

PUBLIC HEALTH ACT AMENDMENT ACT 1907 SECTION 34

CONDITIONS RELATING TO PLEASURE BOATS AND VESSELS

GENERAL CONDITIONS

1. The proprietor must demonstrate that a suitable risk assessment has been carried out and that the significant findings of that assessment have been acted upon. A copy of the assessment/code of safe working practice along with a copy of the company insurance and any stability test data must be provided.
2. A suitable buoyancy aid or properly fitting life jacket complying with the relevant European Standard must be issued to each person using the pleasure craft, and every effort taken to ensure the persons wear them.
3. All pleasure craft and vessels hereby licensed shall be insured at all times when in use, against third party risk.
4. All pleasure craft and vessels hereby licensed shall be kept in a good, sound and safe condition to the satisfaction of the Local Authority's Boat Inspector.
5. No pleasure crafts and vessels shall be let for hire in conditions which may pose a threat to the safety of those on board or other users.
6. All pleasure craft and vessels covered by this licence shall not be hired to any person or persons obviously under the influence of alcohol or drugs.
7. The proprietor must demonstrate that a suitable and sufficient system is in place, and which is operated, to ensure that proper records are kept which show how many boats have been hired at any time, number of passengers carried, the expected time of return and emergency procedures to be implemented on the failure of a boat to return. A suitable safety boat must be available at all times and must be crewed by suitably qualified staff who have completed an appropriate or equivalent level of training and experience in local hazards to the satisfaction of the local authority or have other arrangements in place for rescue agreed with the local authority.
8. If any changes occur in the ownership or particulars of the pleasure vessels hereby licensed during the currency hereof, notice of such change shall be given forthwith to Allerdale Borough Council, Allerdale House, Workington, Cumbria, CA14 3YJ, Telephone: 01900 702593.

KAYAKS

1. No canoes (kayaks) hereby licensed shall be hired to a person or persons under the age of 12 years, unaccompanied or unsupervised by an adult, unless they hold a current suitable qualification or have relevant experience as assessed by the hirer.
2. The maximum number of persons to be carried on any kayak shall not exceed the number permitted. This maximum number shall be prominently displayed at the point of hire. In addition, an identification number in accordance with that specified by the local authority shall also be displayed on the kayak.
3. Every canoe (kayak) hereby licensed shall be fitted with built in buoyancy sections or alternative means of buoyancy.

SAILING DINGHIES

1. No Sailing Dinghies hereby licensed shall be hired to a person or persons under the age of 16 years unless they hold a current suitable sailing qualification or have relevant experience as assessed by the hirer.
2. The maximum number of persons to be carried on any Sailing Dinghy shall not exceed the number permitted. This maximum number shall be prominently displayed on or in the Sailing Dinghy. In addition, an identification number in accordance with that specified by the local authority shall also be displayed on the sailing dinghy.
3. Every Sailing Dinghy hereby licensed will at all times carry one bailer or bucket capable of displacing at least 1.2 litres of water, unless the craft is designed so as not to require one.
4. Every sailing dinghy hereby licensed shall be buoyant to the satisfaction of the Local Authority's Boat Inspector.

MECHANICALLY POWERED BOATS OR VESSELS

1. The maximum number of persons to be carried on any mechanically powered boat shall not exceed the number permitted. This maximum number shall be prominently displayed on or in the boat. In addition, an identification number in accordance with that specified by the local authority shall also be displayed on the boat.
2. All mechanically powered pleasure boats or pleasure vessels covered by this licence shall not be hired to any persons under the age of 16 or any person who is not suitably experienced to handle the craft as assessed by the hirer.
3. Every pleasure boat or pleasure vessel hereby licensed under 5 metres in overall length must carry the following equipment:
 - (a) Either one lifebuoy of a type complying with the relevant European standard and of a size not less than 610 millimetres in diameter or suitable buoyancy aid.
 - (b) One bailer or bucket capable of displacing at least 1.2 litres of water.

- (c) Where the craft has an inboard engine it must be provided with one dry powder (or suitable alternative) fire extinguisher, which shall be regularly serviced and inspected in accordance with the manufacturer's directions, of not less than 1 kilo capacity with directions for use in accordance with the manufacturer's instructions prominently displayed thereon.
4. Every pleasure boat or pleasure vessel covered by this licence of over 5 metres in overall length shall carry the following equipment:
- (i) Either two lifebuoys of a type complying with the relevant European standard and of a size not less than 610 millimetres in diameter or other suitable buoyancy aid;
 - (ii) One automatic or manual bilge pump, and a bailer or bucket capable of displacing at least 1.2 litres of water;
 - (iii) Two dry powder (or suitable alternative) fire extinguishers, which shall be regularly serviced and inspected in accordance with the manufacturer's directions, of not less than 1 kilo capacity with directions for use in accordance with the manufacturer's instructions prominently displayed thereon.
5. In the case of pleasure boats or pleasure vessels with an exposed propeller shaft they shall be fitted with a suitable shaft cover to the satisfaction of the Local Authority's Boat Inspector.

6. **Steam Powered Engines**

A steam powered propulsion engine installation may be used provided that:

- (i) Pressure systems are of appropriate design and should have a current "Pressure Systems Inspection Certificate" issued by a recognised competent person. A written scheme of examination describing the exact nature of the examination and the examination frequency should be in place, a copy of which must be provided and the system installation should be covered for all risks by a current insurance policy.
- (ii) In the case of a dual fuel installation no flame failure device should be necessary provided the boiler, when in use, is being constantly attended.

7. **LPG Powered Engines**

- (i) All LPG powered propulsion engines must comply with **The Liquid Petroleum Gas Association Code of Practice**.
- (ii) Conversions of engines to dual fuel operation, where LPG constitutes one of the fuels used, is not considered appropriate.

ROWING BOATS AND ROWING DINGHIES (Including open canoes)

1. The maximum number of permitted persons to be carried on any vessel shall not be exceeded. This maximum number shall be prominently displayed on or in the boat. In addition, the name of the licence holder, an emergency contact number and an identification number in accordance with that specified by the Local Authority shall also be displayed on the boat.
2. The pleasure boat or vessel covered by this licence shall not be hired to any person or persons under the age of 16 years unless they have suitable experience as assessed by the hirer.
3. Every pleasure boat hereby licensed shall carry the following equipment:
 - (a) Either one lifebuoy of a type complying with the relevant European standard and of a size not less than 610 millimetres in diameter (except open canoes) or suitable buoyancy aid.
 - (b) One bailer or bucket capable of displacing at least 1.2 litres of water unless the boat is designed such that this is not needed.
 - (c) 2 metres of rope secured to the bow of the boat.
4. Every boat hereby licensed shall be fitted with oars with rowlocks of the 'pin' type or alternatively with oars of a type capable of being secured to the boat or vessel by some other means to the satisfaction of the Council's Boat Inspector (except open canoes).
5. A plaque of at least 300 mm in width by 75 mm in depth shall be affixed in a prominent position in every pleasure boat covered by this licence bearing the following wording in black or red letters on a white background:

"WARNING - STANDING UP WILL EFFECT THE STABILITY OF THE BOAT"

or similar wording that conveys the same message or intended meaning and an understanding of the safety briefing.

WINDSURFERS

1. Each windsurfer shall have prominently painted in letters and figures, not less than 25 mm in height and 20 mm breadth on a conspicuous part of the windsurfer, an identification number in accordance with that specified by the Local Authority.