LOCHBOISDALE DEVELOPMENT LIMITED

GENERAL DIRECTIONS FOR NAVIGATION WITHIN THE LOCHBOISDALE AND GASAY PORT 2019

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General Directions for Navigation 2019

Lochboisdale Development Limited, in exercising its powers granted under The Lochboisdale and Gasay Port (Harbour Empowerment) Order 2016 (hereafter referred to as "the Order") and having consulted the UK Chamber of Shipping, the Inner Harbour Authority, Port users and the Royal Yachting Association, gives the following General Directions to vessels navigating within the statutory harbour limits of the Lochboisdale and Gasay Port.

PART I – PRELIMINARY

1. Title and Commencement

These directions may be cited as the Lochboisdale and Gasay Port General Directions for Navigation 2019 and shall come into force on 31 January 2020.

2. Definitions and Interpretation

In these Directions:

a) "AIS" means Automatic Identification System;

b) "Barge" includes dumb vessels, including but not limited to barges, lighters, collar and mooring barges, crane barges and engineering barges, pontoons, oil storage/processing barges and dredgers, but excludes any power-driven vessels;

c) "Breakwaters" means the two breakwaters immediately west of Gasay as shown by the blue lines on the map at the Annex; the traffic signal and the Fl.R6s light are located on the Eastern Breakwater;

d) "Collision Regulations" means the International Regulations for Preventing Collisions at Sea 1972 as amended as given effect to by Regulations, made under the Merchant Shipping Act 1995 and any amendment thereof;

e) "Commercial Vessel" means any vessel other than a Pleasure Vessel;

f) "Company" means Lochboisdale Development Limited, a Company incorporated in Scotland with registered number SC395179 and having its registered office at Oifis Stòras, Daliburgh, South Uist, Scotland, HS8 5SS, which exercises jurisdiction as the harbour authority in terms of the Order;

g) "Conning Position" means the place on the vessel with a commanding view of the vessel and from which the vessel is commanded, manoeuvred and controlled;

h) "Deck Officer" in relation to a Commercial Vessel means an officer with navigation responsibilities and includes the Master and Mate(s);

i) "Designated Anchorage" means an area designated by the Harbour Master as an anchorage area and published on charts, port information or in Notices to Mariners;

j) "ECDIS" means an Electronic Chart Display and Information System; a geographic information system used for nautical navigation that complies with IMO regulations as an alternative to paper nautical charts;

k) "fairway" means a regular course or track of shipping within the marked and/or navigable channels within the statutory harbour limit and its approaches. It includes the waters depicted on Admiralty Chart 2770 and as shown at the Annex inside the dashed lines and marked by all the sectors emitted by the DirWRG.4s light at Lochboisdale marking the approach to the Inner Harbour and the approaches from the open sea;

l) "Goods" means all articles and merchandise of every description and includes fish, livestock and animals;

m) "Gross Tonnage" in relation to a vessel means the tonnage calculated in accordance with the International Convention on Tonnage Measurement of Ships 1969, or the Merchant Shipping (Tonnage) Regulations 1997, as amended, and where in accordance with those regulations alternative tonnages are assigned to a vessel, the Gross Tonnage of the vessel must, for the purposes of these Directions, be taken to be the larger of those tonnages;

n) "Harbour Master" means any person appointed as such by the Company, and includes that person's deputies and assistants and any other person for the time being authorised by the Company to act, either generally or for a specific purpose, in the capacity of Harbour Master;

o) "IMO" means the International Maritime Organisation;

p) "Inner Harbour" means the Harbour at Lochboisdale, the limits of which are defined in the South Uist (Lochboisdale and Loch Skipport) Piers Order 1878, as confirmed by the Pier and Harbour Orders Confirmation Act 1878;

q) "Inner Harbour Authority" means Caledonian Maritime Assets Ltd (CMAL), or any successor, as the statutory harbour authority for the Inner Harbour;

r) "ISM Code" means the International Safety Management Code for the Safe Operation of Ships and for Pollution Prevention as adopted by IMO in Resolution A.741(18) as the same may be amended from time to time;

s) "Large Vessel" means any vessel with a draught greater than 3m and/or more than 24m in length and including all RO-RO Ferries transiting the North Gasay channel;

t) "Marine Operations" means the movement, berthing and unberthing, embarkation and disembarkation of passengers and cargo loading and unloading of vessels and other activities, such as diving taking place on the water within the statutory harbour limit and its approaches;

u) "MARPOL" means the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978;

v) "Master" when used in relation to any vessel means any person having the command, control charge, or management of the vessel for the time being;

w) "Order" means the Lochboisdale and Gasay Port (Harbour Empowerment) Order 2016 as the same may be amended from time to time;

x) "Personal Watercraft" means any watercraft propelled by a water-jet engine or other mechanical means of propulsion and steered by—

(i) means of a handlebar-operated linkage system (with or without a rudder at the stern);

(ii) the person or persons riding the craft using his or her or their body weight for the purpose; or

(iii) a combination of the methods referred to in (a) and (b);

y) "Pleasure Vessel" has the same meaning as in the Merchant Shipping (Load Line) Regulations 1998 (SI 1998/2241);

z) "Port" means all the waters that lie within the statutory harbour limits, as defined in the Order, within which the Company exercises jurisdiction and within which the powers of the Harbour Master shall be exercisable under the Order. By way of illustration, it is the area bounded by the red lines and the coastline as shown on the map at the Annex and on Admiralty Chart 2770;

aa) "Port Office" means the office of the Harbour Master, through which the statutory powers and duties of the Harbour Master, as contained in any legislation, including the Order, is discharged.

bb) "Port Passage Plan" means a systematic navigational plan for all stages of any voyage into, out of or within the Port in accordance with the guidelines given at SOLAS Chapter V Annex 25 or any similar flag state administration notice;

cc) "Quay" means any quay, wharf, jetty, dolphin, landing stage or other structure used for berthing or mooring vessels, and includes any pier, bridge, roadway or footway immediately adjacent and affording access thereto;

dd) "Sheltered Harbour" is defined as being all the waters encompassed within the Breakwaters shown on the map at the Annex;

ee) "SOLAS" means the International Convention for the Safety of Life at Sea (SOLAS), 1974;

ff) "Special Direction" means a direction given by the Harbour Master under article 18 of the Order;

gg) "vessel" means a ship, boat, raft or water craft, including non-displacement craft, hovercraft and sea-planes, as defined in the Collision Regulations, used or capable of being used as a means of transportation or navigation on water;

PART II – NAVIGATION IN PORT

3. Application of Collision Regulations

The Master of a vessel shall comply at all times with the Collision Regulations, subject to the other provisions of these Directions, and shall in any event ensure that his or her vessel displays the lights and uses the sound signals as prescribed in the Collision Regulations.

4. Use of VHF radio

All Commercial Vessels must, and Pleasure Vessels are advised to, monitor VHF Channel 12 at all times whilst underway within the Port.

5. Vessel Movements

a) The Master of a Large Vessel intending to enter the Port shall give at least 12 hours' notice to the Port Office of the vessel's arrival at the outer limits of the Port. The Master of a Large Vessel within the Port shall give at least 30 minutes' notice to the Port Office before departure from, or movement within, the Port.

b) The Master of a Large Vessel approaching the outer limits of the Port with the intention of entering the Port must not permit the vessel to enter the Port before he or she has first contacted the Port Office on VHF Channel 12. The Master of such a vessel shall ensure that:

(1) he or she and the officers or navigating crew on board are familiar with and able to comply with the navigational safety requirements of these General Directions and any pertinent and current Notices to Mariners;

(2) the vessel's charts (or ECDIS) for the Port and associated navigational publications are corrected and in date;

(3) he or she has prepared an appropriate Port Passage Plan for use during the vessel's passage within the Port;

(4) the vessel has no deficiencies or defects in respect of its manning, navigational equipment, propulsion or steering gear;

(5) suitable arrangements are made to provide appropriate mooring assistance to the vessel at its intended berth in the Port;

(6) the vessel's International Ship and Port Facility Code security level is reported (where applicable); and

(7) the number or persons onboard is reported.

c) The Master of a vessel about to enter or exit the Sheltered Harbour must not permit the vessel to impede the passage of a Large Vessel that may safely navigate only within the fairway.

d) During busy periods, a warning to vessels may be signalled by the Harbour Master using the traffic lights on the end of the east Breakwater. The Master of a vessel must not permit the vessel to depart or enter the Sheltered Harbour while the traffic lights show three red lights in a vertical line.

Note: The lifeline ferry service makes regular use of the fairway throughout the year. The highest number of mariners unfamiliar with Lochboisdale are likely to be navigating the fairway during the summer months. Notices to Mariners will be issued to promulgate the dates and times when mariners should expect these traffic lights to be operated and when other procedures should be followed. The traffic lights

*showing three red lights in a vertical line is a signal that a Large Vessel constrained by its draft is, or is about to, navigate the narrow channel / fairway. The traffic lights do not switch from red to green; the red lights will only show when, during designated times, a large vessel is **known** to be navigating past the Breakwaters; at all other times the red lights will be switched **OFF**. Consequently, the fact that the traffic lights are switched off does not mean necessarily that a large vessel is **not** using the fairway; vessels entering or leaving the sheltered harbour must always take great care and be especially vigilant.*

6. Speed Limits

The Master of a power-driven vessel navigating within the Port must navigate at a safe speed as described in Rule 6 of the Collision Regulations, subject to the following restrictions:

a) Within the Marina, vessels shall not exceed 5 knots through, on or over the water;

b) Westwards of a line joining the light (Fl.R.6s) on the eastern Breakwater on Gasay Island and the starboard hand buoy (Fl.G.3s) marking Sgeir Rock, vessels shall not exceed 5 knots through, on or over the water.

c) Between a line joining the light (Fl.R.6s) on the eastern Breakwater on Gasay Island and the starboard hand buoy (Fl.G.3s) marking Sgeir Rock and the easternmost Statutory Harbour Limits, vessels shall not exceed 10 knots through, on or over the water

This General Direction does not apply to the lifeline ferry service of South Uist, which is subject to separate and specific risk assessment. This General Direction does not apply to vessels being used for Search and Rescue, vessels in support of any emergency or recreational safety, where compliance with this General Direction would be likely to hamper the use of that vessel for that purpose. This General Direction does not, however, absolve the Masters of such vessels from their responsibility to navigate with caution and observe fully the requirements of General Direction 8.

7. Vessels not to Obstruct the Fairway

a) The Master of a vessel less than 24 metres in length or a sailing vessel shall not impede or obstruct the passage of vessels which can safely navigate only within the fairway to the north of Gasay Island and in approaches to the RO-RO berth in the Inner Harbour.

b) Whenever the lifeline ferry service vessel is entering or departing its berth in the Inner Harbour all other vessels must clear the fairway and remain in safe water until the ferry is alongside or has exited the Port.

Note: the lifeline ferry service has particular importance to South Uist, which is why the Order requires its passage in and out is prioritised over other traffic.

8. Vessels to Navigate with Care

The Master and any person having navigational charge of a vessel shall at all times, navigate his or her vessel with due care and attention having specific regard to the prevailing weather conditions and other vessel movements, and at a speed and in a manner which will not be likely to endanger lives, cause injury to

persons, damage to property, vessels, moorings, foreshore or other property through excessive wash or draw-off.

9. Mooring of Vessels

a) The Master of a Large Vessel entering the Port with the intention of using the port facilities within the Sheltered Harbour must proceed directly to the vessel's allocated berth as directed by the Harbour Master.

b) The Master of a Large Vessel lying alongside the quay within the Sheltered Harbour must ensure that the vessel is adequately manned such that the moorings may be tended and that the vessel may be moved, should the Harbour Master so require.

c) The Master of a vessel lying alongside a berth within the Sheltered Harbour must ensure that the vessel is securely moored to prevent undue excursion and movement in tidal conditions and to ensure that no other vessel or property is likely to suffer damage.

d) The Master of a vessel lying alongside a berth within the Sheltered Harbour must ensure that the vessel's mooring ropes are not made fast to or led around handrails / stanchions, ladders, grab rails, lampposts or any such structure not designed to withstand mooring loads.

10. Persons in Control of the Vessel

For any vessel underway in the Port, the Master must ensure that there is on board the vessel either:

a) in the case of a Commercial Vessel, a Deck Officer holding a Certificate of Competency or equivalent for the vessel who is in a fit state to have charge of the navigation of the vessel; or

b) in the case of a Pleasure Vessel, a competent person who is in a fit state to have charge of the navigation of the vessel.

11. Notification and Investigation of Accidents

a) The Master of a vessel shall inform the Harbour Master immediately if within the Port his or her vessel:

(1) is involved in a collision or contact with any other vessel or makes contact with any property or is grounded, where damage or personal injury is caused as a result, or is sunk or become stranded; or

(2) by reason of accident, fire, defect or otherwise is in such a condition to make it unable to navigate safely or that may endanger other vessels, property or the marine environment; or

(3) in any manner causes an obstruction in the fairway.

b) Where the damage to a vessel affects, or is likely to affect its seaworthiness, the Master shall not move the vessel, except to clear that channel or to moor or anchor in safety, without the consent of the Harbour Master;

c) Any collision, damage to property, sinking, grounding, stranding, fire, accident, or other incident may be investigated by the Company to establish what lessons can be learned from such an incident and if there has been any breach of local legislation. The Master of a vessel involved in such an occurrence must not obstruct the Company in the conduct of its investigation.

12. Anchoring and Waiting

a) Except in an emergency or for the purposes of manoeuvring, the Master of a vessel must not permit the vessel to anchor within the fairway or in the approach to the Inner Harbour RO-RO Berth.

b) The Master of a vessel must not permit the vessel to be anchored in a location where it may obstruct navigation.

d) The Master of a vessel of more than 7 metres in length underway within the Port shall have an anchor ready to let go.

e) If a vessel's anchor becomes fouled, or lost, within the Port the matter must be reported to the Harbour Master as soon as reasonably practicable.

13. Reduced Visibility

In conditions where the visibility is reduced to less than 400 metres, vessels must not be navigated within the Breakwaters or in the north Gasay Channel, unless by express permission of the Harbour Master.

14. Navigation of Vessels by Persons under the age of 16

Except for the purposes of an organised event subject to the requirements of General Direction 26, or with the Harbour Master's consent, the Master of a power-driven vessel must not permit a person under the age of 16 years to be in command of that vessel.

15. Fast Rescue Craft, RIBS and Small High-Speed Vessels

a) The Master of a vessel underway within the Port, which is less than 24 metres in length, and capable of exceeding a speed of 12 knots, must ensure that a functional dedicated engine cut-out system or 'kill cord' system is installed aboard the vessel and is used by the Master or the person at the helm of that vessel.

b) General Direction 15(a) does not apply to vessels being used for Search and Rescue, vessels in support of any emergency situation or recreational safety, where compliance with this General Direction would be likely to hamper the safe use of that vessel for that purpose.

16. Diving and other Underwater activities

The Master of a vessel mooring, anchoring or under way in order to conduct or support diving operations within the Port may only proceed with the prior consent of the Harbour Master, who may issue a 'permit

to dive' after verifying that following documentation is in place and current, at least 24 hours in advance of the intended dive:

- The Diving Plan;
- Risk Assessment / Method Statement;
- Diver Medical certificates and
- Diver qualifications, including First Aid, Insurance certificates and HSE Registration number.

17. Water-skiing, and other similar Activities

a) A Master of a vessel must not permit the vessel to be used for water-skiing, kite-surfing, wake-boarding, para-sailing or any similar activity within:

(1) the fairway to the north of Gasay Island;

(2) the Breakwaters and the Marina approaches;

(3) the approaches to the RO-RO Berth in the Inner Harbour.

b) The Master of a vessel towing a person or persons water-skiing, para-sailing or undertaking similar towed activity, must ensure that there is on board:

(1) for each person being towed, a rescue quoit with line or other sufficient hand thrown rescue device;

(2) two hand-held distress signals and a fire extinguisher; and

(3) at least one other person able to take charge of the vessel and to give such assistance as may reasonably be required during the towing.

18. Use of Personal Water Craft

For the purpose of these General Directions, a Personal Watercraft is deemed to be operating within the Port when it is planing and/or proceeding at a speed of more than 8 knots. The Master of a Personal Watercraft must not permit the Personal Watercraft to be operated:

a) within the narrow channel to the north of Gasay Island, where such use may impede the passage of vessels operating within the confines of the channel;

b) in the approaches to the RO-RO Berth in the Inner Harbour, within one hour of the lifeline ferry arrival or departure.

c) within 100 metres of a quay, pier, berth, pontoons, public beach, bathing place or residential property.

19. Overtaking

The Master of a vessel must not permit the vessel to overtake a Large Vessel on passage within the fairway.

PART III – GENERAL

20. Being in charge of a Vessel whilst under the Influence of Alcohol or Drugs

A person must not navigate or be responsible for navigating a vessel within the Port if their ability safely to do so is impaired because of alcohol or drugs.

Note: Where there is cause to believe that the person in command of a vessel is under the influence of alcohol or drugs, then Police Scotland will be contacted, and they may carry out a drugs and alcohol test.

21. Defective Machinery and Equipment

Where there is any defect with a vessel's structure, main propulsion, steering gear, auxiliary machinery or equipment that may impact on the safe navigation of a vessel, the Master of the vessel must not permit the vessel to be navigated within the Port without the consent of and in accordance with any Special Direction by the Harbour Master.

22. Navigational Risk Assessment

Provided that nothing in this General Direction shall interfere with the exercise of the public right of navigation, the Master of a vessel must not without the consent of the Harbour Master permit the vessel to engage in specialised operations within the Port where those operations fall outside the scope of the Company's Marine Safety Management System (which is available for download from the About Us webpage on the http://lochboisdaleharbour.com/ website).

Note: Where, in the reasonable opinion of the Harbour Master, the operations referred to in General Direction 22 cause or are likely to cause a risk to navigational safety or to the marine environment, the Harbour Master may require the Master to submit a written risk assessment in support of the Master's request for such consent. When the Master of a vessel is required to submit such a written risk assessment, the Harbour Master should be provided with any information he or she may require in respect of, but not limited to; the vessel, the nature of its intended operation, its equipment, general condition, certification, organisational and ship management systems and crew competency, so that a full assessment of the risks associated with the navigation or operation of the vessel and any appropriate mitigation of such risks can be made.

23. Vessels Identification

The Master of a vessel must ensure that the vessel has its name or other identification letters or numbers conspicuously marked on it, unless that vessel is less than 7 metres in length and compliance with the foregoing requirements is impracticable.

24. Vessels not to be Immobilised

a) Except where the vessel is aground, the Master of any vessel, other than a vessel less than 24 metres in length, shall not immobilise the vessel or load it or take on ballast so that it is incapable of movement, unless prior consent is obtained from the Harbour Master.

b) Where a vessel, other than a vessel less than 240 metres in length, is for whatever reason, incapable of being safely moved by means of its own propulsion, the Master shall immediately inform the Harbour Master in writing, giving the full reasons and duration of the immobilisation.

25. Seaplanes and Flying Boats

The captain of a seaplane or a flying boat must not permit the aircraft to land on or take off from the waters within the Port without first obtaining consent from the Harbour Master and must comply with any Special Direction given by the Harbour Master.

26. Boat Races, Regattas and other Events on the Water

a) A person must not organise any boat or yacht race, regatta or other leisure event on the water within the Port without having given at least four weeks' notice of such to the Harbour Master. The notice must include an appropriate written risk assessment for the event and details of the proposed insurance arrangements in accordance with the Port Marine Safety Code and RYA guidance.

b) In respect of organisations and clubs that organise regular scheduled events, such as weekly training and/or racing, the obligation in General Direction 26(a) may be satisfied by the submission of an annual notification supported by a single written risk assessment for the series of scheduled events.

Note: The risk assessment referred to in General Direction 26 should identify the relevant hazards and any additional precautions and risk control measures to be implemented to ensure that any risk to persons or navigational safety or both, is mitigated and maintained as low as reasonably practicable.

APPENDIX TO GENERAL DIRECTIONS FOR NAVIGATION WITHIN LOCHBOISDALE AND GASAY PORT

General Directions are issued, additional to the powers already granted under the Lochboisdale & Gasay Port (Harbour Empowerment) Order 2016 ("The Order"). In order to keep key regulations in one place for the convenience of port users the following key extracts from the Order are reproduced below.

7. RESTRICTION OF WORKS AND DREDGING

(1) No person other than the Company shall in the Port—

(a) alter, renew or maintain any works; or

(b) dredge;

unless that person has contracted with the Company to do so.

(2) Any person who contravenes this article shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) The Company may by notice require a person who contravenes this article to remove, abate or rectify, within a reasonable time specified in the notice, any work, operation or omission to which the contravention relates and to restore the site to its former condition; and if that person fails to comply with the notice the Company may carry out the works so required and may recover the cost of so doing from that person.

(4) This article shall not apply to dredging carried out by the Inner Harbour Authority in the approaches to the Inner Harbour, but before carrying out any dredging in the approaches to the Inner Harbour, the Inner Harbour Authority shall consult with the Company.

8. MOORINGS

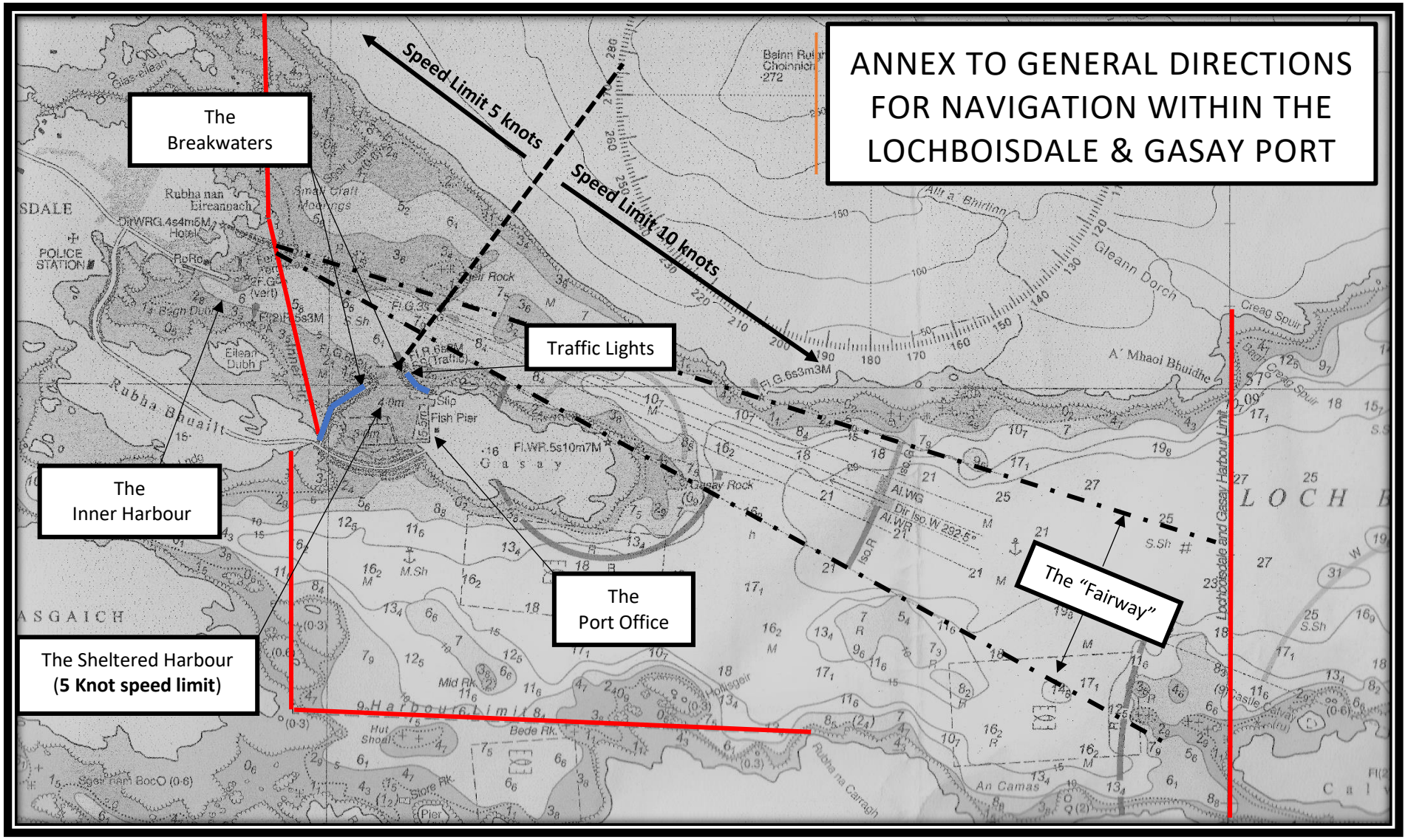
(1) The Company may provide, place, lay down, maintain, renew, use or remove such moorings, buoys and similar apparatus within the Port as it considers necessary or desirable for the convenience of Vessels.

(2) The Company may from time to time contract with any person to place, lay down, maintain, renew or use moorings, buoys and similar apparatus for Vessels in the Port.

(3) Any contract entered into under paragraph (2) above shall be valid for a period of no longer than three years commencing with the date on which it takes effect.

(4) The Company may charge a reasonable fee for the grant of a contract under this article.

(5) Any person who, without reasonable excuse, shall place, lay down, maintain, renew or use a mooring, buoy or similar apparatus for Vessels within the Port except under and in accordance with the terms and conditions of a contract granted under this article shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.


ANNEX TO GENERAL DIRECTIONS FOR NAVIGATION WITHIN THE LOCHBOISDALE & GASAY PORT
The Breakwaters
Speed Limit 5 knots
Speed Limit 10 knots
Traffic Lights
The Inner Harbour
The Port Office
The "Fairway"
The Sheltered Harbour (5 Knot speed limit)
Lochboisdale and Gasay Harbour Limit
Fl.G.6s3M
Fl.WR.5s10m7M
Gasay
POLICE STATION
Fish Pier
Slip
Rubha nan Eireannach
Eilean Dubh
Rubha Bhualt
Gleann Dorch
Creag Spuir
A' Mhaol Bhuidhe
ASGAICH
LOCH
Harbour Limit
Bede Rk.
Mid Rk.
Hut Shoals
Holkegeir
Rubha na Carraigh
An Camas