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**LONDON GATEWAY PORT**

**GENERAL BYELAWS**

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# LONDON GATEWAY PORT LIMITED

## GENERAL BYELAWS

London Gateway Port Limited, in exercise of its powers under article 4 of the London Gateway Port Harbour Empowerment Order 2008 (S.I. 2008/1261), sections 84 and 85 of the Harbours, Docks and Piers Clauses Act 1847 and section 52 of the Criminal Justice Act 1988, hereby makes the following Byelaws.

### PART 1- PRELIMINARY

#### 1. CITATION AND COMMENCEMENT

1.1 These Byelaws may be cited as the London Gateway Port Byelaws 2017.

1.2 These Byelaws come into force on

#### 2. INTERPRETATION

2.1 In these Byelaws, unless the context otherwise requires:

- the Act** means the Harbours, Docks and Piers Clauses Act 1847;
- Area of Jurisdiction** means the area of jurisdiction prescribed by article 8 of the Order as shown on the Plan attached to these Byelaws at Appendix 1;
- associated company** means any company which is in respect of another company (within the meaning of section 1159 of the Companies Act 2006) the holding company of that company or another subsidiary of the holding company of that company;
- Aquatic Sport** includes angling, diving, swimming, snorkelling, water skiing, aquaplaning, paragliding, power boat racing, para-kiting or parachute towing, use of personal water craft and paddleboards or any similar activity;
- Authorised Officer** means any employee or agent of London Gateway who is wearing a uniform, badge or otherwise demonstrates evidence of their authorisation or any Police Constable;
- dangerous goods** means:
- (1) any dangerous substance within the meaning of the Dangerous Goods in Harbour Areas Regulations 2016 (S.I.2016/721); or
  - (2) any dangerous substances within the meaning of the Merchant Shipping (Dangerous or Noxious Liquid Substances in Bulk) Regulations 1996 (S.I.1996/3010); or
  - (3) any dangerous goods within the meaning of the Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997 (S.I.1997/2367);
- Exhaust Muffler** means a device used to decrease the amount of noise emitted from the exhaust of an engine;
- goods** means all wares, merchandise, articles or things of every description, other than vessels, and includes containers, trailers, flats and livestock;
- hovercraft** has the meaning assigned to it by section 4 of the Hovercraft Act

1968;

<b>LGP Harbour Master</b>	means every person having the powers of a harbour master due to their appointment as Dockmaster by London Gateway under article 3 of the Order;
<b>London Gateway</b>	means London Gateway Port Limited or any person to whom any relevant function is transferred under article 46 of the Order and includes where the context admits, its officers, servants and agents;
<b>London Gateway property</b>	means property within the Port and which is owned by, or is under the administration management or control of London Gateway and includes any property under lease, tenancy or licence, from or to London Gateway;
<b>Master</b>	when used in relation to any vessel means any person having the command, charge or management of the vessel for the time being;
<b>Order</b>	means the London Gateway Port Harbour Empowerment Order 2008 (S.I. 2008/1261);
<b>owner</b>	when used in relation to goods includes any consignor, consignee, shipper or agent for the sale custody or control of such goods and, when used in relation to any vessel includes any part owner, charterer consignee or mortgagee in possession;
<b>the PLA</b>	means the Port of London Authority constituted in the Port of London Act 1968;
<b>PLA Harbour Master</b>	means any harbour master of the PLA and any of their authorised deputies and assistants and any person authorised by the PLA to act in that capacity;
<b>Plan</b>	means the plan annexed to these Byelaws as Appendix 1;
<b>Police Constable</b>	includes any constable appointed pursuant to article 51 of the Order;
<b>the Port</b>	means DP World London Gateway Port as shown on the Plan and includes any part of the Port;
<b>the Port Premises</b>	means any works (including any quay, pier, jetty, wharf, landing or stairs), berthing pockets, land or premises as are situated within the Port;
<b>the River</b>	means that part of the river Thames within the limits of the PLA, as described in Schedule 1 of the Port of London Act 1968;
<b>the Shell Premises</b>	means the area of the Port that is appropriated by London Gateway for the sole use of Shell U.K. Limited or any associated company and comprises the Shell jetty and the area of land immediately adjacent to that jetty as shown on the Plan;
<b>unregistered vehicle</b>	means any vehicle which is not registered under the Vehicle Excise and Registration Act 1994 for use on the public highway;
<b>vessel</b>	includes every description of vessel, however propelled or moved, and includes a non-displacement craft, a personal watercraft, a seaplane on the surface of the water, a hydrofoil vessel, a

hovercraft or any other amphibious vehicle and any other thing constructed or adapted for movement through, in, on or over water and is at the time in, on or over water; and

**Works** means construction or repair works undertaken and the product of such works.

2.2 Unless the context otherwise requires references in the Byelaws to any Act whether public, general or local, or any instrument made under an Act, or any provision in any Act or any such instrument, shall be construed as references to that Act or instrument as amended by any other Act or instrument.

### 3. APPLICATION OF THE BYELAWS

3.1 These Byelaws apply to the Port.

3.2 The application of these Byelaws to the Shell Premises is limited where expressly indicated in the relevant Byelaw, to the extent set out.

### 4. OFFENCES AND DEFENCES

4.1 Contravention of any of byelaws 5, 8, 9, 10, 12, 20, 26, 31, 35, 41, 46, 47, 48, 49, 54, 55 and 56 shall be punishable with a fine not exceeding level 4 on the standard scale.

4.2 Contravention of any of byelaws 6, 14, 18, 23, 24, 28, 29, 30, 37, 45, 53, 57 and 58 shall be punishable with a fine not exceeding level 3 on the standard scale.

4.3 Contravention of any of byelaws 7, 11, 13, 15, 16, 17, 19, 21, 22, 25, 27, 32, 33, 34, 36, 38, 39, 40, 42, 43, 44, 50, 51 and 52 shall be punishable with a fine not exceeding level 2 on the standard scale.

4.4 Where the commission by any persons of an offence under these Byelaws is due to the act or default of some other person, that other person is guilty of the offence, and a person may be charged with and convicted of the offence by virtue of this Byelaw whether or not proceedings are taken against any other person.

4.5 In any proceedings for an offence under these Byelaws it is a defence for the person charged to prove:

4.5.1 that he took reasonable precautions and exercised all due diligence to avoid the commission of such an offence; or

4.5.2 that he had a reasonable excuse for his act or failure to act.

4.6 If in any case the defence provided by this Byelaw involves the allegation that the commission of the offence was due to the act or default of some other person, any person charged may not, without leave of the Court, be entitled to rely on that defence unless, within a period ending 7 clear days before the hearing, the person charged has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of the other person as is then in his possession.

4.7 Where a breach of these Byelaws is committed by a body corporate and that breach is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, company secretary or other similar officer of the body corporate, or any person who was purporting to act in such capacity, that person, as well as the body corporate, is guilty of that offence and is liable to be proceeded against under this Byelaw.

4.8 The institution of any proceedings under these Byelaws shall be without prejudice to the recovery of damages or to the pursuance and enforcement of any other civil remedy in respect of any act or omission which is in contravention of the Byelaws.

## **PART 2– OPERATION OF THE PORT**

### **5. FOULING AND OBSTRUCTION OF THE PORT**

5.1 No person may intentionally and without authority from the LGP Harbour Master, within the Port, do, cause or permit to be done or omit to do anything tending to cause:

5.1.1 an encumbrance, pollution or fouling of any water or foreshore of the River or any part of the Port Premises;

5.1.2 an obstruction or danger to navigation in the Port or the River;

5.1.3 a danger to life or health in the Port, the River or elsewhere; or

5.1.4 any nuisance.

5.2 Ballast, rubbish or refuse may only be placed, left, transhipped or disposed of at such places in the Port as may be designated by London Gateway and subject to Byelaw 5.3.

5.3 Any activities referred to in Byelaw 5.2 must be carried out in accordance with all necessary consents and approvals and are carried out at the sole risk of the person placing, leaving, transhipping or disposing of the same.

5.4 The Master of a vessel must not load or discharge any cargo, ballast, fuel, refuse or rubbish any part of which is liable in the course of such loading or discharging to fall into the River without taking such precautions by affixing canvas or tarpaulins or other suitable material or thing as will effectually prevent any such cargo ballast fuel refuse or rubbish from falling into the River.

### **6. AIDS TO NAVIGATION**

6.1 No person may without lawful excuse, place, move in to or remove from the Port, or otherwise interfere with, any light, fog signal, buoy, radar, reflector or other object used as an aid to navigation.

6.2 No person may display within the Port any light or other object in such a way as may mislead vessels or endanger navigation.

### **7. PLANT AND MACHINERY ETC.**

7.1 Any person in charge of any plant, machinery, equipment or appliance situated on the Port Premises must remove that plant, machinery, equipment or appliance from the Port Premises upon order of London Gateway, giving reasonable notice depending on the nature of the plant, machinery, equipment or appliance involved and the reasons for the removal. If the owner or operator of any plant, machinery, equipment or appliance fails to comply with such an order by London Gateway, the plant, machinery, equipment or appliance may be removed by London Gateway at the risk and expense of the owner or operator.

7.2 All persons operating plant, machinery, equipment or appliances in the Port will comply with any reasonable written notices given by London Gateway as to the use of safety devices in addition to those as may be required by law.

7.3 Except with written permission of London Gateway, no person may store in or about the Port Premises any plant, machinery, equipment or appliance unless that plant, machinery, equipment or appliance is used for the purpose of loading, unloading or handling goods.

### **8. YACHT RACES AND AQUATIC SPORTS**

8.1 No person may conduct or participate in a yacht or boat race or other Aquatic Sport, or in any other similar activity in the Port.



## **PART 3– PROTECTION AND CONTROL OF PORT PREMISES**

### **9. ENTRY UPON PORT PREMISES**

- 9.1 No person may enter the Port or be upon the Port Premises except pursuant to express statutory authority or written licence, pass or other permission from London Gateway and upon the terms and conditions of that licence, pass or permission.
- 9.2 A licence, pass or permission may be restricted to allow entry to certain areas of the Port only. No person may enter an area of the Port for which he or she does not have a licence, pass or permission.
- 9.3 London Gateway may withhold, delay, refuse or revoke any licence, pass or permission referred to in this Byelaw in relation to any person.
- 9.4 Every person on the Port Premises must at the instruction of any Authorised Officer, produce any pass or other evidence of their licence or permission to be on the Port Premises.
- 9.5 Every person in charge of a licensed hackney carriage or taxi must stop at the designated barriers or security posts at the entrances to the Port, to declare his or her destination and passengers or intention to collect such passengers.
- 9.6 Without prejudice to Byelaw 4, any person present on the Port Premises in actual or suspected breach of any of these byelaws or without having proper business at the Port may be required immediately to leave the Port Premises by any Authorised Officer and to surrender any pass they may have to that Authorised Officer.

### **10. INTOXICATING SUBSTANCES**

- 10.1 No person may be in an intoxicated condition within the Port.
- 10.2 No person may, without written permission of London Gateway or lawful reason, convey or cause to be conveyed, alcohol into, within or from the Port unless it is cargo for import or export.

### **11. INSPECTION OF BAGS, PARCELS ETC**

- 11.1 No person may refuse to produce for inspection, at the request of any Authorised Officer, the contents of any outer clothing, article, bag, case, parcel, vehicle, box or container of any kind in his or her possession, on the Port Premises.

### **12. NON-PERMITTED ACTIVITIES**

- 12.1 No person who is on the Port Premises may, without the prior consent of London Gateway:
- 12.1.1 sell or offer for sale any goods or services;
  - 12.1.2 distribute, post or leave any circulars, leaflets or advertising matter;
  - 12.1.3 undertake personal solicitation;
  - 12.1.4 organise any general meeting; or
  - 12.1.5 deliver any address to any audience or gather together any persons whereby any work or business within the Port or the control, management or use of the Port Premises is, or is likely to be, obstructed, impeded or hindered.

**13. STRUCTURES AND WORKS**

- 13.1 No structure or work which interferes with the operation of the Port may be placed or erected on the Port Premises (other than the Shell Premises) except with written permission from London Gateway and upon such terms and conditions as London Gateway may stipulate.
- 13.2 Every structure or work placed or erected in contravention of this Byelaw must, upon order of London Gateway, be removed forthwith by the owner thereof or by the person by whom such structure or work was so placed or erected.
- 13.3 Where a structure or work is not removed pursuant to an order of London Gateway under this Byelaw, London Gateway may at the risk and expense of the owner or person referred to in this Byelaw undertake such removal.

**14. LEAVING OF GOODS**

- 14.1 No person may place or leave any goods on the Port Premises in such a manner as to create an obstruction or interference.
- 14.2 No person may, without written permission of London Gateway, place or leave any goods on the Port Premises except goods for use:
  - 14.2.1 by vessels;
  - 14.2.2 in connection with shipping;
  - 14.2.3 by London Gateway; or
  - 14.2.4 in connection with railway wagons, road transport, sheds or harbour facilities.
- 14.3 No person may place or leave goods on the Port Premises including any goods coming within 14.2.1 to 14.2.4 of this Byelaw, which are likely to cause a nuisance or endanger life or health.

**15. ARTIFICIAL LIGHTS**

- 15.1 Subject to Byelaw 15.2, no person may use any artificial light on the Port Premises without the prior permission of London Gateway.
- 15.2 Electric lights that do not pose a potential risk to the navigational safety of vessels or present a health and safety or fire risk may be used on the Port Premises.
- 15.3 In any event, any person in control of any electric light at the Port Premises will immediately comply with any direction of the LGP Harbour Master in relation to the use, extinction or screening of such electric light.

**16. RAILWAY ROLLING STOCK**

- 16.1 No railway rolling stock or locomotives may be brought on to the Port Premises except with London Gateway's permission and upon such terms and conditions as London Gateway may determine.

**17. LIVE ANIMALS**

- 17.1 No live animal may be brought into the Port without the express prior permission of London Gateway.
- 17.2 Byelaw 17.1 does not apply to:
  - 17.2.1 dogs in the custody of a police officer or member of HM Forces on duty;

- 17.2.2 guide dogs for the visually impaired;
- 17.2.3 a dog trained by Hearing Dogs for Deaf People (registered charity number 293358); or
- 17.2.4 any other dog that is similarly specifically trained by a registered charity to assist any person with any disability within the meaning of the Equality Act 2010.

## 18. REMOVAL OF NOTICES

- 18.1 No person may remove, or interfere with any London Gateway mark, printed or written notice, direction, sign or device, order, Byelaw or regulation which is posted, attached, or affixed to or on the Port Premises.

## 19. ERECTION OF SIGNS

- 19.1 No person may display, place or erect on the Port Premises (other than the Shell Premises) without written permission of London Gateway any placard, hoarding, poster, advertisement, sign, device or similar article.

## 20. REMOVAL OF SAND, SHINGLE ETC

- 20.1 No person may remove from Port Premises without written permission of London Gateway any sand, shingle, stone or gravel which is London Gateway property.

## 21. REPORTING OF ACCIDENTS

- 21.1 Every person involved in an accident within the Port (other than the Shell Premises) that causes the death of or an injury to any other person or loss of or damage to property, must as soon as possible and in any event within 7 days of being requested to do so by London Gateway, deliver to London Gateway a written report giving full details of the accident.
- 21.2 Delivering a report under Byelaw 21.1 is not a substitution for complying with reporting obligations under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 and any person delivering such report must comply with these regulations.

## 22. AUTHORITY FOR REMOVAL OF GOODS

- 22.1 A person removing goods from the Port must, on request, provide London Gateway with a copy of his or her authority to remove those goods in writing or electronically as stipulated by London Gateway.

# PART 4 – OPERATION OF VEHICLES

## 23. DRIVING OF VEHICLES

- 23.1 No person may drive or otherwise operate a vehicle within the Port without the due care and attention or without reasonable consideration for other persons within the Port.
- 23.2 A person driving or otherwise operating a road vehicle within the Port must give way to any locomotive, railway rolling stock or other rail or rail-mounted vehicle.

## 24. UNREGISTERED VEHICLES

- 24.1 No person may drive an unregistered vehicle within the Port without first obtaining from London Gateway and displaying on the vehicle a certificate of fitness for that vehicle.

**25. COMPULSORY WEIGHING**

25.1 London Gateway may at any time require the operator of any vehicle, (whether loaded or unloaded), to submit the vehicle to compulsory weighing at weight scales designated by London Gateway for the purpose. Weighing will be carried out in accordance with any applicable provisions set out in the current London Gateway Port Limited General Trading Terms and Conditions.

**26. RESTRICTIONS ON OPERATION OF VEHICLES**

26.1 No person may operate a vehicle within the Port:

26.1.1 in a shed, warehouse or open storage area, except to pick up or deliver goods or for other purposes permitted by London Gateway;

26.1.2 between railway tracks;

26.1.3 across railway tracks except at a signed railway crossing;

26.1.4 at speeds greater than those indicated by speed restriction signs or in a manner which may cause a nuisance, death or injury to persons or damage to property;

26.1.5 which is loaded in excess of its permitted load limit, or whose load is not adequately secured and supported;

26.1.6 from which petrol, oil, or any other substance likely to be dangerous or to constitute a nuisance, is dripping, leaking, escaping or falling; or

26.1.7 which, in the reasonable opinion of London Gateway, is improperly loaded or unserviceable or likely to cause damage to roadways or other property.

26.2 All persons operating vehicles within the Port shall comply with the provisions of the rules in the Highway Code England, Scotland and Wales (as updated).

**27. RESTRICTIONS ON PARKING VEHICLES**

27.1 No person may park a vehicle on the Port Premises:

27.1.1 unless London Gateway has first issued a permit for him to do so;

27.1.2 in such a manner as to create an obstruction or interference;

27.1.3 elsewhere than in a parking area approved and designated as such by London Gateway;

27.1.4 which is loaded in excess of its permitted load limit, other than at an appropriate place for the purpose of immediately reducing its load; or

27.1.5 from which petrol, oil, or any other substance likely to be dangerous or to constitute a nuisance, is dripping, leaking, escaping or falling.

27.2 Subject to Byelaw 27.3, for the purposes of this Byelaw, a vehicle is parked wherever it is stopped, whether or not the driver remains in the vehicle and whether or not the engine of the vehicle is running, and the term includes any vehicle apparently abandoned.

27.3 A vehicle is not parked contrary to this Byelaw where it is stopped:

27.3.1 as required by a traffic control device or by an Authorised Officer; or

27.3.2 whilst the vehicle cannot move due to an obstruction or failure of the vehicle.

**28. SUPPLY AND DISCHARGE OF FUELS AND OILS**

- 28.1 No person may supply to, receive into or discharge from, a vehicle on the Port Premises any petrol or other fuel or oil except at locations and times approved by London Gateway.

**PART 5 – BERTHING, MOORING OR ANCHORING IN THE PORT**

**29. VESSELS TO BE BERTHED ONLY WITH PERMISSION OF LGP HARBOUR MASTER AND AS DIRECTED**

- 29.1 A Master of any vessel may only berth or moor his vessels in the Port with the permission of the LGP Harbour Master and then only at such place and in such manner as directed by the LGP Harbour Master.
- 29.2 The permission referred to in Byelaw 29.1 must be obtained before the vessel enters the River or, as the case may be, moves from any place within the River.
- 29.3 A Master of any vessel may only permit his or her vessel to move from one berth to another berth in the Port with the prior permission of the LGP Harbour Master.
- 29.4 A Master of a vessel clearing from the Port must give notice to the LGP Harbour Master of his intention to vacate the berth occupied by his or her vessel.
- 29.5 No vessel may use its anchor in the Port, whether to facilitate berthing or mooring or otherwise, unless it is (i) in an emergency or to ensure a safe berthing and (ii) the LGP Harbour Master has given prior consent.

**30. VESSELS TO BE ABLE TO MOVE ON SHORT NOTICE AND TO HAVE CREW AVAILABLE AT ALL TIMES**

- 30.1 The Master of every power-driven vessel berthed or moored in the Port must ensure that, unless exempted by London Gateway, the vessel must at all times have:
- 30.1.1 sufficient power and crew available to enable the vessel to move under its own power on short notice;
  - 30.1.2 sufficient crew on board to operate winches and handle mooring lines; and
  - 30.1.3 sufficient crew to ensure that the vessel is at all times securely made fast and that the moorings are adjusted as necessary to allow for the rise and fall of the tide and for the loading and unloading of cargo.

**31. LINES TO BE MADE FAST**

- 31.1 The Master of every vessel berthed or moored within the Port must ensure that the lines of such vessel are made fast only to facilities provided for berthing or mooring purposes.
- 31.2 Lines may not be laid across any quay or over the River in such manner as to obstruct the passage of any other vessel.

**32. VESSELS BERTHING ALONGSIDE OTHER VESSELS**

- 32.1 The Master of every vessel must ensure that:
- 32.1.1 his or her vessel does not make fast to or secure alongside any other vessel within the Port without permission of the LGP Harbour Master and the approval of the PLA Harbour Master;

32.1.2 when ordered by the LGP Harbour Master, he or she permits any other vessel of no greater tonnage, measurement or deadweight, to make fast to, or secure alongside, his or her vessel;

32.1.3 where his or her vessel has another vessel secured alongside:

- (a) he or she allows a free and unencumbered passage over his or her vessel to the outer vessel for loading, unloading and access to and from the quay; and
- (b) the lines by which the outer vessel is made fast or secured must not, except in any emergency, be cut or cast off without permission of the LGP Harbour Master and without notice of the intention to do so having been given to the Master of the outer vessel which is so made fast or secured.

32.2 Byelaws 32.1.2 and 32.1.3 do not apply to any vessel berthed at the Shell Premises.

### 33. DELAYS IN DEPARTURE TO BE REPORTED

33.1 Where a vessel is delayed in departing from the Port the Master of the vessel must report immediately to the LGP Harbour Master the reason and the probable duration of the delay.

### 34. VESSELS NOT TO TEST EQUIPMENT WITHOUT PERMISSION OF LGP HARBOUR MASTER OR SHUT DOWN ENGINES

34.1 The Master of every vessel must ensure that:

- 34.1.1 his or her vessel, when berthed at the Port or alongside another vessel in the Port does not without the permission of the LGP Harbour Master engage in equipment or machinery tests or any operations likely to endanger property at the Port or other vessels;
- 34.1.2 his or her vessel, when berthed or moored in the Port, does not shut down or dismantle main engines without permission of the LGP Harbour Master; and
- 34.1.3 his or her vessel does not use any propulsion or other manoeuvring machinery or equipment in such manner as to cause damage to London Gateway property.

### 35. BUNKERING

35.1 No Master of any vessel berthed at the Port may permit the same to receive bunkers except with the permission of the LGP Harbour Master.

35.2 When bunkers are being supplied every Master must ensure that all scuppers and other openings are blocked off to the LGP Harbour Master's satisfaction.

35.3 All vessels providing bunker services in the Port must carry oil spill response and clean-up equipment, including containment booms and must have crew trained in its use.

### 36. VESSELS TO DISPLAY NAME AND DRAUGHT MARKS

36.1 The owner of every vessel of over 60 tonnes gross registered tonnage in the Port must ensure that such vessel conspicuously displays its name and accurate draught marks.

### 37. VESSELS TO HAVE GANGWAYS

37.1 The Master of every vessel when berthed in the Port must ensure:

- 37.1.1 that his or her vessel has suitable gangways, clearly illuminated at night, for the use of persons boarding or leaving the vessel;

- 37.1.2 that every gangway is attended at all times by a watchman or other responsible person and has a suitable heaving line and lifebuoy conveniently located thereby; and
- 37.1.3 that suitable safety nets are used beneath every gangway and in such other places as may be necessary to prevent persons or goods from falling into the River.

**38. CARGO HANDLING EQUIPMENT NOT TO OBSTRUCT AND TO BE WELL LIT**

- 38.1 Any person placing or leaving equipment for loading cargo on to, or unloading cargo from or handling cargo on a vessel in the Port must;
  - 38.1.1 ensure that it is placed in such a manner as to give clear and uninterrupted access to and from the vessel and does not interfere with any other operation in the Port; and
  - 38.1.2 ensure that, from sunset to sunrise, any such equipment is clearly illuminated.

**39. SIDE PORTS**

- 39.1 The Master of every vessel must ensure that the side ports of such vessel whilst in the Port from sunset to sunrise are:
  - 39.1.1 clearly illuminated when open; and
  - 39.1.2 closed when not in use.

**40. DISPLAY OF SIGNALS AND USE OF LIGHTS FOR LOADING AND UNLOADING**

- 40.1 The Master of every vessel must ensure that:
  - 40.1.1 when his or her vessel is loading or unloading in the Port and is using lights for such purpose, those lights are used in safe positions and are of a type approved by London Gateway, and any connecting wires between ship and shore for those lights are properly insulated, protected against damage, do not constitute a hazard to the movement of persons or equipment and are connected in accordance with the directions of London Gateway;
  - 40.1.2 where his or her vessel is turning its propeller while berthed at the Port, the vessel indicates such activity by hanging signboards illuminated at night over each quarter in line with such propeller; and
  - 40.1.3 his or her vessel displays correct night and day shapes, flags and lights for the operation in which it is engaged.

**41. RODENTS**

- 41.1 The Master of every vessel may not permit the passage of any rodents between the vessel and the Port Premises or onto any other vessel and must take all necessary precautions including the attachment of suitable devices to the lines of the vessel, for that purpose.

**42. EXHAUST MUFFLERS TO BE USED AT ALL TIMES**

- 42.1 The Master of every vessel must ensure that the internal combustion engines on his or her vessel when operating in the Port are equipped with efficient Exhaust Mufflers, which must be used continuously when the engines are running.

**43. RIGGING GEAR ETC NOT TO OVERHANG SIDE OF VESSEL**

- 43.1 The Master of every vessel must ensure that no rigging gear or other equipment of his or her vessel when in the Port overhangs or projects from the side of the vessel in a manner that may endanger life or property.

**44. WHISTLES, SIRENS ETC NOT TO BE SOUNDED UNNECESSARILY**

44.1 The Master of every vessel must ensure that no whistle, siren or fog-horn on his or her vessel when in the Port is sounded unnecessarily.

**45. ALL VESSELS TO MAINTAIN ADEQUATE WATCH AND NOTIFY ANY ACCIDENT, FIRE ETC**

45.1 Unless exempted in writing by London Gateway, the Master of every vessel must ensure that when in the Port his or her vessel maintains an adequate watch and, in the event of any danger, accident, disturbance or fire on that vessel, that such watch immediately gives an alarm and notifies:

45.1.1 the nearest Police Constable;

45.1.2 London Gateway's Chief Fire and Safety Officer;

45.1.3 the LGP Harbour Master;

45.1.4 the PLA Harbour Master; or

45.1.5 any other Authorised Officer.

**46. VESSELS NOT TO BE ABANDONED SUNK ETC**

46.1 No person may abandon, sink, burn, break up, dismantle or cast adrift in the Port any vessel or any other material.

**47. ALL ACCIDENTS, COLLISIONS AND GROUNDINGS IN THE PORT TO BE REPORTED**

47.1 The Master of a vessel involved in:

47.1.1 an accident causing death or injury to persons or loss or destruction of or damage to property;

47.1.2 a collision;

47.1.3 a grounding; or

47.1.4 any pollution or fouling of any water or foreshore of the River,

in the Port, must as soon as possible deliver to the LGP Harbour Master log extracts covering the incident and a detailed written report of such accident, collision or grounding.

47.2 Notwithstanding any other report required by this Byelaw, the Master of any vessel involved in an accident, collision or grounding in the Port must immediately report the incident by the quickest possible means to the LGP Harbour Master.

47.3 Nothing in this Byelaw relieves the Master of, or discharges, any legal obligation to make any other notification to any other person or body.

**48. NO DREDGING OR REMOVAL OF OBSTRUCTIONS TO BE CARRIED OUT WITHOUT PERMISSION**

48.1 No Master of any vessel may engage in dredging or the removal of obstructions in the Port without the permission of London Gateway.



**49. RECOVERY OF LOST CARGO OR GEAR**

49.1 The Master of a vessel which has lost cargo or ship's gear in the Port must, after obtaining permission from the LGP Harbour Master, quickly recover the lost article if practicable, but if such recovery is not made, the Master of that vessel, must deliver to London Gateway a written report of the loss giving:

49.1.1 the appropriate location of the lost article;

49.1.2 a description of the lost article; and

49.1.3 other pertinent details relating to the loss.

49.2 Where the London Gateway receives a report pursuant this Byelaw, London Gateway may, at the risk and expense of the owner of the vessel which lost the article, recover the lost article pursuant to section 56 of the Harbours, Docks and Piers Clauses Act 1847.

**PART 6 – NOTICE, CERTIFICATES AND MANIFESTS**

**50. NOTICE, CERTIFICATES AND MANIFESTS**

50.1 The owner of every vessel must, wherever possible, give notice to London Gateway of the expected date and approximate time of arrival of his vessel at the berth.

50.2 The Master of a vessel arriving at the Port must, not less than 24 hours before the vessel's arrival, deliver to London Gateway a certificate signed by him setting forth as much of the following information as is required in respect of his vessel by London Gateway:

50.2.1 name of vessel;

50.2.2 port of registry;

50.2.3 gross tonnage;

50.2.4 gross registered tonnage;

50.2.5 draught upon arrival;

50.2.6 time of arrival;

50.2.7 last port of call;

50.2.8 name of Master;

50.2.9 name of owner or agent;

50.2.10 tonnage of goods to be unloaded;

50.2.11 number of passengers to be landed;

50.2.12 port of origin;

50.2.13 number of bags of mail to be landed;

50.2.14 official number;

50.2.15 length overall; and

50.2.16 details of all dangerous goods either for discharge at the Port or which are to remain on board the vessel.

50.3 The Master in charge of a vessel arriving at the Port must immediately deliver to London Gateway one copy, or more copies as requested by London Gateway, of the manifest of the vessel (certified by HM Revenue & Customs in the case of a vessel engaged in foreign trade or by the person in charge of the vessel engaged in domestic trade) setting forth details of cargo to be unloaded at the Port including marks and numbers of consignments on each Bill of Lading, weigh bill or similar document, together with the weight and measurement of such cargo.

#### **51. DELIVERY OF MANIFEST ON DEPARTURE**

51.1 The Master of a vessel clearing from the Port must, within 7 days after the vessel's departure, deliver to London Gateway one copy, or more copies as requested by London Gateway, of the manifest of the vessel (certified by HM Revenue & Customs in the case of a vessel engaged in foreign trade or by the Master of the vessel if engaged in domestic trade) setting forth details of cargo that was carried on the vessel including marks and numbers of consignments on each Bill of Lading, weigh bill or similar document, together with the weight and measurement of such cargo.

### **PART 7 – AIRSHIPS, HYDROFOIL AND AIR CUSHION CRAFT**

#### **52. USE OF PORT BY HYDROFOIL AND AIR CUSHION CRAFT**

52.1 No airship, hydrofoil, hovercraft or other air cushion craft may land on, take off from or operate in the water in the Port or the Port Premises except with prior permission of London Gateway and at locations designated by London Gateway.

### **PART 8 – FIRE PREVENTION**

#### **53. COMPLIANCE WITH FIRE PROTECTION AND PREVENTION STANDARDS**

53.1 Every person in the Port must comply with all such standards and policies for fire prevention and protection against fire within the Port as are from time to time published by London Gateway.

53.2 The Master of any vessel must give reasonable facility and assistance to the fire, police, ambulance or other emergency services for dealing with alleviating or preventing any emergency.

#### **54. HOT WORKING**

54.1 No person may use any naked flames, hot rivets, welding or burning equipment in the Port, nor in any vessel berthed in the Port, except with written permission of London Gateway and in accordance with the terms of that permission.

#### **55. NO ROCKETS ETC TO BE SET OFF AND NO BLASTING OPERATIONS TO BE CARRIED OUT WITHOUT PERMISSION**

55.1 Without the permission of London Gateway, no person other than HM Coastguard may set off rockets or fireworks in the Port and no person may carry out blasting operations in the Port.

#### **56. PROHIBITION OF SMOKING AND POSSESSION OF NAKED LIGHTS IN CERTAIN PLACES**

56.1 No person may smoke in any part of the Port except at locations designated as smoking areas where notices are displayed permitting the possession of such lights or device.

56.2 Further, in any place in the Port, including any vessel moored in the Port, where explosives or dangerous goods (including highly inflammable goods) are located, no person may have in his possession any match or other fire-producing device or wear or have in his possession any article or substance which may cause explosion or fire, except with the express prior permission of the LGP Harbour Master.

57. **NO ARTICLE OR SUBSTANCE TO BE BURNED, BOILED ETC WITHOUT PERMISSION**

57.1 No person may burn, boil or heat by fire any article or substance on the Port Premises except with permission of London Gateway and in such place and in such manner as London Gateway directs.

58. **FIRE HYDRANTS TO BE USED FOR FIRES ONLY**

58.1 No person may use a fire hydrant located on London Gateway property for any purpose other than fire or fire drill without permission of London Gateway and then only in accordance with the terms of such permission.

Made by London Gateway Port Limited

On 21 APRIL 2017

Acting by

IAN MACCAM Director



Director

 F C LEWIS

The Secretary of State confirms the foregoing Byelaws

Signed on behalf of the Secretary of State

On 2017

Signed

## Notes

*These notes are for the information of users of London Gateway only and do not form part of the Byelaws.*

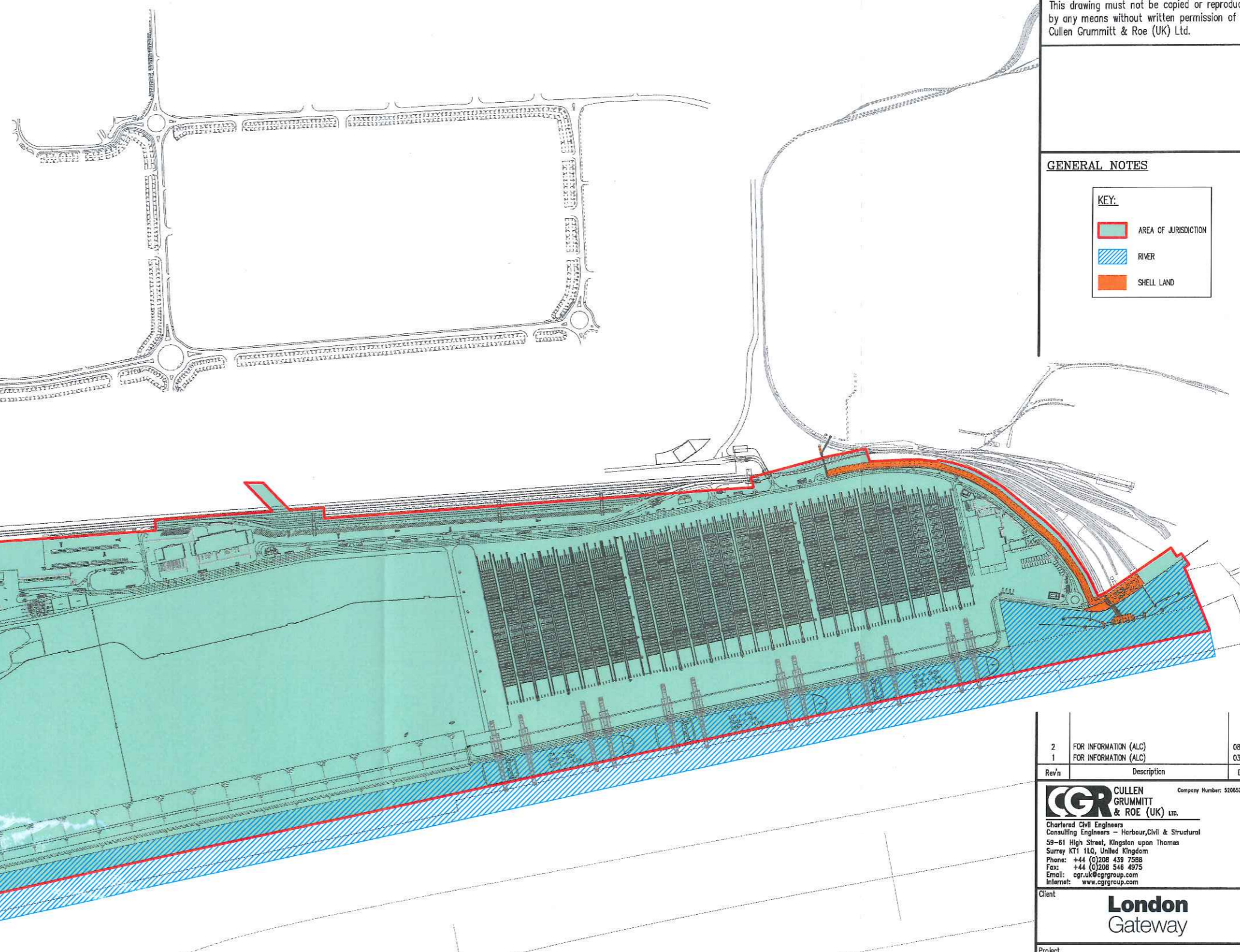
1. It should be noted that directions or byelaws of the PLA apply to the area of River within the Port but to no other part of the Port. In the case of any conflict between any provision of these Byelaws and any provision of the PLA Byelaws or any direction of the PLA or the PLA Harbour Master, that provision of these Byelaws shall be interpreted, in so far as possible, in accordance with the relevant provision of the PLA Byelaws or the direction and, in the case of any irreconcilable conflict, the provision of the PLA Byelaws or the direction shall prevail.
2. In so far as any provision of these Byelaws applies to any Network Rail Property, in the case of any conflict between any provision of these Byelaws and any provision of the Network Rail Byelaws, that provision of these Byelaws shall be interpreted, in so far as it applies to the Network Rail Property and in so far as possible, in accordance with the relevant provision of the Network Rail Byelaws and, in the case of any irreconcilable conflict, the provision of the Network Rail Byelaws shall prevail in respect of the Network Rail Property.
3. The provisions of all the Byelaws are subject to the overriding requirement that vessels must comply with any direction or order of the PLA Harbour Master.
4. All persons entering or being upon London Gateway property do so subject to the London Gateway Port General Trading Terms and Conditions which restrict the liability of London Gateway Port Limited and its affiliates to persons entering the Port and impose liabilities on such persons. By entering London Gateway Port or making use of any facilities or services provided by London Gateway Port Limited or its affiliates you agree to those Terms and Conditions. Further terms and conditions will apply in specific circumstances, including the Passenger Terms and Conditions which apply to any Passengers at London Gateway Port. Copies of the General Trading Terms and Conditions and the Passenger Terms and Conditions are available from London Gateway on request and are available at <http://www.londongateway.com/>.
5. London Gateway has power under article 51 of the Order to nominate persons to be constables within the area of jurisdiction of London Gateway and such a constable will have all the powers and privileges of a constable.
6. Under the terms of the Order, London Gateway may set apart or appropriate any part of the Port to the exclusive, partial or preferential use and accommodation of any particular trade, person, activity, vessel or goods or any class of trades, persons, activities, vessels or goods. No person or vessel may make use of any part of the Port so appropriated or set apart without the consent of the LGP Harbour Master or other duly authorised officer of London Gateway. The LGP Harbour Master or other duly authorised officer of London Gateway may order any person or vessel making use of such parts of the Port without such consent to leave them.
7. It should be noted that these Byelaws in no way affect the rights, powers, jurisdiction or authority of the PLA, or the PLA Harbour Master under the Port of London Act 1968 or any Byelaws for the time being in force under that Act.
8. It should be noted that these Byelaws in no way affect the rights, powers, jurisdiction or authority of London Gateway or the LGP Harbour Master under the Order or the Harbours, Docks and Piers Clauses Act 1847.
9. In these Notes:  
  
"Network Rail" means Network Rail Infrastructure Limited and any associated company of Network Rail Infrastructure Limited which holds property for railway purposes;  
  
"Network Rail Byelaws" means any byelaw made by Network Rail in respect of Network Rail Property;

"Network Rail Property" means any railway belonging to Network Rail and any works, apparatus and equipment belonging to Network Rail connected with any such railway and includes any land held or used by Network Rail for the purposes of such railway or works, apparatus or equipment; and

"PLA Byelaws" means the Port of London Thames Byelaws 2012 and the Dangerous Substances in Bulk Byelaws 1991 and any other Byelaws made by the PLA from time to time which apply to the area of River within the Port.

# APPENDIX 1




## PLAN



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**GENERAL NOTES**

**KEY:**

	AREA OF JURISDICTION
	RIVER
	SHELL LAND

2	FOR INFORMATION (ALC)	08.11.16
1	FOR INFORMATION (ALC)	03.11.16
Rev'n	Description	Date

**CGR** CULLEN GRUMMITT & ROE (UK) LTD.  
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Client  
**London Gateway**

Project  
 LONDON GATEWAY

Discipline/Title  
 AREA OF PORT JURISDICTION

Designed	Checked	Scale
-	-	1:5000
Drawn	Approved	Date
ALC	-	03.11.16

Sheet	Drawing number	Revision
A1	LGW-008-390	2

Drawing number	Revision
LG-CGR-LND-OTA-C2003-DRA-PLN-0390	2.0

FOR INFORMATION