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Date: 24 February 2025
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To Whom It May Concern

**Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination
Procedure) Rules 2010 – Rules 8 and 9**

**Application by H2Teesside Limited for an Order Granting Development Consent for
the H2Teesside Project**

Unique Reference: 20049374

Response to Deadline 8

This submission is made on behalf of PD Teesport Limited ("PDT"), registered as an Interested Party for the above application, in accordance with Deadline 8.

PDT's closing submissions and response to the request for further information by the Examining Authority dated 19th February 2025 are enclosed.

I trust that the above is clear however please do not hesitate to contact me should you have any queries.

Yours sincerely

[REDACTED]

Associate

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PLANNING ACT 2008

**THE INFRASTRUCTURE PLANNING (APPLICATIONS: PRESCRIBED FORMS AND
PROCEDURE) REGULATIONS 2009**

H2Teesside

EN070009

Closing Submissions on behalf of PDT Teesport Limited

Date	24 February 2025
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1. INTRODUCTION

- 1.1 We are instructed by PD Teesport Limited ("PDT") in relation to the development consent application made by H2 Teesside Limited (the "Applicant") for the H2Teesside project (the "Project").
- 1.2 These are the closing submissions made on behalf of PDT.
- 1.3 PDT is the statutory harbour authority for the part of the River Tees within its limits of jurisdiction ("Teesport") and has the powers and duties conferred on it by the Teesport Acts and Orders 1966 to 2008 and by general public legislation relevant to harbour authorities.
- 1.4 The general duty of PDT is *"to take such steps from time to time as they may consider necessary for the conservancy, maintenance and improvement of [Teesport] and the facilities afforded therein or in connection therewith, and for the reclamation of land"* (See s.12 of the Tees and Hartlepoons Port Authority Act 1966).
- 1.5 PDT's general conservancy duties are to:
- 1.5.1 Take reasonable care, as long as Teesport is open for public use, that all who may choose to navigate in it may do so without danger to their lives or property.
 - 1.5.2 Conserve and promote the safe use of Teesport; and prevent loss or injury caused by PDT's negligence.
 - 1.5.3 Have regard to efficiency, economy and safety of operation as respects the services and facilities provided.
 - 1.5.4 Take such action as is necessary or desirable for the maintenance, operation, improvement or conservancy of Teesport.
- 1.6 PDT's position has been set out in its respective Relevant Representation (RR-014) ("RR") and Oral Representations (REP4-048) ("OR").
- 1.7 PDT and the Applicant continue to negotiate appropriate protective provisions. As such, all objections previously raised by PDT remain as set out in the RR and OR. However, the majority of these objections can be overcome by the protective provisions proposed by PDT in its DL5 submission. PDT's closing submissions in respect of the remaining matters and its response to the request for further information by the Examining Authority dated 19th February 2025 are set out below.

2. RESPONSES TO THE EXAMINING AUTHORITY'S QUESTIONS OF 19 FEBRUARY 2025

Question 12

- 2.1 PDT remains concerned regarding article 9(2) of the draft Development Consent Order as explained in its submission for Deadline 7A. The powers are required for the management of the jurisdictional area of the port. This is not just to ensure the Harbour Master can ensure safe navigation but also for the conservancy, maintenance and improvement and safety of the harbour and the facilities afforded therein or in connection therewith.

Directions and byelaws

- 2.2 Directions and byelaws are critical in assisting PDT in complying with its statutorily imposed general conservancy duties as well as the *"open port duty"* imposed by

s.33 of the Harbours, Docks and Piers Clauses Act 1847. This duty requires PDT to ensure that Teesport is open to anyone for the shipping and unshipping of goods on payment of rates and other conditions set by PDT for Teesport. Any port user therefore has a right enforceable in courts to access and use Teesport subject to those rates and conditions.

- 2.3 On the basis that direction and byelaws are made and issued in order to allow PDT to comply with its statutory duties, it was expected that the Applicant would particularise and justify which directions and byelaws it was seeking to disapply, rather than seeking to do this on a blanket basis. In the absence of this, a copy of the Directions and Byelaws is appended to this submission so that the Examining Authority is able to appreciate the sensible and appropriate nature of the matters that they seek to regulate. Indeed, it is unclear why the applicant would wish not to comply with such requirements especially as their significance is underlined by that fact that a breach of the requirements in other circumstances would constitute a criminal offence. For instance, the following are matters addressed by the directions and byelaws:
- 2.3.1 Application of the collision regulations
 - 2.3.2 Navigation and manoeuvring of vessels
 - 2.3.3 Direction of goods and material
 - 2.3.4 Obstruction and interference at docks
 - 2.3.5 Interference with fire fighting or lifesaving equipment
 - 2.3.6 Safe driving and vehicle speeds
 - 2.3.7 Securing of loads
 - 2.3.8 Accident reporting
- 2.4 Whilst PDT recognises the need for the Applicant to proceed with the development, this should not be at all cost and this should also respect PDT's conservancy duties.

Section 22 of Tees and Hartlepool Port Authority Act 1966

- 2.5 With respect to s.22 of Tees and Hartlepool Port Authority Act 1966, this requires the harbour authority to grant a works licence for any works on, under or over the river. It will be appreciated why this is necessary - since there are various potentially conflicting activities in the river, for example sub surface infrastructure and river dredging which need to be considered comprehensively; there are different important interests to balance. As well as being informed of the full range of competing activities in the river, PDT also holds the as built drawings of infrastructure crossing the river and is therefore uniquely placed to discharge this function.
- 2.6 It is unclear who or what body would consider the final design for the proposed Tees Crossing works if not PDT. This element of the project has not yet been designed and is subject to very broad limits which encompass a variety of strategic assets and infrastructure, many of which carry substances that would be harmful to public health and environmentally damaging if released. The consequences of the Applicant's proposed works damaging these assets are potentially severe, for instance:
- 2.6.1 Damage to public health.

- 2.6.2 Environmental harm in European Sites.
 - 2.6.3 Damage to critical infrastructure and the operations that rely on it.
 - 2.6.4 Potential obstruction to navigation and port closure whilst damage and contamination is repaired/remediated, with knock on impacts on the operation of the port and its many customers/tenants.
- 2.7 To the extent that the Applicant is concerned with regard to the process for securing a works licence, then this is misplaced. Firstly, works licences have been routinely granted for other infrastructure that crosses the River Tees. Secondly, PDT must exercise its functions reasonably and for the purposes for which they were given, i.e. the proper and safe management of the port for the benefit of all port users. In exercising its licencing functions, PDT must act without reference to its own commercial interests. Thirdly, to the extent that a licence is refused or a party is aggrieved by any condition or terms, then under section 24 of the 1966 Act, this may be appealed to the Secretary of State. Thus, there is a pre existing method of resolving any dispute between the parties.
- 2.8 For these reasons PDT considers that the proposed disapplications set out in article 9(2) of the draft Development Consent Order should not be included in the Development Consent Order that may be made by the Secretary of State.

Question 13

- 2.9 PDT has not yet received a clear assurance or explanation from the Applicant that the proposed River Tees crossing would not interfere with the development of PDT's proposed container port development, in particular, proposed piling operations (to a potential depth of 35m) which would be within the Order Limits and parameters for the Tees Crossing works. PDT has sought to address this in its proposed PPs through the addition of a protection which would require any proposed tunnelling or microbore construction to be a minimum of 60m deep, providing appropriate vertical separation from PDT's proposed works. Unfortunately, the Applicant has not been able to confirm that this depth will be achieved in the final design.
- 2.10 PDT has already explained its concerns with regard to the construction of the Northern Gateway Container Terminal and the need for the Applicant to demonstrate that its project will not interfere with or prevent the completion of this development.
- 2.11 Consequently, it remain the position that the acquisition of rights in this area (and potential interference with existing rights) to enable construction of new pipeline infrastructure is likely to be very disruptive and potentially significantly determinantal to the operation of the Port and its future expansion.
- 2.12 If the relevant land is not removed or suitable protections identified, then PDT considers that material determinant may be caused to its undertaking, within the meaning set out in section 127 of the 2008 Act.
- 2.13 PDT will however continue to liaise with the Applicant in an attempt to agree suitable protective provisions and a side agreement and will update the Examining Authority should it be possible to agree these prior to the close of the examination.

**THE TEES AND HARTLEPOOLS PORT
AUTHORITY ACT 1966**

**THE TEES AND HARTLEPOOL HARBOUR
BYELAWS 1977**

In exercise of the powers conferred upon them by Sections 90,91 and 92 of the Tees and Hartlepoons Port Authority Act 1966 (a) and of all other powers them thereunto enabling, the Tees and Hartlepool Port Authority hereby make the following Byelaws:

PART I - INTRODUCTORY

Citation,
commencement
and
application

1. (1) These Byelaws may be cited as the Tees and Hartlepool Harbour Byelaws 1977 and shall come into operation on the expiration of the period of fourteen days after the date of confirmation thereof by the Secretary of State for Transport.
- (2) These Byelaws shall, except where the subject or context otherwise requires, apply to all parts of the harbour.

Interpretation

2. (1) In these Byelaws, except where the subject or context otherwise requires -
 - “appliance craft” means any dredger, hopper, barge, diver’s boat, screw boat, crew keel, floating crane or other craft or apparatus of a like nature belonging to or employed by the Authority;
 - “by day” means between sunrise and sunset;
 - “by night” means between sunset and sunrise;
 - “Collision Regulations” has the meaning assigned to that expression by Section 418 of the Merchant Shipping Act 1894 (b);
 - “dangerous goods” has the meaning assigned to that expression by Section 23 of the Merchant Shipping (Safety Convention) Act 1949 (c);
 - “discharging” includes deballasting, unloading, landing and all operations associated with and consequential upon the discharge of goods from vessels or vehicles;
 - “dock estate” shall not include the Iron Ore Terminal occupied by the British Steel Corporation during such time as the Terminal is so occupied but, subject to this exception, has the same meaning as in Section 3 of the Tees and Hartlepoons Port Authority Act 1966;
 - “docks manager” in respect of any part of the dock estate means a docks manager appointed by the Authority for that part, and includes any duly appointed assistant to a docks manager and any person authorised by the Authority to act in that capacity;

“express permission” means a permission expressly related to the act in respect of which it is given;

“goods” includes cargo, wares, merchandise, any container, receptacle, pallet and flat, any vehicle handled as cargo, any fish, livestock and animals, any oils, liquids and gases and any other property or thing whatsoever and any part thereof, saving only the hull of any vessel calling or docked or laid up at the dock estate;

“harbour” has the same meaning as in the Tees and Hartlepoons Port Authority Act 1966, that is to say, it means the area defined in Schedule 2 to that Act and, so far as the same is not within that area, also includes the dock estate and, for the purposes of these Byelaws, the definition contained in the said Schedule 2 is set out in the Schedule to these Byelaws;

“loading” includes ballasting, stowing and all operations associated with and consequential upon the loading of goods on or in vessels or vehicles;

“master” where used in relation to a vessel, means any person (whether the owner, master or other person) having or taking the command, charge or management of the vessel for the time being;

“owner” when used in relation to -

- (a) a vessel, includes any part-owner, charterer (whether by demise or otherwise) or mortgagee in possession, and any agent acting for such a person;
- (b) goods, includes a consignor, consignee, shipper or agent for the sale, receipt, custody or loading of the goods;

“prolonged blast” means a blast of from four to six seconds duration;

“rubbish” includes slag, ballast, ashes, effluent, refuse or waste materials;

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

“the Tees Fairway” means the approach between the Tees Fairway Buoy and the River Tees buoyed channel;

“vehicle” includes a road or rail vehicle and mobile mechanical equipment.

(2) Expressions used in these Byelaws shall, unless the contrary intention appears, have the same respective meanings as in the Tees and Hartlepool Port Authority Acts and Orders 1966 to 1974.

(3) Every reference to these Byelaws to any enactment shall be construed as a reference to that enactment as re-enacted, amended, extended or applied by, or by virtue of, any other enactment.

Application of
Collision
Regulations

Responsibility
for compliance
with Byelaws

Master to be
on board

- (4) The provisions of sub-section (2) of Section 38 (Effect of Repeals) of the Interpretation Act 1889 (a) shall apply to these Byelaws as they apply to an Act of Parliament.
3. The master of a vessel in any part of the harbour shall observe and obey the Collision Regulations with the exceptions, additions, and variations contained in these Byelaws.
4. (1) Any person who contravenes any of these Byelaws or any condition, requirement or prohibition imposed by a docks manager or the harbour master in the exercise of the powers specifically conferred upon him by these Byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding one hundred pounds.
- (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 the offence; and a person may be charged with and convicted of an 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 for 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 a reasonable excuse for his act or failure to act.
- (4) If in any case the defence provided by paragraph (3) (a) of this Byelaw involved the allegation that the commission of the 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 ending 7 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.
5. (1) The owner of a vessel shall ensure that there is a competent master on board his vessel at all times when it is being navigated within the harbour.
- (2) The master of a vessel shall ensure that a responsible person, competent to supervise the loading or discharging of the vessel, shall at all times be on board during loading or discharging.

PART II - NAVIGATION

- | | |
|--|--|
| <p>6. The master shall navigate his vessel with such care and caution and at such speed and in such manner, as not to endanger the lives of or cause injury to persons or damage to property, and not to interfere with the navigation, manoeuvring, loading or discharging of vessels or with moorings, river banks or other property.</p> | <p>Vessels to
navigate
with care</p> |
| <p>7. The master of a vessel entering the River Tees shall ensure that his vessel passes the Tees Fairway Buoy so that the Buoy is on the port hand of the vessel.</p> | <p>Navigation
at Tees
Fairway Buoy</p> |
| <p>8. The master of a vessel which is approaching or departing from Hartlepool or crossing Tees Bay shall not cause it to cross the approach to the River Tees at any point between the Tees Fairway Buoy and the South Gare light station in such manner as to embarrass or hamper the safe navigation of a vessel requiring to use the approach channel course.</p> | <p>Vessels
crossing
Tees Bay</p> |
| <p>9. The master of a vessel intending to navigate his vessel through the Tees (Newport) Bridge shall give not less than twenty-four hours notice of his intention to the harbour master.
In relation to Byelaw 9 of these Byelaws, your attention is drawn to the fact that Cleveland County Council has determined, in the exercise of its powers under the Tees (Newport) Bridge Act 1989, which came into force on 3 September 1989, that Newport Bridge shall be kept permanently in its closed (lowered) position.</p> | <p>Vessels passing
through Tees
(Newport)
Bridge</p> |
| <p>10. The master of a vessel navigating in a navigable channel or the Tees Fairway shall cause his vessel to keep to the side thereof which lies on the starboard hand of the vessel except when crossing the channel to or from a mooring place, wharf or landing place.</p> | <p>Vessels to keep
to starboard
side of channel</p> |
| <p>11. If a channel is restricted for any reason so as to make it unsafe for two vessels to pass one another when proceeding in opposite directions, the master of the vessel stemming the tide shall cause his vessel to give way to the other vessel.</p> | <p>Vessels
meeting</p> |
| <p>12. The master of a vessel which is being overtaken by another vessel shall not cause the overtaking vessel to be hampered or obstructed. This shall not interfere with the obligation of both vessels to comply with the requirements of the Collision Regulations as to vessels overtaking and being overtaken.</p> | <p>Vessels
overtaking</p> |
| <p>13. The master of a vessel navigating in the harbour shall ensure that it is steered at all times by a person competent to do so, and shall not permit it to be steered by any device of equipment designed to function in place of the steersman.</p> | <p>Manual
steering
controls</p> |

PART III - VESSELS

Unsafe
vessels -

14. (1) The master shall not take his vessel into the harbour without the express permission of the harbour master if his vessel -
- (a) is or may be in danger of foundering or sinking or is incapable of being safely navigated;
 - or
 - (b) is on fire, or has been on fire at any time within the period of fourteen days ending on the day on which his vessel is ready to enter the harbour.
- (2) The master of a vessel which, in the opinion of the harbour master, is, or is likely to become, unsafe or in danger of sinking, shall, if the harbour master so directs, forthwith remove it from the harbour or to any part of the harbour specified by the harbour master.

Sufficiency
of crew

15. Except with the express permission of the harbour master, the master of a vessel shall at all times when his vessel is within the harbour ensure that his vessel is capable of being safely moved and navigated, and
- (a) that there are sufficient crew or other competent persons readily available -
 - (i) to attend to the vessel's moorings; and
 - (ii) to comply with any direction given by the harbour master for the unmooring, mooring and moving of the vessel; and
 - (b) where the vessel being navigated exceeds 300 gross registered tonnes, that there are at least two persons on the bridge or other conning position each of whom is, by himself, competent to steer the vessel.

Protruding
obstructions

16. The master shall ensure, so long as his vessel is berthed within the harbour, that his vessel's anchors are securely housed and all projections (other than projections which are integral parts of the vessel) are stowed within the vessel's rail.

Freeboard of
river vessels

17. (1) The owner and master of a vessel plying within the smooth water limits shall ensure that their vessel has a minimum freeboard of not less than 15cm. where their vessel has complete deck integrity and not less than 38cm. where their vessel does not have complete deck integrity the freeboard to be measured from the underside of the deck line at the lowest point to the water line.
- (2) In this Byelaw -
- “complete deck integrity” means having a continuous weather deck so designed and maintained as to ensure that the hull is kept watertight;
- “the smooth water limits” means those limits as defined in the Merchant Shipping (Life-Saving Appliances) Rules 1965 (a).

18. The owner and master of a vessel shall not cause their vessel to be fumigated within the harbour except with the express permission of the harbour master.

Fumigation
of vessels

19. The master of a vessel shall take all reasonable precautions to prevent any article or thing falling from his vessel into the harbour.

Prevention of
debris in water

20. The owner and master of a vessel shall not cause or permit their vessel to be used for the conveyance of rubbish (other than the vessel's domestic rubbish) within the harbour except with the express permission of the harbour master.

Restriction on
shipping rubbish

21. The master of a vessel shall afford all reasonable facilities to the harbour master to board his vessel for the purpose of ascertaining the condition and the nature of his vessel's cargo.

Inspection
facilities

PART IV - SIGNALS

Unnecessary
signals

22. The master of a vessel shall not cause his vessel's whistle to be blown or his vessel's siren to be sounded except to make the necessary signals as prescribed in the Collision Regulations or in any byelaw or to attract attention to a state of emergency or for testing purposes.

Entry and
departure

23. (1) The master of a vessel -
- (a) shall only cause her to enter or leave the dock estate when permitted by the harbour master; and
 - (b) when so leaving or entering shall observe the appropriate signal being one of the signals described in paragraph (2) of this Byelaw for a vessel entering or leaving, as the case may be, the dock estate.
- (2) The following are the signals referred to in paragraph (1) of this Byelaw -

(a) **AT HARTLEPOOL DOCKS**

Beamed towards the sea and the enclosed docks

Latitude 54° 41' 45" N. Longitude 01° 11' 15" W.

- (i) An amber light - vessels may enter, but may not leave the port.
- (ii) When no light is exhibited, vessels may leave, but may not enter the port.

Beamed towards the sea

Latitude 54° 41' 53" N. Longitude 01° 11' 39" W.

- (iii) A green light - vessels may enter the North Basin.
- (iv) Two green lights vertically disposed 6 feet apart - vessels may pass through to Central Dock.
- (v) A red light - vessels may not approach the lock entrance to the North Basin.

Beamed towards the enclosed docks

Latitude 54° 41' 53" N. Longitude 01° 11' 39" W.

- (vi) A green light - vessels may proceed into the North Basin.
- (vii) Two green lights - vessels may pass through the North Basin.
- (viii) A red light - vessels may not enter the North Basin.

For the purpose of this sub-paragraph -
“enclosed docks” means the North Basin and the Central Dock
of the Hartlepool Docks;
“the port” means the Hartlepool Docks excluding the enclosed
docks.

(b) AT TEES DOCK
Latitude 54° 36' 12" N. Longitude 01° 09' 30" W.

- (i) A group flashing
white light - vessels may leave.
3 every 10 seconds
(1 second light,
1 second dark,
1 second light,
1 second dark,
1 second light,
5 seconds dark)
- (ii) An occulting
white light - vessels may enter.
every 10 seconds
(7 seconds light,
3 seconds dark)

(c) AT MIDDLESBROUGH DOCK
Beamed towards the River
Latitude 54° 34' 46" N. Longitude 01° 13' 04" W.

- (i) A group flashing
white light - vessels may enter.
2 every 9 seconds
(1 second light,
2 seconds dark,
1 second light,
5 seconds dark)
- (ii) An occulting
white light - vessels may not enter.
every 33 seconds
(30 seconds light,
3 seconds dark)
- (iii) A red light - dock closed.

Beamed towards the River

Latitude 54° 34' 53" N. Longitude 01° 13' 17" W.

- (iv) A group flashing
white light - vessels may enter.
2 every 9 seconds
(1 second light,
2 seconds dark,
1 second light,
5 seconds dark)
- (v) An occulting
white light - vessels may not enter.
every 33 seconds
(30 seconds light,
3 seconds dark)

Beamed towards the Dock

Latitude 54° 34' 44" N. Longitude 01° 13' 08" W.

- (vi) A green light - vessels may leave.
- (vii) A red light - vessels may not leave.

For the purpose of this sub-paragraph -
"The River" means the main channel of the River Tees;
"the Dock" means Middlesbrough Dock.

Vessels at
buoys or
otherwise
berthed

24. (1) The master of a vessel moored to buoys shall cause his vessel to show the lights and make the fog signals prescribed in the Collision Regulations for vessels at anchor.
- (2) The master of a vessel berthed in the harbour other than at buoys shall cause his vessel to show a white riding light or lights sufficient to indicate the extremities of his vessel that are closest to the channel.

Signals for
wrecks and
obstructions

25. (1) The owner of any sunken vessel, wreck, floating timber, drifting craft, anchor or other obstruction which impedes or may impede navigation in any part of the harbour shall give immediate notice to the harbour master of its location and shall forthwith mark the same with such one of the signals described in paragraph (2) of this byelaw as the harbour master may direct and shall watch it as directed by the harbour master.

(2) The signals referred to in paragraph (1) of this byelaw are -

- (a) any of the buoys for wreck marking set out in the lateral system of the International Agreement for a Uniform System of Maritime Buoyage made at Geneva on the 13th May 1936 until the date referred to in sub-paragraph (b) below (whereupon this sub-paragraph shall cease to have effect);
- (b) on and from the date when the International Association of Lighthouse Authorities Rules on Maritime Buoyage System 'A' of October 1976 take effect within the harbour any buoy specified by those Rules; or
- (c) the following signals displayed from the wreck or obstruction -
 - By day - a green flag with the word "wreck" in white letters thereon; and
 - By night - a white flashing light.

26. The master of a vessel intending to turn about in a navigable channel or the Tees Fairway shall cause to be sounded four short blasts as rapidly as possible and, after a short interval, if turning to starboard, one further short blast or, if turning to port, two further short blasts and, during the turn, the signal shall be repeated from time to time.

Vessels
turning

27. The master of hovercraft or hydrofoil vessel when operating in a non-displacement manner shall cause his hovercraft or hydrofoil vessel to exhibit an all-round flashing yellow light in addition to the signals prescribed by the Collision Regulations.

Hovercraft and
hydrofoil vessels

28. The master of a vessel when approaching within 400 metres of the Middlesbrough Transporter Bridge, shall -

Transporter
Bridge

- (a) If his vessel is power driven, cause to be sounded a prolonged blast on her whistle or siren.
- (b) If his vessel is not power driven, cause her bell to be rung rapidly for a period of 4 to 6 seconds.

PART V - MOORING

Mooring
position

29. Except with the express permission of the harbour master -
- (1) the master of a vessel not under way shall cause his vessel to be securely moored or made fast in such a position as to be clear of the navigable channels;
 - (2) the master of a vessel shall not cause his vessel to be made fast except to mooring points provided for the purpose or to another vessel properly moored or made fast.

Vessels
adrift

30. The master of a vessel which parts from her moorings shall as soon as possible report the same to the harbour master.

Restriction
on engine
trials

31. The master of a vessel moored or made fast within the harbour shall not permit the engines to be set in motion for trial except with the express permission of the harbour master.

Vessels to
be moored as
directed

32. The master of a vessel moored or made fast shall if so directed by the harbour master move his vessel out of the harbour or to such other place within the harbour as the harbour master may direct.

Fenders

33. The owner and master of a vessel shall not cause or permit the use of fenders which cannot float on the surface of the water.

Access
across
vessels

34. The master of a vessel shall allow free means of passage over the deck of his vessel for persons and goods to and from any other vessels berthed alongside his vessel.

Damage to
moorings

35. No person shall without reasonable cause loosen any rope, chain or mooring within the harbour.

Restriction
on use of
buoy berths

36. The master of a vessel shall not cause his vessel to be berthed at a buoy berth without the express permission of the harbour master.

Restriction
on berthing

37. The master of a vessel shall not cause his vessel to be berthed at the dock estate without the express permission of the harbour master.

PART VI - USE OF THE DOCK ESTATE

38. The master of a vessel in the harbour (other than an appliance craft or a foyboat or tug engaged in assisting other vessels) -
- Movement of vessels in harbour
- (i) shall not cause his vessel to be moved except with the express permission of the harbour master; and
 - (ii) shall give reasonable notice to the harbour master of the time at which his vessel requires to leave the dock estate.
39. The owner of any goods shall comply with such directions as the docks manager may from time to time give for regulating the time, place and manner of discharging, loading or otherwise bringing into or removing from the dock estate those goods.
- Directions as to goods, etc. in docks
40. The owner of the goods loaded or discharged at the dock estate shall ensure that the goods are removed therefrom as soon as practicable and in any case within forty-eight hours unless the docks manager otherwise agrees.
- Removal of goods from docks
41. Unless he has lawful business therein, no person shall enter or remain in the dock estate without the permission of the docks manager, and every person entering or being within the dock estate shall, whenever required by the docks manager so to do, truly inform the docks manager of his business in the dock estate and of his name and address.
- Entry or presence in dock
42. Except with the permission of the docks manager no person shall remove from the dock estate any goods or rubbish.
- Removal of materials
43. The owner of any plant, equipment, surplus materials and rubbish used in connection with or arising from repairs to a vessel in the harbour shall cause it to be removed in accordance with the directions of the docks manager.
- Removal of Plant, etc. after repairs
44. No person shall -
- (a) except with the permission of the docks manager, deposit, or place on any part of the dock estate any goods or vehicle so as to obstruct any road, railway, building, mooring place, plant, machinery or apparatus, or the access thereto; or
 - (b) without lawful authority use, work, move or interfere with any plant, machinery, equipment or apparatus at the dock estate.
- Obstruction and interference at docks

Interference
with fire-fighting
or life-saving
equipment

45. Except with the permission of the docks manager, or for the purpose of combating fire or saving life, no person shall use, obstruct, remove or interfere with any fire-fighting equipment or life-saving apparatus in the harbour.

Control of
animals and
reptiles

46. A person having the charge of an animal or reptile shall take all precautions to secure it at all times whilst within the dock estate.

Meetings

47. Except with the express permission of the docks manager no person shall take part in any general or open meeting within the dock estate, nor within the dock estate collect or deliver any address to an audience or gather or collect together any persons whereby work or business at the harbour or the control, management or use of the harbour is, or is likely to be, obstructed, impeded or hindered.

Restrictions
on placards

48. Except with the express permission of the docks manager no person shall within the dock estate publicly exhibit any bill, placard or notice, or distribute any leaflet, pamphlet or circular, nor attach any such document to or write upon any part of the dock estate.

Crossing swing
bridges, etc.

49. No person shall cross or attempt to cross any lock gate or swing bridge during the opening or closing thereof.

Bathing or
fishing

50. Except with the express permission of the docks manager no person shall bathe or fish in or from the dock estate.

Fires,
smoking, etc.

51. No person shall carry on the activity of smoking, or of kindling, maintaining or using any light, flame or fire, whether covered or naked, or any heating or lighting appliance within any part of the dock estate during such times as the docks manager causes to be displayed conspicuous notices forbidding smoking in that part.

Registration
of craft

52. The owner of a vessel normally kept within the harbour and the owner of a pleasure craft entering the harbour shall -

(a) in the case of a vessel so kept, register the same with the harbour master forthwith;

(b) in the case of a pleasure craft so entering, register the same with the harbour master on arrival within the harbour;

and in both cases shall thereafter register the vessel or craft, as the case may be, at intervals of not more than one year and shall inform the harbour master of the place where the vessel or craft is kept.

- | | |
|---|--|
| <p>53. No person shall within the dock estate undertake work connected with the repair of a vessel except with the express permission of the docks manager.</p> | <p>Repair work in the dock estate</p> |
| <p>54. Except with the express permission of the docks manager no person shall -</p> <ul style="list-style-type: none"> (a) discharge trade effluent or materials of any kind into the surface drainage system of the dock estate; or (b) use the foul water drainage system in the dock estate except for the disposal of sewage or foul water. | <p>Use of surface drainage</p> |
| <p>55. The master of a vessel shall not cause or permit circulating or foul water to escape from his vessel on to any part of the dock estate.</p> | <p>Discharge of water on wharves, etc.</p> |

PART VII - VEHICLES

- | | |
|--|---|
| <p>56. A driver or other operator of a vehicle shall, whilst that vehicle is in the dock estate, at all times drive or otherwise operate that vehicle in a safe manner and at a safe speed.</p> | <p>Safe driving and speed of vehicles</p> |
| <p>57. The driver or other person having charge of a vehicle in the dock estate shall at all times comply with any directions of the docks manager with respect to the loading, discharging, manoeuvring and removal thereof and shall not without the permission of the docks manager -</p> <ul style="list-style-type: none"> (a) leave the vehicle unattended anywhere within the dock estate; or (b) take it into any shed or working area. | <p>Use of vehicles</p> |
| <p>58. The owner, driver or other person having charge of a vehicle in the dock estate shall not permit any substance to leak, spill or drop from the vehicle.</p> | <p>Loads not to leak, spill or drop</p> |
| <p>59. The owner, driver or other person having charge of a vehicle in the dock estate shall ensure that any load carried thereon or therein is properly secured and that it complies with all statutory restrictions on the weight of goods to be so carried as are applicable on public roads.</p> | <p>Loads to be secured</p> |

Refuelling,
etc.

60. No person shall within the dock estate charge or recharge any vehicle with, or empty it of, fuel except with the express permission of the docks manager.

Precedence for
locomotives, etc.

61. The driver of a vehicle within the dock estate shall give way to any locomotive or railway rolling stock.

Driving on
weighbridges

62. No person shall drive a vehicle across any weighbridge within the dock estate except for the purpose of weighing the vehicle.

Accidents to
be reported

63. The driver of any vehicle involved in an accident on the dock estate whereby any injury is caused to any person or any damage is caused to any property, shall stop the vehicle and shall report the accident to the docks manager and shall give his name and address to the docks manager.

PART VIII - GENERAL

Information
regarding vessels

64. The owner and master of a vessel using the harbour shall supply to the harbour master such information as the harbour master may reasonably require concerning -
- (a) the name, nationality, dimensions, tonnage and draught of their vessel and
 - (b) any cargo carried therein or thereon.

Change of
ownership
of vessels

65. On any change in the ownership of a vessel plying in or laid up in the harbour the parties to the change shall ensure that immediate written notification of the change is given to the harbour master.

Assistance to
fire and other
services

66. The master of a vessel shall give every reasonable facility and assistance to the fire, police, ambulance and other emergency services for dealing with or preventing any emergency.

Fire
precautions

67. The master of a vessel shall take all reasonable precautions for the prevention of accidents by fire.

Removal of
wrecks and
obstructions

68. The owner of any sunken vessel, wreck, floating timber, drifting craft, anchor or other obstruction which impedes or may impede navigation in any part of the harbour shall forthwith remove the same if so directed by the harbour master.

69. No person shall launch or cause to be launched any vessel (other than a hovercraft) within the harbour except -

Launching of
vessels

- (1) with the express permission of the harbour master, and
- (2) in accordance with any directions which may be given by the harbour master concerning the timing of the launching and the signals to be given in connection with the launching.

70. Except with the express permission of the harbour master no person shall -

Discharges
into harbour

- (a) bring any dangerous goods or any firearm within the harbour; or
- (b) deposit, cast, place or allow to escape into any part of the harbour any solid matter, waste, rubbish, offensive or noxious liquid, poisonous substance or dangerous goods.

71. Every person superintending, assisting or taking part in loading or discharging in the harbour shall take all reasonable steps -

Prevention of
damage to
harbour

- (a) to prevent anything from falling into the waters of the harbour, and to recover anything so falling;
- (b) to avoid injury to any part of the harbour or to any person or property therein or adjacent thereto;

and shall forthwith notify the harbour master if any such steps are unsuccessful.

72. The owner of any property adjoining the waters of the harbour shall so maintain the property that no part thereof falls or is washed into those waters, and shall not permit any rubbish (other than sewage) to fall or escape from his property into those waters.

Riverside
property to
be kept in
repair

PART IX - MISCELLANEOUS

Interference
with officers

73. No person shall intentionally obstruct any officer or servant of the Authority in or about the execution of his duties.

Byelaws
revoked

74. On the coming into operation of these Byelaws the following Byelaws shall be revoked -

- (a) The River Tees Foy Boatmen Byelaws 1920.
(except Byelaw number 8).
- (b) The Tees River Byelaws 1923.
- (c) The River Tees Motor Boat Byelaws 1923.
- (d) The Docks at the Hartlepoons Byelaws, made by the London and North Eastern Railway Company on 28th February 1930.
- (e) The Middlesbrough Dock Byelaws, made by the London and North Eastern Railway Company on 24th September 1930.
- (f) The Hartlepool Port and Harbour Commission Byelaws, made by the Hartlepool Port and Harbour Commissioners on 22nd February 1960.
- (g) The Tees Dock Byelaws, made by the Tees Conservancy Commissioners on 2nd November 1963.
- (h) The Hartlepool Dock Byelaws 1973.

GIVEN under the Common Seal of the
TEES AND HARTLEPOOL PORT
AUTHORITY this EIGHTEENTH
day of JULY, 1977.

C. CROSTHWAITE,
A Member.

P. COLLIN,
Secretary.



The Secretary of State hereby confirms the foregoing Byelaws.

F.A. OSBORN

Signed by authority of the Secretary of State.

An Assistant Secretary in the Department of Transport,
25th AUGUST 1977

SCHEDULE

Byelaw 2

LIMITS OF HARBOUR

The limits of the harbour shall comprise the areas shown edged blue on the signed plans being:-

- (a) certain areas which are within the jurisdiction of the Tees Commissioners under the Tees Conservancy Acts 1852 to 1964;
- (b) certain areas which are within the jurisdiction of the Hartlepool Commissioners under the Hartlepool Port and Harbour Acts 1855 and 1869 and the Hartlepool Port and Harbour Order 1904;
- (c) all areas which are within the jurisdiction of the Docks Board in relation to their transferred undertakings;
- (d) all lands which form part of the transferred undertaking of the Stockton Corporation;
- (e) all lands which form part of the transferred undertaking of the Company, and all parts of the bed and foreshore of the River Tees which lies between those lands and the areas referred to in sub-paragraph (a) of this paragraph; and
- (f) certain areas which immediately before the appointed day were wholly or partly within the seaward limits of jurisdiction of the Tees Commissioners and the Hartlepool Commissioners lying to the west of an imaginary straight line commencing at the north-eastern extremity of the seaward limits of the Tees Commissioners as existing immediately before the appointed day and terminating at the north-western extremity of the seaward limits of the Hartlepool Commissioners as so existing.

**THE TEES AND HARTLEPOOLS PORT
AUTHORITY ACT 1966**

**THE TEES AND HARTLEPOOL HARBOUR
BYELAWS 1985**

In exercise of the powers conferred upon them by Sections 90,91 and 92 of the Tees and Hartlepoons Port Authority Act 1966 (a) and of all other powers them thereunto enabling, the Tees and Hartlepool Port Authority hereby make the following Byelaws:

Citation and
commencement

- (1) These Byelaws may be cited as the Tees and Hartlepool Harbour Byelaws 1985 and shall come into operation on the expiration of the period of fourteen days after the confirmation thereof by the Secretary of State for Transport.

Increase in
fines

- (2) Byelaw 4(1) of the Tees and Hartlepool Harbour Byelaws 1977 (which provides for the imposition of fines for offences against the Byelaws) is hereby amended by substituting, for the words "one hundred pounds", the words "two hundred pounds".

(a) 1966 c.xxv.

GIVEN under the Common Seal of the
TEES AND HARTLEPOOL PORT
AUTHORITY this EIGHTEENTH
day of NOVEMBER, 1985.

G. HALL,
A Member.

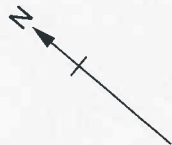
M.J. HYSLOP,
Secretary.

The Secretary of State hereby confirms the foregoing
Byelaws.

J.R. FELLIS

Signed by authority of the Secretary of State.

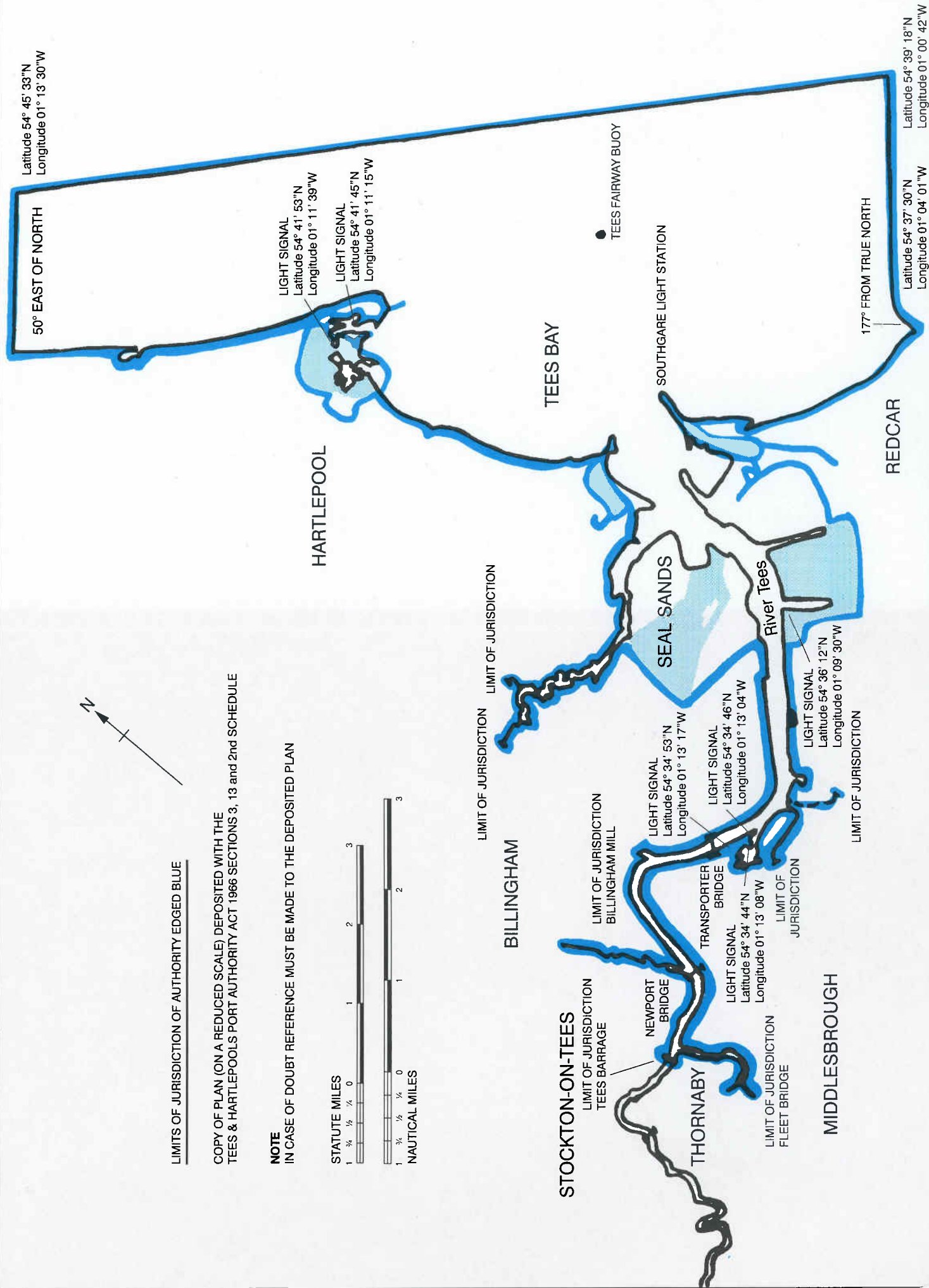
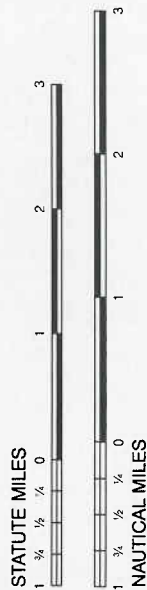
An Assistant Secretary in the Department of Transport,
23rd APRIL 1986
J.R.F.



LIMITS OF JURISDICTION OF AUTHORITY EDGED BLUE

COPY OF PLAN (ON A REDUCED SCALE) DEPOSITED WITH THE
TEES & HARTLEPOOLS PORT AUTHORITY ACT 1966 SECTIONS 3, 13 and 2nd SCHEDULE

NOTE
IN CASE OF DOUBT REFERENCE MUST BE MADE TO THE DEPOSITED PLAN



PD TEESPORT LIMITED

**GENERAL DIRECTIONS FOR THE SAFETY OF
NAVIGATION, PERSONS AND PROPERTY
IN THE HARBOUR**

ARRANGEMENT OF SECTIONS

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- 1.1 Definitions and Interpretation

PART 2 - NAVIGATION

- 2.1 Prohibited Anchoring Areas
- 2.2 Permission for a Vessel to Navigate
- 2.3 Port Safety Requirements
- 2.4 VTS Controlled Vessels Navigating in the Approach Channels
- 2.5 Restricted Visibility
- 2.6 Overtaking
- 2.7 Separation Distances
- 2.8 Manning Arrangements during Navigation

PART 3 - BERTHING AND MANAGEMENT OF VESSELS

- 3.1 Notifying the Time of Arrival, Departure or Movement of Vessels
- 3.2 Moorings
- 3.3 Vessel's Main Propulsion and Steering Systems
- 3.4 Interference with Navigation Aids
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- 4.1 Traffic Control Signals
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PART 6 - GENERAL & REVOCATIONS

- 6.1 Moorings, Buoys or other Tackle in the Navigable Channels
- 6.2 No Dragging or Grappling from Vessels without Permission
- 6.3 No Dragging or Grappling from Land without Permission
- 6.4 Obstructions to Vessels
- 6.5 Vessels to have Name Marked on Them
- 6.6 Aircraft
- 6.7 Notification of Incidents in the Harbour
- 6.8 Lost Anchor, Cable or Propeller
- 6.9 Fire Fighting Capability
- 6.10 Reporting of Abandoned/ Missing Vessels
- 6.11 Special Directions

NOTES FOR THE GUIDANCE OF MASTER AND OWNERS

1. Byelaws and Directions
2. Responsibility of Owners and Agents of Vessels
3. Responsibility of the Master of a Vessel
4. Failure to comply with a Direction
5. Notice of Intention
6. Enforcement

PD TEESPORT LIMITED

GENERAL DIRECTIONS FOR THE SAFETY OF NAVIGATION, PERSONS AND PROPERTY IN THE HARBOUR

PD Teesport Limited (formerly Tees and Hartlepool Port Authority) ("the Authority") in exercise of its powers conferred by the Tees and Hartlepool Port Authority Revision Order 1974 and the Tees and Hartlepool Harbour Revision Order 1994 and all other powers thereunto enabling and after consultation with the Chamber of Shipping and others hereby revoke the General Directions of 2015 and give the following General Directions:

PART 1 - PRELIMINARY

1.1 DEFINITIONS AND INTERPRETATION

1.1.1 In these General Directions, unless the context otherwise requires the following words or expressions must have the meanings respectively set opposite them:

"Chart"	means the edition of Admiralty Chart Number 2566 "Tees and Hartlepool Bays" as amended;
"Harbour"	means the area defined in Schedule 2 to the Tees and Hartlepool Port Authority Act 1966, as extended by the Tees and Hartlepool Harbour Revision Order 1994;
"Harbour Master"	means the Harbour Master appointed by the Authority and includes his authorised deputies and assistants or any person authorised by the Authority to act in that capacity;
"Hartlepool Approach Channel"	means the buoyed navigable channel seawards of a line drawn on a bearing of 235 degrees from the western end of the Fish Quay to No.1 and No.2 Buoys, as shown on the Chart;
"Hartlepool Dock"	means the water area inside a line drawn on a bearing of 235 degrees from the western end of the Fish Quay, as shown on the Chart;
"Hazardous Cargo"	has the same meaning as "Dangerous Goods" and "Polluting Goods" as defined in the Merchant Shipping (Vessel Traffic Monitoring and Reporting Requirements) Regulations 2004 (No.2110) as amended and includes explosives class 1.1 in excess of 1000kg NEQ;
"Master"	when used in relation to a Vessel means any person having or taking command, charge, management or conduct of the Vessel for the time being;

"Navigable Channel(s)"	means the Tees, Tees Approach Channel, Hartlepool Dock and Hartlepool Approach Channel;														
"Notice to Mariners"	means the Notices to Mariners published from time to time by the Harbour Master;														
"Owner"	includes any part owner, broker, charterer, agent or mortgagee in possession of the Vessel or other person or persons entitled for the time being to possession of the Vessel;														
"Reporting Point Romeo"	<p>Reporting Point Romeo is a line joining the following points:</p> <table> <tr> <td>A</td><td>Lat 54 42.20N, Lon 001 11.50W</td></tr> <tr> <td>B</td><td>Lat 54 42.9N, Lon 001 08.10W</td></tr> <tr> <td>C</td><td>Lat 54 42.9N, Lon 001 05.6W</td></tr> <tr> <td>D</td><td>Lat 54 42.6N, Lon 001 04.90W</td></tr> <tr> <td>E</td><td>Lat 54 41.40N, Lon 001 02.20W</td></tr> <tr> <td>F</td><td>Lat 54 38.20N, Lon 001 02.2W</td></tr> <tr> <td>G</td><td>Lat 54 37.35N, Lon 001 05.80W</td></tr> </table>	A	Lat 54 42.20N, Lon 001 11.50W	B	Lat 54 42.9N, Lon 001 08.10W	C	Lat 54 42.9N, Lon 001 05.6W	D	Lat 54 42.6N, Lon 001 04.90W	E	Lat 54 41.40N, Lon 001 02.20W	F	Lat 54 38.20N, Lon 001 02.2W	G	Lat 54 37.35N, Lon 001 05.80W
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F	Lat 54 38.20N, Lon 001 02.2W														
G	Lat 54 37.35N, Lon 001 05.80W														
"Small Vessel"	means a vessel of less than 20m overall length;														
"the Tees"	means the area of the river Tees from the upstream limit of the Authority's jurisdiction to the inner limit of the Seaton Turning Area (13 Beacon) as shown on the Chart and includes all docks, basins and approaches thereto and Seaton-on-Tees Channel;														
"Tees Approach Channel"	means the buoyed navigable channel seawards of the inner limit of the Seaton Turning Area (13 Beacon) and Tees North and Tees South Buoys as shown on the Chart;														
"Vessel(s)"	means a ship, boat, raft or water craft of any description and includes non-displacement craft and amphibious craft, seaplanes and any other thing constructed or used to carry persons or goods by water (whether permanently or temporarily);														
"VTS Area"	<p>means the area within the Harbour that includes the Navigable Channels and the area bounded by a line joining the following points:</p> <table> <tr> <td>A</td><td>South Gare Lighthouse: Lat 54 38.844N, Lon 001 08.256W</td></tr> <tr> <td>B</td><td>No.5 Buoy (Tees): Lat 54 38.955N, Lon 001 08.586W</td></tr> <tr> <td>C</td><td>No.2 Buoy (Hartlepool): Lat 54 41.227N, Lon 001 10.859W</td></tr> <tr> <td>D</td><td>No.1 Buoy (Hartlepool): Lat 54 41.285N, Lon 001 10.708W</td></tr> </table>	A	South Gare Lighthouse: Lat 54 38.844N, Lon 001 08.256W	B	No.5 Buoy (Tees): Lat 54 38.955N, Lon 001 08.586W	C	No.2 Buoy (Hartlepool): Lat 54 41.227N, Lon 001 10.859W	D	No.1 Buoy (Hartlepool): Lat 54 41.285N, Lon 001 10.708W						
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D	No.1 Buoy (Hartlepool): Lat 54 41.285N, Lon 001 10.708W														

- E Lat 54 42.224N, Lon 001 06.757W
- F Lat 54 40.87N, Lon 001 04.0W
- G Lat 54 40.21N, Lon 001 04.0W
- H North Cardinal Buoy:
Lat 54 39.556N, Lon 001 06.044W
- I Lat 54 38.4N, Lon 001 03.50W
- J Lat 54 37.9N, Lon 001 05.6W

Then to point A, the South Gare Lighthouse;

"VTS Controlled Vessel" means a vessel of 20m overall length or more.

- 1.1.2 Words and expressions used in these General Directions shall, unless the contrary intention appears, have the same respective meanings as the Teesport Acts and Orders 1966 to 2008.
- 1.1.3 These General Directions shall apply to all Vessels within the Harbour at all times and any General or Special Direction addressed to a Master shall be deemed to apply to the Vessel of which he is the Master for the time being.
- 1.1.4 The rules contained within the International Regulations specified under the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996 ("Collision Regulations") shall apply within the Harbour.
- 1.1.5 Unless otherwise stated any notice, exchange of information or communication required by these General Directions may be given to the Harbour Master by VHF radiotelephone or other suitable means.
- 1.1.6 The headings do not affect the interpretation of the General Directions.

PART 2 - NAVIGATION

2.1 PROHIBITED ANCHORING AREAS

- 2.1.1 Except in an emergency or with the permission of the Harbour Master, a Master must not anchor any VTS Controlled Vessel or cause any obstruction within the Harbour.
- 2.1.2 Except in an emergency or with the permission of the Harbour Master, a Master must not anchor any Small Vessel or cause any obstruction within the VTS Area.

2.2 PERMISSION FOR A VESSEL TO NAVIGATE

- 2.2.1 Except with the prior permission of the Harbour Master, the Master of a VTS Controlled Vessel proposing to navigate in the Ports of Tees or Hartlepool, before entering the VTS Area, must obtain permission for the entry into the VTS Area from the Harbour Master when passing Reporting Point Romeo. In giving such

permission, the Harbour Master may specify a time different to that requested by the Master.

- 2.2.2 Except with the prior permission of the Harbour Master, the Master of a VTS Controlled Vessel proposing to navigate (move or sail) in the VTS Area, before leaving the berth, must obtain permission for the movement from the Harbour Master.
- 2.2.3 Permission given by the Harbour Master under General Direction 2.2.1 or 2.2.2 above will expire 15 minutes after the time for which it was given and, where the VTS Controlled Vessel has not started to navigate before such time, the Master must obtain further permission from the Harbour Master prior to commencing navigation.

2.3 **PORT SAFETY REQUIREMENTS**

Unless the Harbour Master has agreed to waive the requirements of this General Direction, the Master of a VTS Controlled Vessel must not navigate within the Navigable Channels unless the requirements specified within PD Teesport's Notice to Mariners "Port Safety Requirements" are satisfied.

2.4 **VTS CONTROLLED VESSELS NAVIGATING IN THE APPROACH CHANNELS**

Except with the permission of the Harbour Master, the Master of a VTS Controlled Vessel wishing to enter or leave:

- 2.4.1 the Tees Approach Channel, must enter or leave between the Tees North and Tees South Buoy Stations;
- 2.4.2 the Hartlepool Approach Channel, must enter or leave between the Hartlepool No.1 and No.2 Buoy Stations.

2.5 **RESTRICTED VISIBILITY**

Except with the permission of the Harbour Master, the Master of a VTS Controlled Vessel must not navigate the Vessel in:

- 2.5.1 the Tees Approach Channel or the Tees when visibility is less than 1,000 metres from whatever cause; or
- 2.5.2 the Hartlepool Approach Channel or Hartlepool Dock when visibility is less than 500 metres from whatever cause;

other than for the express purpose of clearing the said Channels.

2.6 **OVERTAKING**

Except with the permission of the Harbour Master, overtaking manoeuvres for VTS Controlled Vessels are strictly prohibited within the Navigable Channels.

2.7 **SEPARATION DISTANCES**

Except with the permission of the Harbour Master, the Master of a VTS Controlled Vessel must, so far as is reasonably practicable, maintain a separation distance of at least 2.5 cables (approximately 460 metres) from a VTS Controlled Vessel ahead, which is proceeding in the same direction.

2.8 **MANNING ARRANGEMENTS DURING NAVIGATION**

Except with the permission of the Harbour Master:

- 2.8.1 the Master must, at all times, remain on the bridge at the control position (or in the case of such Vessel which has no bridge, on the place from which control is being directed); and
- 2.8.2 in the case of a VTS Controlled Vessel, ensure that there is a second person in attendance at all times capable of taking charge of the VTS Controlled Vessel during navigation.

PART 3 - BERTHING AND MANAGEMENT OF VESSELS

3.1 **NOTIFYING THE TIME OF ARRIVAL, DEPARTURE OR MOVEMENT OF VESSELS**

The notification required under this General Direction is for operational planning purposes and is required in addition to the Notification required under the Merchant Shipping (Vessel Traffic Monitoring and Reporting Requirements) Regulations 2004 as amended.

- 3.1.1 The Master of a VTS Controlled Vessel, unless the Harbour Master has agreed to waive the requirements of this General Direction, must:
 - 3.1.1.1 if carrying Hazardous Cargo in bulk and intending to enter the Harbour, give the Harbour Master not less than 24 hours' notice of the intention to do so (or not later than one hour after departure from the last port, whichever is the later); or
 - 3.1.1.2 if not carrying Hazardous Cargo and intending to enter the Harbour, give the Harbour Master not less than 6 hours' notice of the intention to do so (or not later than one hour after departure from the last port, whichever is the later); or
 - 3.1.1.3 if intending to move within or sail from Hartlepool Dock, give the Harbour Master at least 2 hours' notice of the intention to do so; or
 - 3.1.1.4 if intending to move within or sail from the Tees, give the Harbour Master at least 2 hours' notice of the intention to do so;
 - 3.1.1.5 give the Harbour Master 2 hours' notice of arrival at Reporting Point Romeo or the intended anchorage.
- 3.1.2 When giving the notice of arrival departure or movement, the Master must also provide (without limitation) the following information:

- 3.1.2.1 the name, call sign and IMO Number of the Vessel;
- 3.1.2.2 the country in which the Vessel is registered;
- 3.1.2.3 the overall length, maximum beam, and water and air draught of the Vessel;
- 3.1.2.4 the description, weight and stowage of cargo to be loaded, discharged or to remain on board;
- 3.1.2.5 in the case of a tanker or gas tanker, whether the cargo tanks are gas-free;
- 3.1.2.6 in the case of a combination carrier operating in the non-tanker mode, the description, weight and stowage of any cargo slops remaining on board, or the last date of discharge of the same;
- 3.1.2.7 details of any structural, mechanical and equipment defects which may affect:
 - 3.1.2.7.1 the hull or cargo containments;
 - 3.1.2.7.2 the propulsion, steering and manoeuvrability of the Vessel (including, but without prejudice to the generality of the foregoing, thrusters and poor stern power performance);
 - 3.1.2.7.3 the anchoring, mooring, navigation and cargo management systems, including back-up systems;
 - 3.1.2.7.4 details of any collisions, groundings, fires, leaks, spillages or other unusual incidents affecting the safety of the Vessel, crew or cargo, that have occurred within the last three months;
- 3.1.2.8 the intended berth/ destination;
- 3.1.2.9 any requirements for port services, including pilots, tugs and foyboatmen;
- 3.1.2.10 the quantities of bunkers on board and details of any proposed bunkering or overside storing;
- 3.1.2.11 any other information that the Harbour Master may reasonably require;

and must inform the Harbour Master if there are any changes to the information given.

- 3.1.3 The requirements of General Direction 3.1.2 are not intended to replace, and should be read in conjunction with, the requirements of:

- 3.1.3.1 The Dangerous Goods in Harbour Area Regulation 2016, as amended or replaced from time to time;
- 3.1.3.2 The Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003, as amended or replaced from time to time; and

- 3.1.3.3 The Merchant Shipping (Reporting Requirements for Ships Carrying Dangerous or Polluting Goods) Regulations 1995, as amended or replaced from time to time.

3.2 **MOORINGS**

- 3.2.1 The Master must at all times keep the Vessel properly berthed alongside any quay and must ensure that neither the Vessel nor its moorings or gangway obstruct other Vessels or hamper the use of the Harbour.
- 3.2.2 The Master of a berthed Vessel must ensure that the Vessel's moorings are adjusted, as necessary, to allow for the prevailing conditions.
- 3.2.3 The Master of a Vessel making fast to or letting go from any berth within the Harbour must ensure that there are sufficient competent persons available aboard and ashore to carry out the operation safely.
- 3.2.4 The Master of a Vessel mooring or unmooring must ensure that the moorings of any other Vessel disturbed in the process are made safe.

3.3 **VESSEL'S MAIN PROPULSION AND STEERING SYSTEMS**

- 3.3.1 The Master must not take any steps that render the Vessel's main propulsion or steering systems inoperable, without first obtaining the permission of the Harbour Master and complying with any conditions the Harbour Master may impose.
- 3.3.2 Where a Vessel's main propulsion or steering systems become inoperable for any reason, the Master must immediately inform the Harbour Master, providing any further information that the Harbour Master may require and complying with any conditions that the Harbour Master may impose.

3.4 **INTERFERENCE WITH NAVIGATION AIDS**

The Master must not make the Vessel fast to, lie against or interfere with any navigation aid and must inform the Harbour Master forthwith if the Vessel runs into or fouls any such navigation aid.

3.5 **ABANDONMENT OF VESSELS OR OBJECTS**

- 3.5.1 No person may wilfully abandon a Vessel or other object anywhere within the Harbour.
- 3.5.2 Where such Vessel or other object remains in the Harbour for such period of time as it may reasonably be assumed to be abandoned, unless the contrary intention is expressed, it may be deemed to have been abandoned and the Harbour Master may remove and dispose of the same.

3.6 **WEIGHTED HEAVING LINES**

- 3.6.1 No person may use dangerously weighted heaving lines in the Harbour for towing operations or the mooring of any Vessel.

- 3.6.2 In General Direction 3.6.1 “dangerously weighted heaving lines” includes (without limitation) lines weighted by monkey’s fists with additional weights inserted into them, shackles, bolts, nuts or twist locks.
- 3.6.3 The Master should seek guidance on the use of weighted heaving lines from the latest edition of the Code of Safe Working Practices for Merchant Seafarers.
- 3.6.4 Before throwing a heaving line, the Vessel’s mooring party must alert all personnel in the vicinity (including (without limitation) the linesmen and tug crew) that a line is about to be thrown. The throwing of the line should only proceed if the area where the heaving line will land is clear of all personnel.

PART 4 - SIGNALS

4.1 TRAFFIC CONTROL SIGNALS

- 4.1.1 Port Traffic Control lights are displayed from:
 - 4.1.1.1 the South Gare Radar Tower; and
 - 4.1.1.2 Middleton Pier Breakwater at the entrance to Hartlepool Dock.
- 4.1.2 The Signals consist of the following:
 - 4.1.2.1 three fixed lights in a vertical line, Green-White-Green, meaning VTS Controlled Vessels may proceed only when they have received specific orders to do so from the Harbour Master; and
 - 4.1.2.2 three fixed Red lights in a vertical line meaning Vessels must not proceed.

4.2 DIVING OPERATIONS FROM VESSELS

- 4.2.1 No person may conduct a diving operation within the Harbour from a Vessel, except with the permission of the Harbour Master.
- 4.2.2 For the duration of a diving operation a diving supervisor must ensure that a flag or rigid replica of the International Code of Signals Flag "A" is displayed at all times.
- 4.2.3 The flag or rigid replica should be of a suitable size to ensure that it is visible to passing Vessels in good time so that the appropriate action may be taken by such Vessels.

4.3 OTHER DIVING OPERATIONS

- 4.2.1 No person may conduct a diving operation within the Harbour otherwise than from a Vessel, except with the permission of the Harbour Master.
- 4.2.2 For the duration of a diving operation a diving supervisor must ensure that a flag or rigid replica of the International Code of Signals Flag "A" is displayed at all times.

- 4.2.3 The flag or rigid replica should be of a suitable size to ensure that it is visible to passing Vessels in good time so that the appropriate action may be taken by such Vessels.

4.4 **MARINE OPERATIONS**

- 4.4.1 A Vessel engaged in loading, discharging or any other work where wash could create a risk to the operation, must ensure that a flag or rigid replica of the International Code of Signals Flags "RY" are displayed at all times.
- 4.4.2 The flags or rigid replicas should be of a suitable size to ensure that they are visible to passing Vessels in good time so that the appropriate action may be taken by such Vessels.

PART 5 - RECREATIONAL ACTIVITIES

5.1 **RESTRICTION ON USE OF RECREATIONAL VESSELS**

No person may use any sailing boat, canoe, paddle boat or other recreational Vessel (whether or not such Vessel is powered) in the Harbour in a manner which may cause any danger, annoyance, nuisance or inconvenience to other Harbour users, or any injury to any person or damage to any property.

5.2 **RESTRICTION ON OTHER RECREATIONAL ACTIVITIES**

No person may engage in water-skiing, sail boarding, kite surfing, paddle boarding or any other activity involving movement in the Harbour otherwise than by the use of a Vessel in a manner which may cause any danger, annoyance, nuisance or inconvenience to other Harbour users, or any injury to any person or damage to any property.

PART 6 - GENERAL & REVOCATIONS

6.1 **MOORINGS, BUOYS OR OTHER TACKLE IN THE NAVIGABLE CHANNELS**

- 6.1.1 No person may lay down any mooring, buoy, or similar tackle within the Harbour, except with the permission of the Harbour Master.
- 6.1.2 A mooring, buoy or similar tackle must forthwith be removed by its owner or any other person claiming possession of it, if the Harbour Master so directs. Otherwise, the Harbour Master may remove the same.

6.2 **NO DRAGGING OR GRAPPLING FROM VESSELS WITHOUT PERMISSION**

No person may drag or grapple for any material or article from a Vessel, nor remove the same from the bed of the Harbour, without the permission of the Harbour Master.

6.3 **NO DRAGGING OR GRAPPLING FROM LAND WITHOUT PERMISSION**

No person may drag or grapple for any material or article otherwise than from a Vessel, nor remove the same from the bed of the Harbour, without the permission of the Harbour Master.

6.4 **OBSTRUCTIONS TO VESSELS**

- 6.4.1 No person may cast or place anything within the Navigable Channels at any time, or within any other part of the Harbour, if it is likely to obstruct navigation or endanger persons or property.
- 6.4.2 Without prejudice to paragraph 6.4.1, any person who places anything as aforesaid must remove the same if so directed by the Harbour Master and if the person fails to do so within such reasonable time as the Harbour Master may specify, the Harbour Master may remove the same.
- 6.4.3 Nothing in these General Directions shall prevent the Harbour Master from taking immediate action to remove drift nets, trawls or pots if the Harbour Master considers this to be necessary to prevent obstruction to navigation or in the interests of safety.

6.5 **VESSELS TO HAVE NAME MARKED ON THEM**

The Owner of a Vessel within the Harbour which is not registered as a ship under the Merchant Shipping Act 1995 and marked accordingly must ensure that the Vessel is marked conspicuously with its name or other means of identification unless exempted, in writing, by the Harbour Master.

6.6 **AIRCRAFT**

No person may land or take off an aircraft (including a seaplane glider, helicopter) within the Harbour, except with the permission of the Harbour Master.

6.7 **NOTIFICATION OF INCIDENTS IN THE HARBOUR**

6.7.1 The Master of a Vessel which:

- 6.7.1.1 has been involved in a collision with any Vessel, property, or other object or has been sunk or grounded or become stranded in the Harbour; or
- 6.7.1.2 by reason of accident, fire, defect or otherwise is in such a condition as to affect its safe navigation or to give rise to danger to other Vessels or property; or
- 6.7.1.3 in any manner gives rise to an obstruction of a Navigable Channel or berth;

must immediately report the same to the Harbour Master and provide the Harbour Master with such information that is required.

- 6.7.2 Where the damage described in 6.7.1 above is such that it affects or is likely to affect the seaworthiness of the Vessel, the Master must not move the Vessel (except to clear the Navigable Channel or to moor or anchor in safety) except with

the permission of the Harbour Master and in accordance with any directions the Harbour Master may give.

6.8 LOST ANCHOR, CABLE OR PROPELLER

- 6.8.1 The Master of a Vessel which has slipped, parted or lost any anchor, cable wire rope rudder or propeller must immediately inform the Harbour Master giving the position of the item and any distinguishing marks or numbers and, if the Harbour Master so directs, must cause it to be recovered as soon as is reasonably practicable.
- 6.8.2 The Master of a Vessel slipping or parting an anchor must leave a buoy to mark its position unless otherwise directed by the Harbour Master.

6.9 FIRE FIGHTING CAPABILITY

The Master of a Vessel must ensure that the fire fighting capability of the Vessel is fully operational at all times and must:

- 6.9.1 not reduce the Vessel's fire fighting capability except with the permission of the Harbour Master;
- 6.9.2 immediately inform the Harbour Master if the fire fighting capability of the Vessel is reduced for whatever reason and provide any further information that the Harbour Master may require;
- 6.9.3 comply with any conditions that the Harbour Master may reasonably impose.

6.10 REPORTING OF ABANDONED/ MISSING VESSELS


The Master of any Vessel which is abandoned, derelict, missing, sunk, in danger of sinking, stranded or drifting without power, or any person who finds or has knowledge of such Vessel, must immediately inform the Harbour Master giving the position of the Vessel and such other information as the Harbour Master may require.

6.11 SPECIAL DIRECTIONS

- 6.11.1 A Special Direction, pursuant to Article 5 of the Tees and Hartlepool Port Authority Revision Order 1974, may be given by the Harbour Master requiring any Vessel or Vessels in the Harbour to comply with a requirement made in or under a General Direction.
- 6.11.2 A Special Direction may be given in any manner considered appropriate by the Harbour Master.

6.12 **COMMENCEMENT**

These Directions shall come into effect on 1 February 2020.


Director
PD Teesport Limited

15 January 2020

PD Teesport Limited
17-27 Queen's Square
Middlesbrough
TS2 1AH

NOTES FOR THE GUIDANCE OF MASTERS AND OWNERS

1. BYELAWS AND GENERAL DIRECTIONS

These General Directions are to be construed and read in conjunction with Tees and Hartlepool Harbour Byelaws 1977 and 1985 and any addition or amendment thereto.

2. RESPONSIBILITY OF OWNERS AND AGENTS OF VESSELS

The Owner and agent of a Vessel must take all reasonable steps to ensure that the Master of the Vessel is made aware of and understands these General Directions.

3. RESPONSIBILITY OF THE MASTER OF A VESSEL

The giving of a General Direction or a Special Direction does not diminish or in any other way affect the responsibility of the Master of the Vessel to which the General Direction is given in relation to the Vessel, persons aboard, its cargo or any other person or property.

4. FAILURE TO COMPLY WITH A DIRECTION

4.1 Failure by the Master of a Vessel to comply with a General Direction or a Special Direction constitutes an offence, and renders the Master liable to a fine in accordance with Article 7 of the Tees and Hartlepool Port Authority Revision Order 1974.

4.2 It is a defence for the Master of a Vessel charged with an offence of failing to comply with a General Direction or a Special Direction to prove that there were reasonable grounds for believing that compliance with the General Direction or Special Direction in question would be likely to imperil the Vessel, or its cargo, or any person for whom the Master is responsible or that in the circumstances compliance was impracticable.

5. NOTICE OF INTENTION

If the Master of a Vessel fails to provide any information or give notice of any intention required by any General Direction or Special Direction within the time limit imposed, the entry departure or movement of the Vessel may be subject to delay.

6. ENFORCEMENT

If a Special Direction is not complied with within a reasonable time, the Harbour Master may, pursuant to Article 8 of the Tees and Hartlepool Port Authority Harbour Revision Order 1974, put persons on board the Vessel to carry out the Special Direction or may otherwise cause the Vessel to be handled in accordance with the Special Direction.