vessels passing near bridges 22. The master of any vessel intending to navigate the vessel under any bridge shall take all steps necessary to ensure that his vessel can pass such bridge without touching or damaging the same.

Navigation of vessels at or near locks and movable bridges 23. The master of any vessel approaching, entering, passing through or leaving any lock or movable bridge shall cause his vessel to be navigated at such speed and controlled in such manner as not to strike, injure or damage the lock or movable bridge or any part thereof or the works machinery or gates thereof and in the case of a vessel approaching a lock or movable bridge the master of such vessel shall cause his vessel to be navigated at such speed and controlled in such

manner as to enable such vessel to be stopped before reaching such lock or movable bridge and shall cause his vessel to keep clear of any vessel which is leaving the lock or movable bridge.

- Regulation of vessels passing through locks
24. (1) At any lock, which is operated by staff provided by the Commission for that purpose, the masters of all vessels in the vicinity of such lock shall obey such directions as the lock-keeper or other authorised officer may give.
- (2) Where a signal light is in operation to indicate when a lock is open for vessels to pass the master of a vessel approaching such lock shall not permit his vessel to proceed beyond the said signal light unless it is showing green and shall not permit his vessel so to proceed whilst such light is showing red.
- (3) No person shall cause or allow any vessel to remain in a lock longer than is necessary for the convenient passage thereof.
- (4) The master of a vessel entering, being in or leaving a lock shall take all steps necessary to prevent the said vessel from running foul of, obstructing or damaging the gates or works of the lock or other vessels therein.

- Regulation of vessels passing movable bridges
25. Where a signal light is in operation to indicate when a movable bridge is open for vessels to pass the master of a vessel approaching such movable bridge shall not permit his vessel to proceed beyond the said signal light unless it is showing green and shall not permit his vessel so to proceed whilst such light is showing red.

- Persons, animals, vehicles, etc. on movable bridges
26. Any person being on a movable bridge and any person in charge of any animal, vehicle or thing on any movable bridge shall leave such bridge and remove such animal, vehicle or thing from such bridge immediately on being warned that the bridge is about to be opened. No person shall go upon or permit any animal, vehicle or thing under his control to go upon a movable bridge or shall attempt to go upon or to drive any animal, vehicle or thing on to a movable bridge after receiving warning that the bridge is about to be opened until the bridge has been closed after such opening and no person shall pass or attempt to pass any protection gate or other barrier provided for the safety of users of the roadway until such gate or other barrier is fully opened so as to permit the passage of road traffic.

Provided that for the purposes of this Bye-law a movable bridge shall be deemed to be closed only when it is secured in position to allow persons and traffic to pass in safety over the canal by means of the bridge.

Mooring of Vessels

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| Permission to moor | 27. | (1) No vessel shall be moored

(a) on the Gloucester & Sharpness Canal or in the Gloucester Docks or Sharpness Docks without the authority of a duly authorised officer;

(b) on the River Severn Navigation to any property owned by the Commission without the authority of an authorised officer. |
| Regulation of mooring | (2) | No person in charge of any vessel (other than a dredger or other vessel when engaged in works of maintenance of the canal) shall, except through stress of weather, moor or cause to be moored such vessel in a position which causes or is likely to cause obstruction to the navigation of the River Severn Navigation. |
| Vessels to be moored properly | (3) | Any vessel (other than a dredger or other vessel when engaged in works of maintenance of the canal) moored at any wharf or elsewhere in the canal shall be securely moored head and stern with good and sufficient ropes or other efficient apparatus and shall be laid as close to and along the side or front of such wharf or other mooring place as conveniently may be.

Provided that this paragraph of this Bye-law shall not apply to any sailing vessel moored at a place on the canal and in a manner approved by an authorised officer. |
| Mooring to lock gates etc. | 28. | No mooring rope shall be affixed to any sluice, lock gate, bridge or other work of the Commission not provided for the purpose of mooring. |
| Use of vessels as clubs, house-boats etc. | 29. | No vessel on the canal shall without the permission of the Commission be used as a club, shop, store, workshop, dwelling or houseboat. |

Towing Paths

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| Improper user of towing paths | 30. | (1) No person, unless authorised by the Commission or otherwise legally entitled so to do, shall

(a) obstruct any towing path or interfere with the authorised use thereof;

(b) leave open any gate or rail used as a fence or part of a fence |
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alongside, across or on any way leading to a towing path.

- (2) No person shall wilfully, wantonly or maliciously damage or otherwise interfere with any hedge, post, rail, wall or other fencing the property of the Commission alongside a towing path or on any way leading to a towing path.

Use of Towing Path so as to obstruct towing or navigation 31. No person using the towing path on the canal shall obstruct, interfere with, or hinder the towing or navigation of any vessel on the canal and such person shall permit any person engaged in towing or navigating any vessel and any horse or vehicle used for such purpose to pass on the side of the towing path nearer to the canal.

Horse or vehicle to have competent driver 32. No person shall permit any horse or any vehicle used for towing vessels to be used upon the towing path unless such horse or vehicle is accompanied by and under the control of a competent driver.

Approval of towing vehicles by Commission 33. No person shall place or use upon the towing path any vehicle intended for use in towing vessels unless such vehicle has been approved by the Commission for use on the towing path.

Wharves and Warehouses

Mode of loading or unloading 34. No person shall load or unload or permit to be loaded or unloaded any good to or from any vessel without taking proper and effective precautions to prevent any portion of such goods from falling into the canal, or
(b) bring on to the canal or deposit on or in any wharf or warehouse or any part of the Commission's property other than stores or other places set aside for the purpose of storing such material any explosive or dangerous material unless such material is carried as cargo or is intended to be carried as cargo or is required for use on any vessel or other machine which is properly brought on to the canal or the Commission's property.

General

Vessel running aground or sinking 35. No person shall wilfully or negligently suffer any vessel to run aground or sink in the canal. The master of any vessel running aground or sinking in the canal shall forthwith inform the Commission of the said running aground or sinking and of any danger to navigation caused thereby and shall also forthwith inform the masters of any vessels navigating at that time in the vicinity of such running aground or sinking.

Moorings not to be cut etc	36.	No person shall turn any vessel adrift upon the canal or shall unnecessarily cast off, cut loose or interfere with any mooring or rope or fastening of any vessel.
Turning of propellers of moored vessels	37.	No person shall unless so authorised by the Commission turn or cause to be turned the propeller or propellers of any vessel while such vessel is moored alongside any wharf, wall, bank or other work of the Commission except as may be necessary for the proper navigation of the vessel.
Smoking prohibited on parts of the Canal	38.	<p>No person shall smoke or carry a lighted pipe, cigar or cigarette</p> <p>(a) Upon any part of the canal where smoking is expressly prohibited by a notice exhibited in a conspicuous position upon or near such part of the Canal, or</p> <p>(b) If requested by an authorised officer not to do so, upon any part of the canal where smoking or carrying a lighted pipe, cigar or cigarette may be dangerous.</p>
Nuisances	39.	No person shall commit any nuisance in or on the canal.
Throwing of rubbish etc., into Canal	40.	No person shall throw or discharge into or on to the canal any animal (whether alive or dead) or any rubbish, stones or other material of any kind whatsoever or deposit such materials so as to be washed or carried into the canal by floods or other means, or in anywise cause obstruction in the canal.
Prohibition of bathing, taking water etc.	41	<p>No person unless authorised by the Commission in that behalf or otherwise legally entitled so to do shall</p> <p>(a) bathe in the canal, or</p> <p>(b) take any water from the canal, or</p> <p>(c) connect any pipe, culvert or drain to the canal or permit any pipe, culvert or drain to discharge on to any property of the Commission, or</p> <p>(d) dredge or remove coal or other material from the canal.</p>
Prohibition of washing animals etc.	42	No person shall wash any animal, vehicle or any other thing in the canal.

Obstruction of Commissioner's servants, offensive language etc.	43.	<p>(1) No person shall assault, resist, obstruct or impede any authorised officer or servant of the Commission in the execution of his duties or disobey his lawful orders.</p> <p>(2) No person shall use scurrilous, abusive offensive or threatening language on or near the canal.</p>
Intoxicated persons	44.	No person shall navigate any vessel on the canal or take any part in the navigation, mooring or handling of any vessel on the canal whilst in a state of intoxication.
Floating of timber etc	45.	No person shall, without the Commissioner's consent, float timber or any other material on the canal or on any part thereof.
Throwing stones etc	46.	No person shall throw, shoot or otherwise propel any stone, shot, bullet or other missile from, into or over any vessel or the canal.
Billposting etc	47.	No person shall, without the Commissioner's consent, affix or exhibit any notice, sign or advertisement on or in the canal.
Damage to property	48.	No person shall wilfully, wantonly or maliciously deface or destroy any notice on or in any part of the canal or break, injure, deface, mark or otherwise damage or destroy any building, bridge, lock, gate, railing, fence, hedge or other property of the Commission, on or in the canal.
Interference with locks, bridges, vehicles etc	49.	No person, unless authorised by the Commission so to do, shall operate or interfere with any lock, lock gate, sluice, by-pass, dam, weir, bridge or any other work connected with, affecting or forming part of the canal or with any locomotive, vehicle, vessel, crane, jigger, hoist, capstan or other machinery or working appliance upon the canal or except in case of emergency with any fire fighting or life saving apparatus or any rope, tarpaulin chain or other equipment of the Commission.
Permits	50.	No person shall deface or alter any permit issued by the Commission. Any person who is on the Commission's property or is performing any act under or by virtue of a permit issued by the Commission shall produce such permit to any duly authorised officer or servant of the Commission whenever requested so to do.

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| Sailing –
Gloucester &
Sharpness
Canal | 51. No person shall navigate any vessel under sail on the Gloucester & Sharpness Canal. |
| Pilots-
Gloucester &
Sharpness
Canal | 52. No person except the master of the vessel or other member of the crew who is competent for the purpose shall act as pilot in navigating any vessel upon the Gloucester and Sharpness Canal or in Gloucester Docks unless he has received a licence so to do from the Commission and no master of any vessel shall employ any person other than a member of the crew competent as aforesaid or a Canal Pilot licensed by the Commission to navigate or direct the movement of any vessel upon the said Canal or in the said Docks. |
| Weight of
vehicles using
property of
Commission
to be limited | 53. No person shall bring upon or drive over any part of the canal any vehicle having a gross weight in excess of the maximum weight for such vehicle or class of vehicle from time to time prescribed by the Commission in relation to the canal or part thereof upon or over which such vehicle is brought or driven. |
| Parking of
vehicles | 54. No person unless authorised by the Commission or otherwise legally entitled so to do shall leave or place any vehicle upon the canal. |
| Opening and
closing of
entrance
gates at
Gloucester
Docks | 55. The entrance gates at Gloucester Docks are provided for the entry to and departure from the Docks of authorised users of the Dock property only. The gates shall be opened and closed at such hours as may be prescribed by the Commission from time to time and, otherwise than with the consent of the Commission, no merchandise or other thing shall be brought on to or taken from the docks except during the hours prescribed for the entrance gates to be open. |
| Getting over
walls or
fences | 56. No person unless legally entitled so to do shall get over any wall, or over or through any hedge or fence belonging to the Commission on or upon the canal. |

Regulation of Ferry Boats and Pleasure Boats for Hire on the River Severn Navigation and the Licensing thereof

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| Ferry Boats
and Pleasure
Boats for hire
must be | 57. No person shall for the purpose of carrying passengers for hire use on the River Severn Navigation any ferry boat or pleasure boat not licensed by the Commission for use as such PROVIDED that this By-law shall not apply to a pleasure boat duly licensed by the Stourport – |
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licensed	on-Severn Urban District Council under the powers conferred by Section 172 of the Public Health Act 1875, and by Section 94 of the Public Health Acts Amendment Act 1907.
Licensing of Ferry Boats and Pleasure Boats	58. On the application to the Commission for a licence for a ferry boat or pleasure boat the owner of the boat shall deliver to the Commission such particulars thereof as the Commission may require and each licence will only be granted by the Commission after they are satisfied of the sufficiency and suitability of the boat.
The Terms and Conditions on which licences will be issued for Ferry Boats and Pleasure Boats	59. A licence granted by the Commission for the use of a ferry boat or pleasure boat on the River Severn Navigation shall be subject to the condition that it shall be in force for one year from the date appearing on the licence or such less period as the Commission may in any particular case determine. PROVIDED that the Commission may suspend or revoke any such licence whenever they shall deem such suspension or revocation necessary or desirable in the interests of the public or those using the River Severn Navigation and any ferry boat or pleasure boat, the licence for which has been so suspended or revoked, shall be deemed to be not licensed for the purposes of the preceding Bye-laws.
Fee for licences	60 Every person who shall apply to the Commission for a licence or the renewal of a licence for the use of a boat on the River Severn Navigation as a ferry boat or pleasure boat shall pay to the Commission for the granting of such licence or the renewal of such licence the sum of five shillings.
Number of persons to be carried in a Ferry Boat or Pleasure Boat for hire on the River Severn Navigation	61 (1) A person shall not carry or permit to be carried on the River Severn Navigation in any pleasure boat for hire, or in any ferry boat, any greater number of passengers than shall be specified in the licence applying to any such boat , and every owner of any such boat shall, before permitting the same to be used for carrying passengers, paint or cause to be painted in letters and figures not less than one inch in height and three-quarters of an inch in breadth, on a conspicuous part of the boat, the number of persons it is licensed to carry in this form "Licensed to carry.....persons". (2) On the River Severn Navigation the person in charge of a pleasure boat for hire, or of a ferry boat, shall not at anytime cause or allow to be carried therein a greater number of persons than may be safely carried therein consistently with the due observance of :- (a) such precautions as may be rendered necessary by the state

of the boat,

- (b) the weather, wind or water,
 - (c) the age or sex of the persons to be carried,
 - (d) the limits, whether of time or distance, within or beyond which the boat may be intended to be used,
- or
- (e) any other circumstance or condition in relation to the intended use of the pleasure boat or ferry boat.

Conduct of
boatmen or
other persons
in charge of
Pleasure
Boats for hire
and Ferry
Boats

62. A person on the River Severn Navigation in charge of a pleasure boat for hire or of a ferry boat.
- (1) shall not allow any person or persons to embark therein for the purpose of being carried for hire, at any time when, by reason of the state of the weather, the navigation and management or state of the boat, the embarkation or disembarkation of such person or persons may be attended with danger ;
 - (2) shall not allow any person or persons to embark therein for the purpose of being carried for hire, unless the boat is in every part thoroughly sound and in complete repair, and is properly furnished with all gear, tackle, machinery, apparatus or appliances and other requisites for the safe navigation and management thereof ;
 - (3) shall at all times, while in charge thereof conduct himself in an orderly manner and with civility and propriety towards every person seeking to hire or hiring or being carried in such boat ;
 - (4) shall not allow any person or persons to embark therein for the purpose of being carried for hire, unless there shall be employed in the navigation and management of the boat such number of competent persons as, consistently with the due observance of such precautions as may be rendered necessary by the size, build, or mode of propulsion of the boat, the number of persons to be carried therein, the state of the weather, wind or water, the limits, whether of time or distance, within or beyond which the boat may be intended to be used, or any other circumstance or condition in relation to the intended use of the boat, may be requisite for the safe navigation and management thereof;
 - (5) shall not at any time while in charge thereof, wilfully or negligently cause or allow any number or name, which in pursuance of any Bye-law in force may be painted or marked on the boat, to be in any manner or by any means altered, effaced, covered or concealed ;

- (6) shall at all times while the boat may be used to carry any person or persons for hire, exercise proper skill and care in the navigation and management thereof, and take all such precautions as may be necessary to prevent danger or discomfort to such person or persons;
- (7) shall not cause or allow any incompetent person to take charge of the boat, or to assist in the navigation or management thereof, at any time when the boat may be used to carry any person for hire.

Licensing of Persons employed in the Navigation of Passenger Vessels

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| Persons employed in navigation of Passenger Vessels to be licensed. | 63. No person shall be employed in the navigation of a passenger vessel on the River Severn Navigation unless he shall have obtained from the Commission a licence entitling him to be so employed. |
| Licensing of Persons employed in the navigation of Passenger Vessels | 64. Every person requiring a licence to be employed in the navigation of a passenger vessel on the River Severn Navigation shall furnish to the Commission full particulars in writing if his name, address, age and other such information as the Commission may reasonably require. |
| Terms and Conditions of Licence to be employed in navigation of Passenger Vessels on River Severn Navigation. | 65. Any licence granted by the Commission entitling a person to be employed in the navigation of a passenger vessel on the River Severn Navigation shall be subject to the condition that it shall be in force for one year from the date appearing on the licence, or such less period as the Commission may in any particular case determine PROVIDED that the Commission may suspend or revoke any such licence whenever they shall deem any such suspension or revocation to be necessary or desirable in the interests of the public or those using the River Severn Navigation. |
| Fees for Licence. | 66. No person, other than the holder of a licence in force, shall be employed in the navigation of a passenger vessel. |
| | 67. Every person who shall apply to the Commission for a licence or the renewal of a licence under Bye-laws 63-66 of these Bye-laws, shall pay to the Commission for the granting of such licence, or the renewal of such licence, at the time of the granting or renewal thereof, the sum of five shillings. |

Penalties

Penalties. 68. Any person who offends against any of the foregoing Bye-laws shall be liable on summary conviction to a penalty not exceeding five pounds for each offence and in the case of a continuing offence to a further penalty not exceeding forty shillings for each day on which the offence is continued after conviction thereof.

THE COMMON SEAL of the)
BRITISH TRANSPORT COMMISSION)
was hereunto affixed in the presence of :-)

K W C Grand *Member*
G Hayes *Chief Secretary*

on 25th day of January 1962

The Minister of Transport hereby confirms the foregoing Bye-laws.

Signed by authority of the Minister of Transport this 26th day of January 1962.

K T Harrison

An Assistant Secretary
of the Ministry of Transport

BRITISH WATERWAYS BOARD

BYE-LAWS

for
prohibiting or controlling water-skiing
and for
increasing penalties under the General Canal Bye-Laws
and under the Bye-laws for the regulation of the
Gloucester and Sharpness Canal and
River Severn Navigation

1972

BRITISH WATERWAYS BOARD

BYE-LAWS

for prohibiting or controlling water-skiing or any similar activity on canals belonging to or under the control of the British Waterways Board and for the increase in penalties for breach of bye-laws made pursuant to the powers of the British Transport Commission Act 1954 (as amended by British Waterways Act 1971)

Application of Bye-laws

- Application of Bye-Laws
1. These Bye-laws shall apply to every canal or inland navigation in England and Wales belonging to or under the control of the British Waterways Board.

These Bye-laws shall come into operation at the expiration of twenty-eight days after their confirmation by the Secretary of State

Interpretation

- Definition of Terms
2. In these Bye-laws except so far as the context otherwise requires the following expressions have the meanings hereby respectively assigned to them that is to say –

“the Board” means the British Waterways Board

“canal” means any canal or inland navigation belonging to or under the control of the Board and includes any works lands or premises belonging to or under the control of the Board and held or used by them in connection with such canal or inland navigation

“power-drive vessel” means any mechanically propelled vessel driven by machinery

“vessel” includes any ship boat barge lighter raft or scooter ski

“water skiing” means the activity involving the propulsion or towing of a person in or along the surface of the water of a canal by means of a power driven vessel or other mechanical device attached to or controlled by such person not being in or on a vessel

Water-skiing

- Water skiing only with consent 3. No person shall carry on water-skiing on any canal without the consent of the Board which consent may be subject to conditions

Penalties

- Penalties 4. Any person who offends against the foregoing or any of the Board's General Canal Bye-laws or any of the bye-laws for the regulation of the Gloucester and Sharpness Canal and River Severn Navigation shall be liable on summary conviction to a penalty not exceeding twenty-five pounds for each offence and in any bye-law prescribing penalties the words “twenty-five” shall be substituted for the word “five”.

The application hereto of the)
Common Seal of the BRITISH)
WATERWAYS BOARD is)
authenticated by)

T T LUCKCUCK
Secretary

On the 4th day of February 1972

Confirmed by the Secretary of State
for the Environment on the 23rd day
of May 1972

R H LAWRENCE
An Assistant Secretary in the
Department of the Environment

BRITISH WATERWAYS BOARD

BYE-LAWS

for regulating the use of pleasure boats
and commercial vessels on canals
belonging to or under the control of the
British Waterways Board

1975

BRITISH WATERWAYS BOARD

BYE-LAWS

for regulating the use of pleasure boats and commercial vessels on canals belonging to or under the control of the British Waterways Board made pursuant to the powers of the British Transport Commission Act 1954 (as amended by the British Waterways Act 1971).

Application of Bye-laws

Application of
Bye-Laws

1. These Bye-laws shall apply to every canal or inland navigation in England and Wales belonging to or under the control of the British Waterways Board.

These Bye-laws shall come into operation at the expiration of twenty-eight days after their confirmation by the Secretary of State.

Interpretation

Definition of
Terms

2. In these Bye-laws except so far as the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

“the Board” means the British Waterways Board

“canal” means any canal or inland navigation belonging to or under the control of the Board and includes any works lands or premises belonging to or under the control of the Board and held or used by them in connection with such canal or inland navigation

“commercial vessel” means any ship, boat, barge, lighter or raft and any other description of craft used for the conveyance of goods on a canal other than a commercial waterway.

“commercial vessel licence” means a licence issued in writing by the Board to the owner of a commercial vessel enabling him

to navigate such vessel on a canal other than a commercial waterway.

“commercial waterway” means a canal for the time being included in the list of commercial waterways set out in Part I of Schedule 12 of the Transport Act 1968.

“master” means the person having for the time being the command, charge or management of a pleasure boat or commercial vessel.

“owner” includes in relation to any pleasure boat or commercial vessel the master or hirer.

“pleasure boat” includes any yacht, launch, randan, wherry, tender, skiff, gig, dinghy, shallop, punt, canoe, float or other ship, boat, vessel or craft (including amphibious craft and hovercraft) but does not include any commercial vessel or houseboat.

“pleasure boat licence” means a licence issued in writing by the Board to the owner of a pleasure boat enabling him to navigate such boat on a canal.

Display of Licences

Display of
licences

3. (1) The owner of a pleasure boat or commercial vessel shall not knowingly cause or permit to be used on a canal any pleasure boat or commercial vessel in respect of which a pleasure boat licence or commercial vessel licence has been issued unless the licence for the time being in force is displayed on the pleasure boat or commercial vessel in such a manner and position as to be clearly visible from outside the pleasure boat or commercial vessel at all times.
- (2) No person shall knowingly cause or permit to be concealed a pleasure boat licence or commercial vessel licence required to be displayed on a pleasure boat or commercial vessel in accordance with this Bye-law.

Penalties

Penalties 4. Any person who contravenes any of the foregoing Bye-laws shall be liable on summary conviction to a penalty not exceeding twenty-five pounds for each offence.

The application hereto of the)
Common Seal of the BRITISH)
WATERWAYS BOARD is)
authenticated by)

 T T LUCKCUCK
 Secretary

On the tenth day of January 1975.

Confirmed by the Secretary of State
for the Environment as modified by him,
on the sixth day of February 1976.

R J GREEN
An Assistant Secretary in the
Department of the Environment

BRITISH WATERWAYS BOARD

BYE-LAWS

for regulating the use of pleasure boats
and commercial vessels on canals
belonging to or under the control of the
British Waterways Board and for increasing the
maximum penalties for breaches of other bye-laws

1976

BRITISH WATERWAYS BOARD

BYE-LAWS

for regulating the use of pleasure boats and commercial vessels on canals belonging to or under the control of the British Waterways Board made pursuant to the powers of the British Transport Commission Act 1954 (as amended by the British Waterways Acts 1971 and 1975) and for increasing the maximum penalties for breaches of other bye-laws.

Application of Bye-laws

Application of
Bye-Laws

1. These Bye-laws shall apply to every canal or inland navigation in England and Wales belonging to or under the control of the British Waterways Board. These Bye-laws shall come into operation at the expiration of twenty-eight days after their confirmation by the Secretary of State and the bye-laws made by the Board on the 10 January 1975 and confirmed by the Secretary of State for the Environment on 6 February 1976 shall from and after confirmation of these Bye-laws be and the same are hereby revoked.

Interpretation

Definition of
Terms

2. In these Bye-laws except so far as the context otherwise requires the following expressions have the meanings hereby respectively assigned to them that is to say –

“the Board” means the British Waterways Board

“canal” means any canal or inland navigation belonging to or under the control of the Board and includes any works lands or premises belonging to or under the control of the Board and held or used by them in connection with such canal or inland navigation

“commercial vessel” means any ship, boat, barge, lighter or raft and any other description of craft used for the conveyance of goods on a canal other than a commercial waterway.

“commercial vessel licence” means a licence issued by the Board to the owner of a commercial vessel enabling him to navigate such vessel on a canal other than a commercial waterway.

“commercial waterway” means a canal for the time being included in the list of commercial waterways set out in Part I of Schedule 12 to the Transport Act 1968.

“master” means the person having for the time being the command, charge or management of a pleasure boat or commercial vessel.

“owner” includes in relation to any pleasure boat or commercial vessel the master or hirer.

“pleasure boat” includes any yacht, launch, randan, wherry, tender, skiff, gig, dinghy, shallop, punt, canoe, float or other ship, boat, vessel or craft (including amphibious craft and hovercraft) but does not include any commercial vessel or houseboat.

“pleasure boat licence” means a licence issued by the Board to the owner of a pleasure boat enabling him to navigate such boat on a canal.

“river waterway” means any waterway for the time being specified in Schedule 1 to the British Waterways Act 1971.

Licensing

Licensing of pleasure boats and commercial vessels

3. (1) No person shall knowingly cause or permit to be brought, kept, let for hire or used on any canal (not being a river waterway) any pleasure boat unless there is then in force in relation to the pleasure boat a pleasure boat licence.
- (2) No person shall knowingly cause or permit to be brought, kept, let for hire or used on any canal (not being a commercial waterway) any commercial vessel unless there is then in force in relation to the commercial vessel a commercial vessel licence.

Display of Licences

Display of
licences

4. (1) The owner of a pleasure boat shall not knowingly cause or permit to be used on a canal (not being a river waterway) any pleasure boat in respect of which a pleasure boat licence has been issued unless the licence for the time being in force is displayed on the pleasure boat in such a manner and position as to be clearly visible from outside the pleasure boat at all times.
- (2) The owner of a commercial vessel shall not knowingly cause or permit to be used on a canal (not being a commercial waterway) any commercial vessel in respect of which a commercial vessel licence has been issued unless the licence for the time being in force is displayed on the commercial vessel in such a manner and position as to be clearly visible from outside the commercial vessel at all times.
- (3) No person shall knowingly cause or permit to be concealed a pleasure boat licence or commercial vessel licence required to be displayed on a pleasure boat or commercial vessel in accordance with this Bye-law.

Penalties

Penalties

5. Any person who contravenes the foregoing or any of the Board's General Canal Bye-laws or any of the bye-laws for the regulation of the Gloucester and Sharpness Canal and River Severn Navigation and the bye-laws for prohibiting or controlling water skiing shall be liable on summary conviction to a penalty not exceeding one hundred pounds for each offence and in any bye-law prescribing penalties the words "one hundred" shall be substituted for "twenty-five".

The application hereto of the)
Common Seal of the BRITISH)
WATERWAYS BOARD is)
authenticated by)

T T LUCKCUCK
Secretary

On the seventeenth day of November 1976.

Confirmed by the Secretary of State
for the Environment on the fifth day of May
1977.

R J GREEN
An Assistant Secretary in the
Department of the Environment