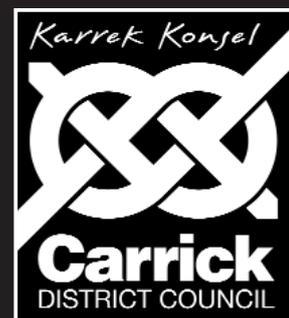


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BYELAWS

Falmouth Piers Byelaws 1997

Byelaws made by the
Carrick District
Council under section
49 of the Falmouth
Corporation
Quays Order 1902



Falmouth Piers Byelaws

The Carrick District Council in exercise of its powers under Section 49 of the Falmouth Corporation Quays Order 1902 hereby makes the following byelaws:

1. These byelaws may be cited as the Falmouth Piers Byelaws 1997.
2. These byelaws shall come into operation immediately upon the expiration of fourteen days after the date of their confirmation by the Secretary of State for Transport, and the byelaws made by the Carrick District Council on the 24th day of February 1987, and amended on the 18th day of November 1987 and the 2nd day of July 1996 shall thereupon be revoked.
3. In these byelaws unless contrary intention appears:
“**The Council**” shall mean “Carrick District Council”;

“**Collector**” means any person appointed by the Council to collect the tolls, rates and charges authorised to be demanded and taken by the Council and shall include the Assistants of such Collector;

“**Intoxicating liquor**” means spirits, wine, beer, cider and any other fermented, distilled or spirituous liquor with an alcohol content exceeding 0.5 per cent by volume;

“**Licensed premises**”, “registered club” and “occasional licence” have the same meanings as in the Licensing Act 1964;

“**Occasional permission**” has the same meaning as in the Licensing (Occasional Permissions) Act 1983;

“**Master**” includes any person for the time being in charge of a vessel;

“**The Pier**” means the Piers known as the Prince of Wales Pier and the Fish Strand Quay, together with all landing places, works, buildings, approaches, waiting and refreshment rooms and conveniences now or hereafter connected therewith;

“**The Pier Master**” means any Pier Master or Masters appointed by the Council and their duly authorised Assistants;

4. The Pier Master shall have power to direct in relation to any vessel approaching the Pier as to the location or position of its mooring to the Pier and the Master of every vessel approaching or mooring to the Pier shall cause to be used proper and sufficient fenders or rubbers, and shall cause one or more of the crew as may be necessary to attend in his place to put down such fenders or rubbers so as to prevent damage to the Pier.

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In the absence of such fenders or rubbers or failure to comply with the Pier Master's direction as to mooring to the Pier, the Pier Master may refuse to allow any such vessel to moor to the Pier.

5. Unless authorised to do so by the Pier Master, the Master of a vessel shall not permit the same to be secured to any other vessel already made fast to the Pier.
6. No person shall when on any part of the Pier without the consent of the Council in any manner or for any purpose seek or solicit or tout or importune persons using the Pier always provided that where the Council has granted consent to ply for hire under Byelaw 7 hereof, the owner of the vessel the subject of consent may employ one tout solely for the purpose of seeking or soliciting patronage or custom for that vessel up until 31 December 1997 but from 1 January 1998 all touting by whoever on the Pier will be prohibited.
7. No owner or Master of any vessel shall allow the vessel to ply for hire or to be let for hire from the Pier without the written consent of the Council which may be given on such reasonable terms and conditions as it thinks fit.
8. No person shall intentionally obstruct, impede, molest (either physically or verbally) or interrupt or aid and abet any other person in so obstructing, impeding, molesting, or interrupting the Pier Master or other servant, workman or agent of the Council in the performance of his duties in connection with the Pier.
9. No person shall without the consent of the Council on any part of the Pier, sell, offer or expose for sale any commodity, article or thing.
10. No person shall either, without the written permission of the Pier Master which may be given on such terms and conditions as he may reasonably determine, or except in the case of emergency where danger to life or limb or property is occasioned or imminent, drive or take a vehicle, or ride or take a motorcycle, bicycle or other similar conveyance onto any part of the pier or park or leave any of the same therein.
11. No person shall preach or address an assembly or give any lecture or hold any meeting on the Pier, or any part thereof.
12. No person shall without the consent of the Council when on part of the Pier, or when on any vessel lying alongside or approaching the Pier, play an instrument of music or operate or cause to be operated any wireless, loudspeaker, gramophone, amplifier or similar instrument in such a way as to

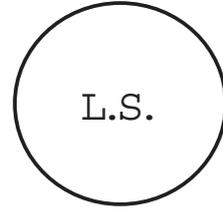
give reasonable cause for annoyance to any other person on the Pier or to persons living or working in any premises adjoining the Pier.

- 13.** No person shall without reasonable excuse, jump, climb or get over the hand railing on the pier or any barrier enclosing any part of the Pier except for the purpose of making lawful use of any vertical boarding ladder or for the purpose of tending the mooring of any vessel or break open any locks or gates placed thereon or stand or walk upon the seats.
- 14.** Any person who contravenes or fails to comply with any of these byelaws or who is reasonably suspected of such contravention or failure, may, if the Pier Master thinks fit, be removed from the Pier by the Pier Master or by any Constable.
- 15.** The Council through its Chief Solicitor and Corporate Services Officer or other duly authorised Officer of the Council may refuse admission on to the Pier for such period as shall reasonably be specified orally or in writing to any person creating or causing any nuisance or disturbance, or reasonably suspected of doing so, or otherwise acting in a manner prejudicial to the Council or to members of the public on the Pier generally and if such person is found on the Pier the Pier Master or other duly authorised Officer of the Council or any Police Constable may remove such person from the Pier.
- 16.** All persons using the Pier for the purpose of fishing shall before leaving remove any dirt or waste which may have been caused by them in the process of fishing.
- 17.** No person shall take, drive or entice any dog or other animal on to the Pier unless in the case of a dog it is carried or held on a leash.
- 18.** Any person who consumes Intoxicating liquor on the Pier upon being warned by a Police Constable not to do shall be guilty of an offence PROVIDED nevertheless that this byelaw shall not apply to:
 - (a) any area which is within the curtilage of any Licensed premises or registered club; or
 - (b) any place at which the sale of Intoxicating liquor is, or has within the previous 20 minutes been, authorised by virtue of an occasional licence or an Occasional permission.
- 19.** Notice of the effect of byelaw 18 shall be given by signs placed in such positions as the Council may consider adequate to inform persons using the Pier.

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20. Every person offending against any of the foregoing byelaws shall upon summary conviction be liable for every such offence to a fine not exceeding level 2 on the standard scale.

Given under the Common Seal of)
CARRICK DISTRICT COUNCIL)
this Thirtieth day of September 1997)



P. TREGUNNA
Chairman

G. NEWTON
Chief Solicitor and
Corporate Services Officer

Signed by the authority of the Secretary of State for the Environment, Transport and the Regions.

Dated 24th February 1998

SK. Reeves
Head of Ports Division,
Department of the Environment
Transport and the Regions



For help and advice contact:

Harbour Office, Town Quay, Truro TR1 2HJ

Tel: **01872 224231** or **272130**

Fax: **01872 225346**

email: abrigden@carrick.gov.uk

Web: www.portoftruro.co.uk

(weekdays between 08.30 - 17.30)

Tel: 01872 224400 (out of hours)

Other useful contacts:

Penryn Harbour Office

Exchequer Quay

Penryn

TR10 8LS

Tel: 01326 373352

*If you require this document in an alternate format please contact **01872 224231**. Please be aware this may incur a short delay.*



Carrick District Council
Carrick House, Pydar Street
Truro TR1 1EB

Tel 01872 224400

Fax 01872 242104

email comment@carrick.gov.uk

www.carrick.gov.uk