



Document	General Directions
Issue Version	1.0 - April 2013
Amendment	5 – July 2018

COWES HARBOUR COMMISSION – GENERAL DIRECTIONS

1st April 2013 (as amended)

Amendment Record

Section 1.	Preliminary
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Amendment Number	Amendment Date	Revision History
1/2014	1 st of January 2014	Insert Section 2.9 Inner Fairway
2/2014	1 st of January 2014	Amend Section 2.22 Board Sailing
3/2014	1 st of January 2014	Insert Section 2.23 Kite Surfing
4/2014	1 st of January 2014	Insert Section 2.30 Paddle Boarding
5/2014	1 st of January 2014	Insert Section 2.31 Spear Fishing
6/2014	1 st of January 2014	Insert Section 2.32 Shrape Watersports Area
7/2014	1 st of January 2014	Amend numbering of Section 2 to accommodate amendments 1-6/2014
8/2014	1 st of January 2014	Insert Section 3.4 Navigation in the Shrape Watersports Area
9/2014	1 st of January 2014	Amend numbering of Section 3 to accommodate amendment 8/2014
10/2014	1 st of January 2014	Insert Section 3.17 Navigation in the Inner Harbour Small Craft Mooring Area
11/2014	1 st of January 2014	Amend Section 4.4 Prohibited Activities
12/2014	1 st of January 2014	Amend Section 4.5 Underwater Diving
13/2014	1 st of January 2014	Insert Section 4.6 Use of Auxiliary Engine when Sailing in the Inner Harbour
14/2014	1 st of January 2014	Amend Section 6 Chain Ferry
15/2014	1 st of January 2014	Insert 10.1 Breakwater Construction and Exclusion Zone
16/2014	14 th May 2014	Amend 10.1 Breakwater Construction and Exclusion Zone
17/2014	20 th August 2014	Amend 10.1 Breakwater Construction and Exclusion Zone
01/2016	1 st March 2016	Amend 1.5 Remove references to 'Byelaws'.

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02/2016	1 st March 2016	Amend 2.2 Remove references to 'Byelaws'.
03/2016	1 st March 2016	Amend 3.5 Remove references to 'Byelaws'.
04/2016	1 st March 2016	Update 2.5 Figure 1 to represent new breakwater and buoyage.
05/2016	1 st March 2016	New General Direction 3.18 Restricted Visibility
06/2016	1 st March 2016	New General Direction 3.19 VHF Communication within Cowes Harbour
07/2016	1 st March 2016	Amend 4.1 Typographical error
08/2016	1 st March 2016	Amend 5.10.1 Remove references to 'Byelaws'.
09/2016	1 st March 2016	Amend 5.18 addition of 'written permission' clause.
10/2016	1 st March 2016	New General Direction 7.8 Landing on Breakwaters
11/2016	1 st March 2016	Amend 8.1.1 Remove references to 'Byelaws'.
12/2016	1 st March 2016	Remove temporary G.D 10.1 – Exclusion zone.
01/2017	31 st May 2017	Amend 3.17 – Change vessel application
02/2017	31 st May 2017	Add Section 3.17.1 – Sailing through Inner Harbour Small Craft Mooring
03/2017	31 st May 2017	Amend 3.19 – Include information from LNTM 14/2016 – VHF Communications
04/2017	31 st May 2017	Add Section 4.7 – Welding and Hot Works on Commercial Vessels berthed within Cowes Harbour
01/2018	25 th June 2018	Amendments to 2.31 definition of 'Grounded' and 3.19 – VHF Communication within Cowes.

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1. Preliminary

- 1.1. **Ability to Make General Directions** - These General Directions may be cited as the Cowes (Isle of Wight) General Directions 2013 (and are referred to as “the General Directions”). The General Directions are made pursuant to and may be amended from time to time by the Cowes Harbour Commissioners in the manner set out in The Cowes (Isle of Wight) Harbour Revision Order 2012 (“the HRO”).
- 1.2. **In force from** - These General Directions come into operation on the 2nd of April 2013
- 1.3. **Application** - General Directions are rules issued by the Commissioners and they apply to all Harbour users, including those on the water within Cowes Harbour Commissioners’ jurisdiction and/or on any of the Commissioners’ property.
- 1.4. **Special Direction** - A Special Direction made pursuant to the HRO will normally be a verbal instruction to one or more Harbour users requiring immediate action.
- 1.5. **Priority** - In the event of any conflict arising between the provisions of these General Directions, any Mooring Licences issued by the Cowes Harbour Commissioners and any Special Directions:
- 1.5.1. Special Directions shall take precedence over all others;
 - 1.5.2. General Directions shall take precedence over any Mooring Licence.
- 1.6. **Plans** - The plans contained in Schedule 1 of these Directions are for identification purposes only and in the event of any conflict between the definitions and such plans, the definitions shall take precedence.

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2. Interpretation

In these Directions the following words and expressions shall have the following meanings:

- 2.1. **“The Commissioners”** – means the Cowes (Isle of Wight) Harbour Commissioners.
- 2.2. **“The Harbour”** – The limits of the harbour within which the Commissioners exercise jurisdiction as a harbour authority and the powers of the harbour master are exercisable are the limits of the area within a line drawn from a parish boundary marker at 50°44.022’N 001°16.862’W by the north side of a public house called “The Folly” (on the eastern bank of the river Medina), thence on a bearing of 272 degrees to the western bank of that river to a position of 50°44.025’N 001°17.112’W, thence along the line of the high water mark down the western bank of the river Medina and along the harbour to Cowes Castle, thence following the line of the high water mark along the coast to a position in the vicinity of Egypt Point at 50°46.033’N 001°18.837’W, thence to a position in the vicinity of the north west limit of the Cowes Fairway at 50°46.312’N 001°18.102’W, thence to a position in the vicinity of Prince Consort Buoy at 50°46.413’N 001°17.557’W, thence to a position 50°46.147’N 001°16.557’W, thence in a southerly direction to the shore in the vicinity of Old Castle Point at 50°45.970’N 001°16.557’W and thence along the line of the high water mark on the eastern bank of the river Medina to a parish boundary marker at 50°44.022’N 001°16.862’W by the north side of a public house called “The Folly”, together with so much of the harbour premises as are not situated within that area (all coordinates in degrees, minutes and decimals of minutes and based on WGS 84 datum) (see figure 1).
- 2.3. **“Outer Harbour”** - means the area of the harbour as lies to the northward of a straight line drawn from Egypt Point to to Number 1 buoy thence to Number 2 buoy thence to the Shrape Beacon to Old Castle Point.
- 2.4. **“Inner Harbour”** - means the area of the harbour as lies to the southward of a straight line drawn from Egypt Point to Number 1 buoy thence to Number 2 buoy thence to the Shrape Beacon thence to Old Castle Point East Cowes.
- 2.5. **“Fairway”** - means the navigable channel which is the regular course or track of vessels as shown on the Admiralty chart and by the navigation marks and buoys.
- 2.6. **“Outer fairway”** - means the fairway as marked on the Admiralty charts, which extends approximately 500metres north from number 1 and 2 navigation buoys.
- 2.7. **“Inner Fairway”** - means the fairway located within the Inner Harbour.

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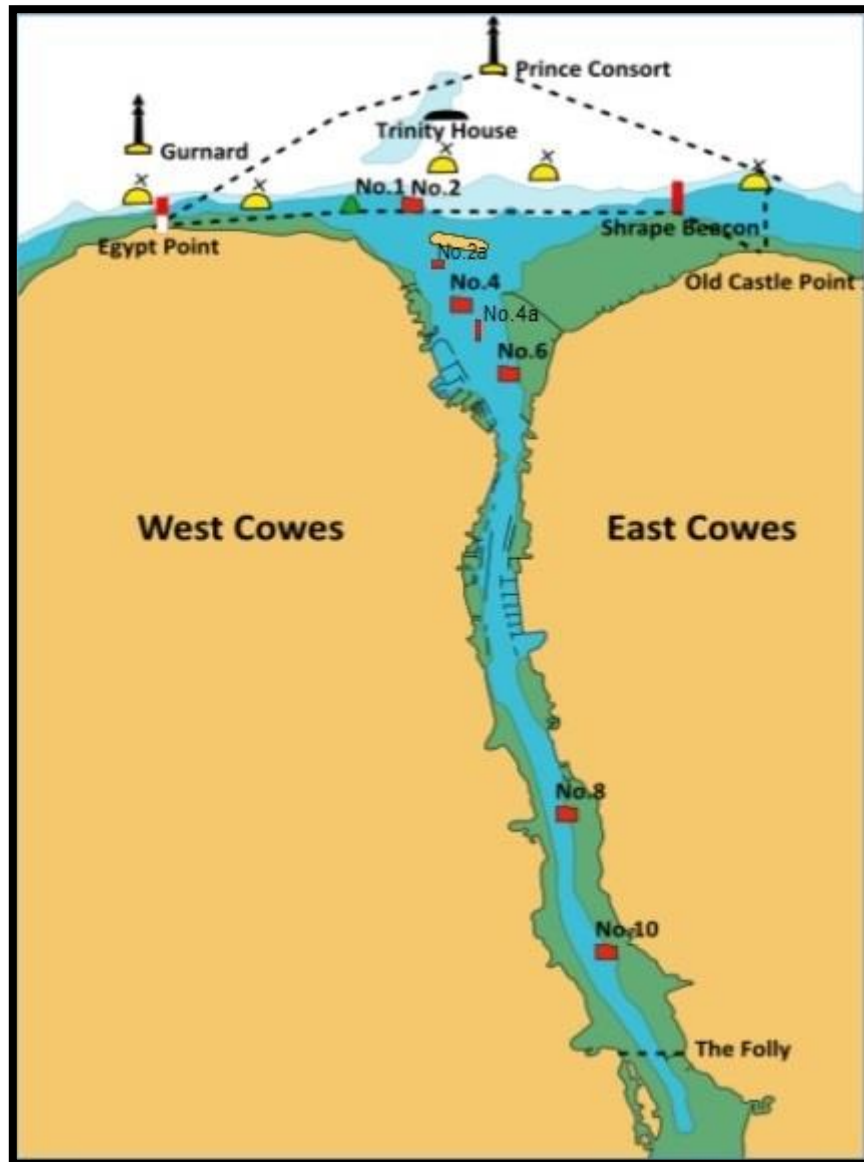


Figure 1: The jurisdiction of Cowes Harbour Commission.

- 2.8. **“Harbour Master”** - means any person appointed as such by the Commissioners, and his deputies and assistants, and any other person or employee of the Commissioners for the time being authorised by the Commissioners to act, either generally or for a specific purpose, in the capacity of Harbour Master.
- 2.9. **“Officer”** – means any person authorised by the Commissioners, and may include the Harbour Master his deputies and assistants, and any other person or employee of the Commissioners for the time being authorised by the Commissioners to act, either generally or for a specific purpose, in the capacity of Harbour Master.
- 2.10. **“Mean high water mark”** - means the level of mean high water spring tides.
- 2.11. **“Mean low water mark”** - means the level of mean low water spring tides.

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- 2.12. **“Master”** – when used in connection with a vessel means any individual, whether the owner or not, having or taking command, charge or management of the vessel for the time being.
- 2.13. **“Mooring”** - includes any quay, buoy, pile, post, chain, pillar, pontoon or like apparatus or convenience provided or used for the mooring of vessels.
- 2.14. **“Person”** – References to a person shall include, where the context admits, companies or other entities.
- 2.15. **“Underway”** - when used in relation to a vessel means when it is not at anchor or moored or made fast to the shore or aground, and includes a vessel moving in the Harbour though its anchor is on the ground or seabed.
- 2.16. **“Vessel”** - means a ship, boat, raft or water craft of any description and includes non-displacement craft, personal watercraft, seaplanes and any other thing constructed or adapted for floating on or being submersed in water (whether permanently or temporarily) and a hovercraft or any other amphibious vehicle, used or being capable of being used as a means of recreation and/or transportation or commercial activity on water.
- 2.17. **“Power driven vessel”** - means any vessel which is driven wholly or partly by machinery.
- 2.18. **“Sailing vessel”** - means any vessel under sail providing that mechanical propulsion if fitted is not being used.
- 2.19. **“Personal water craft”** - means any vessel referred to as a jet ski, jet bike, wet bike, water scooter, fun craft or other similar description which a vessel is designed to carry a person or persons standing, kneeling, sitting or prone upon the vessel and which vessel is propelled by a water jet engine, the master of which vessel steers it with or without rudder at the stern by means of a handle bar operated linkage system.
- 2.20. **“Wind surfing”** - means the navigation or operation of a sailboard or windsurfer.
- 2.21. **“Kite Surfing”** – means the flying of a kite designed for the purpose of towing a person.
- 2.22. **“Parascending”** - means any activity wherein a person or persons are towed by or carried on a power driven vessel with the intention that the person or persons are towed or carried shall become airborne by virtue of their being harnessed to a kite parachute, balloon glider or similar apparatus.
- 2.23. **“Chain ferry”** - means the tethered ferry operating across the river south of Trinity Wharf between Cowes and East Cowes.
- 2.24. **“Fishing vessel”** - means any vessel fishing with nets, lines, trawls, or other fishing apparatus which restrict manoeuvrability.
- 2.25. **“Angling”** - means the use of a rod and/or line for the purpose of fishing or crabbing.
- 2.26. **“Swimming”** - means a person in or entering the water without breathing apparatus and includes snorkelling.

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- 2.27. **“Towing of persons”** - towing of persons means any activity wherein a person or persons are being towed behind a vessel with or without the aid of a flotation device or apparatus.
- 2.28. **“Paddle boarding”** - means the operation of a floatable board by means of lying, kneeling or standing using either hands or a paddle for propulsion.
- 2.29. **“Spearfishing”** - means to fish using a harpoon or trident either by hand or using a spear gun.
- 2.30. **“Shrape Watersports Area”** - means the area bounded by the shore to the south, the Shrape Breakwater to the west, the Small Craft Channel to the north and a line joining the Shrape Beacon and Old Castle Point in the east.
- 2.31. **“Grounded”** - means a vessel that unintentionally makes significant contact with the seabed but does not include incidents of minor touching of the seabed where no damage to the vessels watertight integrity occurs.

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3. Navigation or movement of vessels

3.1. Collision Regulations:

3.1.1. The Master shall at all times comply with the International Regulations for Preventing Collisions at Sea 1972 as amended (as such regulations are amended or replaced from time to time),

3.1.2. Vessels navigating in the Outer Fairway as described in (2.8) shall comply with Rule 9 of the Collision Regulations.

3.2. Speed Limit:

3.2.1. Every vessel navigating the Inner Harbour of Cowes or within 100 metres of the Mean High Water Mark shall unless otherwise authorised by the Harbour Master in writing, subject to the requirements of maintaining adequate steerage way and control, be navigated at a speed not exceeding 6 knots through the water.

3.2.2. Complying with the maximum permitted speed will not exonerate the Master of any vessel from the responsibility of reducing speed as necessary in the observance of normal practice of safe seamanship. This includes, but is not limited to, when passing mooring trots, pontoons, vessels alongside quays, jetties or pontoons, vessels engaged in maritime works and when approaching the Cowes Chain Ferry. Vessels shall at all times be navigated with care and caution and in such a manner so as not to endanger the safety of other persons or cause nuisance to the occupants of any other vessel, person or property.

3.3. **Wash** - A vessel shall not be navigated or manoeuvred in any part of the Inner Harbour or within 100 metres of the shore in a manner or at a speed so as to cause wash to be generated that may cause damage to or endanger the safety of other persons, vessels or property.

3.4. **Navigation in the Shrape Watersports Area** – Within the Shrape Watersports Area the following activities are permitted to exceed the 6knot speed limit if safe to do so:

- i. Dinghy and Day Boat Sailing
- ii. Wind Surfing
- iii. Kite Surfing
- iv. Rowing
- v. Support and rescue craft involved in the above activities.

3.5. **Speed Exemptions** - General Direction 3.2.1 and 3.2.2 shall not apply to any vessel on any occasion when it is being used by the Police, Fire Service or RNLI or other recognised rescue or patrol craft in an emergency situation, or for the purposes of enforcing these General Directions or any Special Directions.

3.6. Navigating whilst under influence of Drink or Drugs:

3.6.1. No person shall navigate or attempt to navigate a vessel when unfit by reason of drink or drugs,

3.6.2. No Master or owner of a vessel shall knowingly cause or permit any person to navigate or attempt to navigate the vessel in contravention with Direction 3.6.1

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- 3.7. **Departing Marina or Moorings** - The Master of a vessel leaving a marina area or moorings within the Harbour shall give way to vessels navigating within a fairway.
- 3.8. **Reporting Incident or Collision** - The Master of any commercial vessel involved in any collision and any leisure vessel involved in a collision in which significant damage or personal injury is caused shall forthwith and certainly within 24 hours report the collision or incident to the Harbour Master and complete and return the Accident/Incident investigation report to the Harbour Master.
- 3.9. **Sunk or Grounded Vessels** - The Master of a vessel which has sunk or grounded in the Harbour shall immediately advise the Harbour Master of its position and any other particulars he may require for the safety of navigation. If a vessel under tow has sunk or grounded the Master of the towing vessel shall also have responsibility to advise the Harbour Master as aforesaid.
- 3.10. **Vessels Abandoned or Adrift** - The owner or Master of a vessel which has been abandoned or has gone adrift or is missing from her moorings in the Harbour shall notify the Harbour Master of the relevant facts (to include date, time and circumstances) as soon as practicable after the Master becomes aware of the event.
- 3.11. **Unseaworthy vessel** - No person shall cause a vessel in an unsafe or unseaworthy condition to navigate the Harbour except as necessary for that vessel's safety and that of her crew, and she shall then proceed to such place as may be indicated by the Harbour Master.
- 3.12. **"Competent Person"** - The owner or persons operating or managing any vessel underway in the harbour shall ensure that the vessel is under the control or direct supervision of a competent person.
- 3.13. **Due Care for Vessels Engaged in Work** - The Master of a vessel shall navigate his vessel with due care and caution and at a speed and in such manner as not to cause injury to or endanger the lives of persons engaged in the laying or retrieving of moorings, navigational works, dredging works, salvage or construction works or underwater work.
- 3.14. **Lights, impeding safe navigation** - Except in the interests of safe and proper navigation no lights, including lasers or other beams shall be used in a manner which causes nuisance to or affects safe navigation.
- 3.15. **Pyrotechnics** - Except in instances of distress or safety of proper navigation, pyrotechnics shall not be used within the harbour without the permission of the Harbour Master in writing.
- 3.16. **Yacht Race Management** - Race Officers shall maintain a listening watch on VHF channel 69 prior to and during all yacht races starting and or finishing in the vicinity of the Cowes Fairway.
- 3.17. **Navigation in Inner Harbour Small Craft Mooring Area** – No person shall navigate any power driven vessel or sailing vessel fitted with an auxiliary engine within the Small Craft Mooring Areas as designated on Admiralty Charts within the Inner Harbour south of the Detached Breakwater and west of longitude 01 17.50W, unless proceeding to or from a mooring located within that area, without the written permission of the Harbour Master.
- 3.17.1. Sailing through Inner Harbour Small Craft Mooring Area –A sailing vessel without auxiliary engine may sail through the Small Craft Mooring Area, as designated on

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Admiralty Charts within the Inner Harbour south of the Detached Breakwater, when entering or exiting the harbour and when in compliance with the following conditions:

- a) It is reasonably considered by the Master to be the safest, most practicable route taking account of prevailing conditions of weather, tide and traffic.
- b) That the vessel only uses the minimum number of sails required to maintain the vessel's course and a safe and reasonable speed over the ground, whilst not exceeding the 6kt speed limit.
- c) When joining the fairway / Small Craft Channel, due regard shall be had for the manoeuvring characteristics of other vessels, and in any case that Cowes General Direction 3.7 and the International Regulations for the Preventions of Collisions at Sea are complied with.

3.18. **Restricted Visibility** – During periods of restricted visibility (defined as less than 2 cables) all vessels of 30m length overall and above shall not intentionally pass each other within the Inner Fairways of the harbour north of Medina Wharf, this includes overtaking.

3.19. VHF Communications within Cowes Harbour

Except where such a requirement is suspended by the Commissioners in relation to a particular event or circumstance, **all** vessels of 20 metres length overall and above and all vessels engaged in towing are required to give notice of entry, movement affecting the fairway or departure within the area of jurisdiction of Cowes Harbour on VHF Channel 69.

All vessels required to give VHF notification shall give an 'ALL SHIPS' call on VHF 69 when approaching Cowes, prior to departure from any riverside berth or prior to entering the fairway from any marina within Cowes Harbour and when passing the following positions:

Inbound

- Prior to entering the Outer Harbour.
- 250m north of Cowes chain ferry (at Shepards Wharf Marina).
- Folly Inn (vessels bound for Newport).

Outbound

- Folly Inn.
- Kingston Wharf.
- 250m south of Cowes Chain Ferry (at Cowes Harbour Fuels).

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The call shall give the following information:

- Vessel's name.
- Vessel's position.
- Intention.

Any vessel to which this Direction applies and under way within the area of jurisdiction of Cowes Harbour shall, if a close quarters or passing situation is likely to occur, respond to an ALL SHIPS call from another vessel and state her name, position and whether inbound or outbound.

In addition, vessels to which this Direction applies shall maintain a listening watch on VHF Ch 69 at all times when under way within Cowes Harbour area of jurisdiction.

The 'ALL SHIPS' call as required by this Direction does not entitle any vessel priority or sole occupancy of the main fairway. All vessels are required to navigate in Cowes Harbour in compliance with the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations (as amended) and Cowes Harbour General Directions.

It is emphasised that this Direction applies to **all** vessels of 20 metres and above and all vessels engaged in towing, leaving Newport Harbour and entering the jurisdiction of Cowes Harbour.

Nothing within this Direction shall relieve the Master of any vessel of over 20 metres in length of his obligation to give due notice to the Cowes Chain ferry by VHF radio call on Channel 69 as required under Section 6 of the 2014 Cowes General Directions (as amended).

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4. Commercial and Leisure Activities

- 4.1. **Notice of Recreational Event** - The organiser of any yacht, boat or leisure event that is proposed to take part within the harbour shall give not less than 4 weeks' notice in writing to the Harbour Master, and also submit a risk assessment of the event in accordance with the Port Marine Safety Code. The Harbour Master may in special circumstances agree to a shorter period of notice. Organisations and yacht clubs that have routine planned events such as weekly club racing may cover the requirement of this direction with an annual notification and generic risk assessment for the planned events. This notice and risk assessment must be reviewed and re-submitted annually by the event organiser.
- 4.2. **Fishing** - The Master of a vessel shall not use or permit it to be used to drift, trawl or undertake any other net fishing in any part of the Harbour so as to be or to be likely to become an obstruction or danger to the navigation of the Harbour. Nets are not to be left unattended. Bottom gear is not to be used in any fairway or channel or any area designated as small craft moorings or no anchoring. Any gear left unattended shall be marked so to be clearly visible by day and fitted with a light if deployed between sunset and sunrise.
- 4.3. **Angling** - No person angling shall impede the navigation of any vessel navigating within the harbour.
- 4.4. **Prohibited Activities** - The following activities are prohibited without the written permission of the Harbour Master:
- 4.4.1. Towing of Persons within the Inner Harbour and Outer Fairway.
 - 4.4.2. Kite Surfing within the Inner Harbour and Outer Fairway with the exception of the Shrape Watersports Area.
 - 4.4.3. Windsurfing and Paddle boarding within the Outer Fairway and Inner Fairway north of Number 8 fairway buoy without the written permission of the Harbour Master
 - 4.4.4. Spearfishing within the Inner Harbour.
 - 4.4.5. Navigation of Hovercraft within the Harbour.
 - 4.4.6. Swimming within the fairways and in any areas around or from mooring or berthing facilities.
 - 4.4.7. No person shall jump or dive into the water from any structure, pile, pontoon, jetty, pier or buoy within the Harbour.
- 4.5. **Underwater diving** - No person shall undertake any underwater or diving activities of any kind within the Harbour without a valid permit to dive from the Harbour Master or authorised marina manager.
- 4.6. **Sailing in the Inner Harbour** – The Master of any vessel fitted with sails and an auxiliary engine when navigating the Inner Harbour south of the Shrape breakwater shall proceed with the

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engine running and ready for immediate use, except in an emergency or with the permission of the Harbour Master.

- 4.7. **Welding and Hot Works on Commercial Vessels berthed within Cowes Harbour** - Prior to any hot works commencing the wharf operator / marina manager must be informed and a permit to work be obtained from wharf operator or marina manager.

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5. Mooring and Management of Vessels

- 5.1. **Authority to lay moorings** - No person shall place, lay down, maintain or use any mooring or pontoon, (including one placed, laid or used before the commencement of these Directions), in the Harbour without a written licence granted by the Commissioners. The placing, laying down, maintenance or use of any agreed mooring by the Commissioners shall be in compliance with the conditions attached to that licence. In the absence of such licence or if conditions attached thereto are not complied with any such mooring shall be forthwith removed by the owner thereof if the Commissioners so require.
- 5.2. **Responsibility to securely moor** - The Master of a vessel remaining at a mooring within the Harbour shall cause it to be properly and effectively moored, such that it is not only secure but also is not liable to cause any damage to any other vessel or property (including any pontoon, mooring or quay).
- 5.3. **Moor as directed** - The Master of a vessel on entering the Harbour shall if directed to a mooring by the Harbour Master proceed to the mooring to which he is directed. He shall not move to a different mooring without the express permission of the Harbour Master.
- 5.4. **Manning when anchored or moored** - When conditions require or in any event when required by the Harbour Master, the Master of a vessel shall cause at least one competent person to be on board at all times whilst the vessel is anchored or moored in the harbour.
- 5.5. **Rafting** - In areas of the Harbour where the Harbour Master requires vessels to raft together, Masters must follow the Harbour Master's instruction to raft. Save as aforesaid, no Master shall make his vessel fast to any other vessel without the permission of the Master of such other vessel unless instructed to do so by the Harbour Master.
- 5.6. **Anchoring** - A Master shall not anchor his vessel, except in the case of an emergency, in the fairway, any other areas prohibited for anchoring, or areas designated as small craft mooring areas, or where they are likely to obstruct navigation. Anchored vessels are liable to pay harbour dues.
- 5.7. **Lost Anchor** - If any vessel laying within the Harbour parts from its anchor, the Master of the vessel shall report the fact, including the position of the lost anchor forthwith to the Harbour Master.
- 5.8. **Fouled Anchor** - If at any time the anchor hooks any mooring in the Harbour, the Master of the vessel shall not proceed to clear the same, but shall as soon as possible advise the Harbour Master in order that the Harbour Master may provide aid in clearing the mooring without the sustaining of any damage to the mooring. Any damage caused by the Master in clearing his anchor from a mooring without, or prior to, notification to the Harbour Master will be the sole responsibility of the Master.

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- 5.9. **Obstruction of Aids to Navigation** - The Master shall not permit his vessel to obstruct or be attached to any aid to navigation including light, beacon, sea mark, navigation buoy or mark, racing buoy or tide pole within the harbour.
- 5.10. **Boarding of vessels** – The Master of a vessel is obliged to allow any duly authorised officer of the Commissioners, on producing if so required that officer’s authority, to enter and inspect a vessel in the harbour:
- 5.10.1. for the purposes (including the enforcement) of any enactment relating to the Commissioners or of any General or Special Direction of the Commissioners; or
- 5.10.2. to prevent or extinguish fire;
- 5.10.3. to prevent flooding or sinking;
- 5.10.4. But, except in an emergency, no entry shall be made under this article without reasonable notice first having been given to the owner or the person appearing to have charge of the vessel.
- 5.11. **Public Landings** - No Master or person shall use or permit his vessel or equipment or other items to obstruct any public landing place, hard, pier, jetty, slipway or training facility within the Harbour.
- 5.12. **Fuelling Berths** - No naked flames of any sort are allowed at the fuelling berths, fuelling facilities, fuelling pontoons, or the fuel tank storage area. Smoking and the use of mobile phones or any other portable electrical or electronic devices are prohibited in these areas.
- 5.13. **Noise** - Except in the interests of safe and proper navigation no musical instrument, radio, television, amplification equipment, computer, loudspeaker, gong, horn, bell, engine or generator shall be used in a manner which causes nuisance of others.
- 5.14. **Offensive fumes or smoke** - The Master of any vessel within the Harbour having on board any offensive goods, including anything giving off a smell, fumes or smoke which may cause nuisance to other Harbour users, shall so far as is practicable limit the effect on others. If required following instruction from the Harbour Master the Master shall remove the vessel and/or the cause of the smell, fumes or smoke from the Harbour and the Commissioners’ property.
- 5.15. **Open Fires on board a vessel** - Notwithstanding the contents of 5.14 the Master of a vessel at any location within the Harbour shall not allow any fires, except for gas cookers or barbecues designed for the purpose. Such permitted fires shall be used on-board the vessel only and not transferred to a pontoon.
- 5.16. **Discharge of Oil, Sewage and Garbage** - No person is to cause the discharge into the Harbour of any:
- 5.16.1. Oil or oily residues/discharge.

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- 5.16.2. Sewage or other pollutant materials into Cowes Harbour when moored within or alongside marina mooring facilities or alongside pontoon berths having direct pedestrian access to the shore.
- 5.16.3. Garbage, plastics, or foodstuffs, except into designated receptacles ashore.
- 5.17. **Passenger Vessels, Harbour Water Taxi Service** - No person shall offer for hire or operate any vessel for the purpose of carrying fare paying passengers from or within the Harbour unless:
- 5.17.1. In respect of a vessel carrying not more than twelve passengers the owner/operator holds a current licence for that vessel granted by the appropriate local authority or issued by the appropriate national authority (e.g. Maritime and Coastguard Agency),
- 5.17.2. The Master holds the appropriate licence granted by the appropriate local authority or issued by the appropriate national authority (e.g. Maritime and Coastguard Agency),
- 5.17.3. In respect of a vessel carrying more than twelve passengers the owner/operator holds a current licence for that vessel issued by the appropriate national authority (e.g. Maritime and Coastguard Agency) and the Master holds the necessary licence granted by the appropriate national authority (e.g. Maritime and Coastguard Agency).
- 5.17.4. The Commission reserve the right to inspect any vessel used for the carriage of fare paying passengers to satisfy itself that the vessel is being operated in accordance with the relevant licences. The relevant licences shall be presented to the Commission upon request.
- 5.18. **Use of navigation buoys as race marks** - The use of Inner Fairway navigation buoys, small craft channel buoys and beacons as race marks is prohibited without the written permission of the Harbour Master.
- 5.19. **Tampering with Equipment** - No person shall without lawful authority displace or tamper with any safety or fire equipment within the harbour except in the event of an emergency.

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6. Chain Ferry

- 6.1. **Requirement to Give Way** - All vessels except those in Direction 6.5 shall when safe and practical give way to the Chain Ferry.
- 6.2. **Action by Give Way Vessels** - All vessels except those as covered by Direction 6.5 when approaching the chain ferry when it is displaying a flashing yellow light, shall if safe and practicable take early and appropriate action to allow the chain ferry to commence or complete her passage to the opposite bank. Such action may include reducing or taking all way off and allowing the Chain Ferry to pass safely ahead or alternatively, if safe and practical, maintain speed and pass well clear of the forward end of the chain ferry.
- 6.3. **Action by Chain Ferry** - Nothing shall exonerate the Chain Ferry from taking the appropriate action to avoid a close quarter situation or collision as soon as it becomes apparent that a vessel is not taking action or is unable to take avoiding action as required.
- 6.4. **Regard to Tide and Ability of Give Way Vessel** - The Chain Ferry shall have due regard to the rate of the tide and the type of vessels transiting and in particular the ability of all vessels upstream and sailing vessels upwind to take appropriate avoiding action as required by Direction 6.1 prior to commencing the crossing.
- 6.5. **Vessels Requiring an Unimpeded Passage** - The chain ferry shall give way to all vessels over 20 metres in length, vessels not under command, vessels restricted in their ability to manoeuvre and any vessel that requires an unimpeded passage, provided that such vessels have contacted the Cowes Chain Ferry on VHF Channel 69 and given early indication of their approach. The Master of the Cowes Chain Ferry shall acknowledge and confirm the agreed action. In addition to this VHF call the above vessels where possible shall also sound one prolonged blast when approaching the chain ferry.
- 6.6. **Manoeuvring Light** - The Chain Ferry shall by day and by night when proceeding from one bank to the other and 10 seconds prior to doing so, exhibit at the fore-end a flashing yellow light. For the purposes of this Direction the fore-end of the Ferry means the end nearest the side of the River Medina to which the Chain Ferry is proceeding or is about to proceed.
- 6.7. **VHF Watch** - The chain ferry shall maintain a listening watch on VHF channel 69 at all times
- 6.8. **Fog** - During fog or any other condition similarly restricting visibility the Chain Ferry shall sound when proceeding from one bank to the other two prolonged blasts on a whistle or a portable foghorn at intervals of not more than one minute.
- 6.9. **Sound Signals** - The chain ferry may sound five or more rapid blasts on the whistle if he is unsure of the intentions of a transiting vessel or vessels.

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6.10. **Vessels under Pilotage** - Vessels subject to the Cowes Pilotage Directions shall be restricted as to their maximum permissible draught when transiting the area of the Cowes Chain Ferry as follows:

6.10.1. Maximum Permissible Draught = Actual Tide Height + 1.5metres

6.10.2. When within 0.8metres of the maximum permissible draught, the chain ferry with adequate notice shall be instructed to wait on the EAST bank for the transit of the vessel

6.11. **CHC Chain Ferry Operators Certificate** - Every operator responsible for the control and operation of the Chain Ferry shall be required to hold a valid CHC Chain Ferry Operators Licence. This licence will be required to be renewed bi-annually subject to the satisfactory compliance with the terms and conditions of the licence.

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7. Commission Property

- 7.1. **Right to Sell** - No person shall without the prior written consent of the Commissioners sell, attempt to sell or otherwise offer for sale any article or service on Commissioners' property. This shall not restrict the owner of a boat from seeking to sell his boat, including the placing of a discreet "For Sale" notice on his boat at its mooring.
- 7.2. **Advertising** - No person shall place any advertisement or other notice on Cowes Harbour Commissioners' property except with the Commissioners' prior written consent, and then only in the agreed location, form and manner.
- 7.3. **Garbage and Waste** - Garbage and Waste are to be deposited at recognised waste reception facilities only.
- 7.4. **Abandoned Vessels** - No person is to abandon an unseaworthy vessel either in the Harbour or on Commissioners' property. If such vessel is not removed as ordered by the Harbour Master within a period of 7 days from the issue of the order then it may be removed and disposed of by the Harbour Master. Any costs reasonably incurred in removing and disposing of the vessel shall be payable by the owner and may be recouped from the proceeds of the sale by the Harbour Master before passing any balance of funds to the owner.
- 7.5. **Damaging Property** - No person shall trespass on, damage, or interfere with any light, beacon, sea mark, navigational buoy or mark, racing buoy, tide pole or any advertisement, banner or other form of notice within the Harbour.
- 7.6. **Angling** - Any person using any part of the Commissioners' property for angling shall before leaving the Commissioners' property remove any dirt, waste or seaweed which he may have deposited.
- 7.7. **Carriage of Fuel** - No person shall carry or store or cause to be carried or stored on any vessel within the Harbour any petrol or other inflammable fuel or inflammable gas in any receptacle other than a receptacle specifically constructed for the purpose of carrying or storing the petrol, fuel or gas and originally intended by the manufacturer of the receptacle for the purpose.
- 7.8. **Landing on Breakwaters** - No person shall land, or otherwise trespass on, either the detached breakwater or the East Cowes Shrape breakwater except in emergency or with the written permission of the Harbour Master.

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8. Miscellaneous

- 8.1. **Obstruction of officers: Pursuant to paragraph/section 25 of the HRO** - Any person shall commit an offence under these Directions who:
- 8.1.1. intentionally obstructs or threatens an officer of the Commissioners acting in pursuance of this Order or in pursuance of any General Direction, Special Direction or requirement made or given by the Commissioners; or
 - 8.1.2. without reasonable excuse fails to comply with a requirement properly made by such an officer; or
 - 8.1.3. without reasonable excuse fails to give such an officer any information (including his name and address) which the officer may require for the purpose of the performance of the officer's functions,
- 8.2. **Falsifying information** - Any person who in giving such information makes a statement which that person knows to be false shall be guilty of an offence.

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9. Penalties

9.1. A person who fails to comply with a General Direction or Special Direction shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

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10. Temporary General Directions

Nil