

B Y E L A W S

-relating to-

The Regulation of the Maritime  
Quarter, in the City of Swansea

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CITY SOLICITOR,  
SWANSEA CITY COUNCIL,  
THE GUILDHALL,  
SWANSEA

BHO/AB  
Byelaws.BL5

## SWANSEA MARITIME QUARTER BYELAWS

In exercise of the powers conferred by Section 53 of the Swansea City Council (Tawe Barrage) Act 1986 and of all other powers them enabling, the Council of the City of Swansea hereby makes the following Byelaws:-

1. These Byelaws may be cited as the Swansea Maritime Quarter Byelaws 1992 and shall apply within the Maritime Quarter as defined in Byelaw 3 hereof.
2. These Byelaws shall come into operation on the expiration of 28 days from the date of the confirmation thereof by the Secretary of State.
3. The following words and expressions shall have the meanings hereinafter assigned to them namely:-

"the Council" means the Council of the City of Swansea and shall include its officers and authorised agents;

"boat hoist" means a mechanically propelled vehicle for lifting vessels into or out of the water;

"hovercraft" means a vehicle which is designed to be supported when in motion wholly or partly by air expelled from the vehicle to form a cushion of which the boundaries include the ground, water or other surface beneath the vehicle;

"the Marina" means the former South Dock and the Half-tide Basin together with communicating channels and lock and lock barrel;

"the Maritime Quarter" means the areas of land and water more particularly delineated upon the plan attached to these byelaws and thereon edged red;

"motorised personal water craft" means a vessel upon which a person may kneel, sit, stand or lie prone, which is propelled by a jet engine, the master of which steers the vessel with or without a rudder at the stern by means of a handlebar operated linkage system and/or by altering the relationship between the body weight of the person or persons carried in the vessel itself and "jet ski" shall have a like meaning;

"owner" when used in relation to a vessel, means any person who has any legal interest in the vessel whether as sole or as beneficial owner charterer lessee chargee licensee or otherwise;

"pontoon" shall include the link bridges mooring piles and ancillary equipment attached to the pontoons;

"quay" means any quay, wharf, jetty, dolphin, landing stage, and shall include any structure used for berthing or mooring vessels and includes piles, safety barrier, weir, lock, and any pier, bridge, roadway or walkway immediately adjacent and affording access thereto;

"vehicle" includes any vehicle propelled on rails, any machinery on wheels or caterpillar tracks, trailers, caravans and mobile homes and includes a hovercraft or any other amphibious vehicle;

"vessel" includes every description of water craft including non-displacement craft and seaplanes used or capable of being used as a means of transportation on water;

"walkway" shall mean any paved area designed exclusively for the use of pedestrians.

- 4(a) No person shall intentionally obstruct any duly appointed officer or employee of the Council in the execution of their duties in respect of the enforcement of these Byelaws.
- (b) Any owner or person in charge of a vessel shall obey and comply with all reasonable instructions by those placed in charge by the Council relating to the safe and efficient running of the Marina, Jetty and Control of Traffic in the Maritime Quarter.
5. No person shall cycle over any swingbridge or lockgate in the Maritime Quarter. (They shall dismount at or before the point where the signs ordering cyclists to dismount are displayed).
6. No person shall drive or ride any type of motor vehicle, mechanically propelled or otherwise on the quays or walkways except in the case of an emergency (police, fire, ambulance), or in the use of maintenance/service vehicles, provided that use by disabled persons of motorised wheelchairs or by the operator of a boat hoist or the use of a motor vehicle with the consent of the Council shall not be a breach of this Byelaw.
7. No person shall use any vehicle, caravan or tent for the purposes of providing sleeping accommodation in the Maritime Quarter except with the consent of the Council.

8. No person shall engage in swimming or diving in the Maritime Quarter except with the consent of the Council. This Byelaw shall not prohibit public bodies as defined in the Local Authorities (Goods and Services) Act 1970 or Dwr Cymru Limited or the National Rivers Authority or their successors in title in the exercise of their duties from authorising appropriate personnel to dive into the Marina nor shall this Byelaw be breached if the action taken is to save lives, or to recover property.
- 9.(1) No person shall engage in waterskiing, parascending, dinghy sailing, windsurfing or similar activity or in use of a motorised personal water craft, jet ski or similar craft in the Maritime Quarter except with the consent of the Council given either specifically or generally and only in such areas as may be designated and in accordance with such reasonable conditions as may be imposed.
  - (2) A person, whilst using his vessel for the purpose of towing a person waterskiing or parascending shall have on board at least one other person capable of taking charge of the vessel and of giving such assistance as may be reasonably required during the towing and in the recovery of the person waterskiing or parascending, and shall carry -
    - (a) for each person on board, a life jacket manufactured in accordance with the appropriate British Standards specification or a personal buoyancy aid of the Ship and Boat Builders National Federation approved type, two handheld distress signals and a fire extinguisher;
    - (b) for each person water skiing or parascending, a rescue quoit with line or other sufficient hand-thrown rescue device.
10. No person shall fish by rod, line or net or any other means whatsoever within the Marina except with the consent of the Council.
11. No person shall use search lights, torches, or other means of lighting so as to distract persons navigating or mooring in the Maritime Quarter except that the use by lockmasters of searchlights in the course of their work shall be permitted.
12. No person shall climb or scale any swingbridge or lockgate or the following sculptures or statues in the Maritime Quarter:-

<u>Location</u>	<u>Sculpture or Statue</u>
The Promenade	The Mermaid
The Promenade	Globe Sundial
The Promenade	Lighthouse Tower
The Promenade	Tower of the Nets
The Promenade	Zeta Memorial
The Promenade	Copper Flame
Abernethy Square	Captain Cat
Mannheim Quay	Mannheim Wassertum
Victoria Quay	(Two) Victoria Plaqueholders
Ferrara Quay	Statue of John Henry Vivian

13. No person shall walk on or remain on a swingbridge when the siren sounds to indicate that the bridge is about to swing.
14. No person shall walk on a lockgate when it is in operation, nor ignore warnings given prior to a lockgate being opened.
15. No person shall intentionally impede the movement of a boat hoist during its operation or walk or climb upon boat hoist runway beams and shall at all appropriate times give way to a boat hoist in its travel.
16. Without prejudice to the Firearms Acts 1968 to 1988, no person shall discharge any firearm other than:-
  - (i) with authority of the Council for the purposes of pest control;
  - (ii) as a lawful distress signal;
  - (iii) in the proper use of life-saving apparatus; or
  - (iv) a firearm loaded with blank ammunition for use as a starting signal, where he has the permission of the Council to discharge it for that purpose

In this Byelaw "firearm" has the same meaning as in the Firearms Act 1968 to 1988.

17. Upon a reasonable request for assistance the owner of a vessel shall give every reasonable facility and assistance to the Fire, Police, Ambulance and other emergency services and the Council's duly authorised agents or Harbour Master for dealing with, alleviating or preventing any emergency.
18. (1) No person in charge of a dog shall permit the dog to enter or remain upon the Quay in the Maritime Quarter, unless the dog is held on a lead and is restrained from behaviour giving reasonable grounds for annoyance.  
  
(2) Notice of the effect of this byelaw shall be given by signs placed in such positions as the Council may consider adequate to inform persons using the Maritime Quarter.

(3) For the purpose of paragraph (1) above, the keeper of the dog shall be deemed in charge thereof, unless at the time when the dog was present in the Maritime Quarter without being held on a lead, it had been placed in or taken into the charge of some other person.

(4) In paragraph (3) above, "the keeper" shall include the owner of the dog or any person who habitually has it in his possession.

19. No person shall knowingly cause or permit a vessel to exceed a speed of four knots or cause a nuisance to other boat owners or persons working on vessels in the Maritime Quarter.
20. No person shall bring on board a vessel or use on a vessel any flammable materials, fuels, oils and gases or warning flares or similar safety equipment unless the same are securely contained in a safe and proper manner and are intended to be used or are being used on or within the vessel for propulsion, maintenance or safety purposes or in connection with domestic cooking, lighting or heating.
21. The Master of every vessel within the limits of the Marina with the exception of rowing boats and other similar light non-powered vessels or small vessels having a length from stem to stern of less than twenty feet shall have adequate fire extinguishing equipment available for immediate use in any part of the vessel at all times, and the nature and amount of such equipment shall take into account any abnormal fire risk associated with any such vessel.
22. (1) Any person who contravenes or otherwise fails to comply with any of these byelaws or any condition or requirement or prohibition imposed by the Council in the exercise of the powers conferred upon them by these Byelaws shall be guilty of an offence and be liable upon conviction before a Court of Summary Jurisdiction to a fine not exceeding Level 3 on the standard scale.  
(2) Where the commission by any person of an offence under these Byelaws is due to the act or default of some other person, that other person shall be guilty of an offence, and that other person may be charged with, and convicted of, the offence by virtue of this Byelaw whether or not proceedings for the offence are taken against any other person.  
(3) In any proceedings for an offence under these Byelaws, it shall be a defence of the person charged to prove:-



(a) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence, or

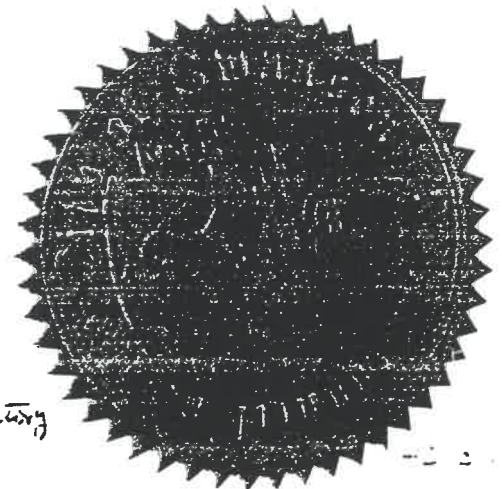
(b) that he had reasonable excuse for his act or failure to act.

- (4) If in any case the defence provided by paragraph (3)(a) of this Byelaw involves the allegation that the commission or offence was due to the act or default of another person, the person charged shall not, without leave of the Court, be entitled to rely on that defence unless, within a period of seven clear days before the Hearing, he has served on the prosecutor a Notice in writing giving such information identifying or assisting in the identification of that person as was then in his possession.

THE COMMON SEAL of THE )  
 COUNCIL OF THE CITY OF )  
 SWANSEA was hereunto )  
 affixed this *fourth* )  
 day of *October* )  
 One thousand Nine )  
 hundred and Ninety-Two )  
 in the presence of:- )

*B. S. C. M.*

*Authorised Signatory*



The Secretary of State for Transport hereby confirms the foregoing byelaws.

Signed by authority of the Secretary of State for Transport this *16* day of *December* 1992

*M. Jackson*

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An Assistant Secretary in  
the Department of Transport