

**Application for a licence for Pleasure boats and vessels – East Dorset area**

Public Health Acts Amendment Act 1907 (Section 94)

|                          |  |
|--------------------------|--|
| Name                     |  |
| Operating Company name   |  |
| Position in organisation |  |
| Telephone number         |  |
| Correspondence address   |  |

I/We ..... (insert name of company) apply herewith for a Licence for Pleasure Boats and Vessels in respect of the following boats(s):-

| Type of boat | Name of boat | Length | Breadth | Passenger capacity |
|--------------|--------------|--------|---------|--------------------|
|              |              |        |         |                    |

I have enclosed the following;

1. the appropriate application fee\* or I am exempt from paying an application fee\* (\*please delete as appropriate)
2. A report by qualified Boat Surveyor which assess the suitability of the boats to be licensed.
3. A current certificate of insurance which provides cover of at least £5,000,000 against any claim by any passenger or other third party arising as a result of the operation of the boat(s).

Name (please print) ..... Signature..... Date.....

**The following conditions shall apply to every boat licensed**

1. The number of passengers carried in any boat shall not, at any time, exceed the number shown opposite the name or number of such boat in the licence. For the purposes of this condition a child over the age of 12 months shall count as one passenger.
2. The name of the Owner and the number of persons the boat is licensed to carry in the form 'Licensed to carry ... persons' shall be shown in letters and figures not less than one inch in height and three-quarter of an inch in breadth, on a conspicuous part of the boat.
3. The person in charge of the boat shall permit any person duly authorised by Dorset Council to examine and inspect the boat and its equipment at any time and any recommendations made following such inspections shall be complied with.
4. The boat shall be maintained in a sound condition and all equipment therein shall be kept in good repair.
5. Buoyancy jackets shall be made available for hirers of such licensed boats on request.
6. The boat shall be kept clean and free from oil refuse and no oil, petrol, grease or oil refuse shall be deposited from the boat in the rivers.
7. The owner of the boat shall take out and shall, during the currency of this licence, maintain with an Insurance company a policy of insurance, providing cover against any claim by any passenger or other third party which may arise as a result of the operation of the boat and shall on demand produce such policy and all receipts for premiums to the Chief Executive of Dorset Council. N.B. A minimum insurance cover of at least £5,000,000 for any one accident must be provided.
8. The Licence attached hereto shall be renewed annually, and such application shall be submitted at least 28 days before the expiry date.
9. Renewal Applications shall be accompanied by a current insurance certificate.

**The following additional conditions shall apply to every motor boat licensed**

10. Every engine in the boat shall be fitted with an efficient silencer.
11. The boat shall at all times when carrying passengers for hire, or when let for hire as the case may be, be furnished with lifesaving jackets, lifebelts or other form of lifesaving apparatus of a type approved by the Department of Trade sufficient for all the persons on board and any such apparatus other than a lifesaving jacket designed for wear by an individual shall be fitted with a rope or other attachment which could be grasped by a person in the water.
12. Means of extinguishing fire from oil or petrol, in the form of a supply of sand, and one or more efficient chemical fire extinguishers, which shall be of a foam or powder type approved by the Department of Trade, shall be carried in the boat in easily accessible positions.
13. A licensed boatman shall be in charge of each boat carrying passengers for hire.

**The council does not warrant by this licence the safety of any boat; also the granting of this licence does not remove from the licensee responsibility for wrongful acts or default or for the employment of incompetent persons or for the use of an unsafe or insufficiently equipped boat.**

# EAST DORSET DISTRICT COUNCIL



## PLEASURE BOAT LICENCE CONDITIONS

### THE FOLLOWING CONDITIONS SHALL APPLY TO EVERY BOAT LICENSED

1. The number of passengers carried in any boat shall not, at any time, exceed the number shown opposite the name or number of such boat in the licence. For the purposes of this condition a child over the age of 12 months shall count as one passenger.
2. The name of the Owner and the number of persons the boat is licensed to carry in the form 'Licensed to carry ... persons' shall be shown in letters and figures not less than one inch in height and three-quarter of an inch in breadth, on a conspicuous part of the boat.
3. The person in charge of the boat shall permit any person duly authorised by the East Dorset District Council to examine and inspect the boat and its equipment at any time and any recommendations made following such inspections shall be complied with.
4. The boat shall be maintained in a sound condition and all equipment therein shall be kept in good repair.
5. Buoyancy jackets shall be made available for hirers of such licensed boats on request.
6. The boat shall be kept clean and free from oil refuse and no oil, petrol, grease or oil refuse shall be deposited from the boat in the rivers.
7. The owner of the boat shall take out and shall during the currency of this licence maintain with an Insurance company and for an amount to be approved by the East Dorset District Council a policy of insurance, providing cover against any claim by any passenger or other third party which may arise as a result of the operation of the boat and shall on demand produce such policy and all receipts for premiums to the Chief Executive of East Dorset District Council. N.B. Insurance cover of at least £2,000,000 for any one accident must be provided.
8. The Licence attached hereto shall be renewed annually, and such application shall be submitted at least 28 days before the expiry date.
9. Renewal Applications shall be accompanied by a current insurance certificate.

### THE FOLLOWING ADDITIONAL CONDITIONS SHALL APPLY TO EVERY MOTOR BOAT LICENSED

10. Every engine in the boat shall be fitted with an efficient silencer.
11. The boat shall at all times when carrying passengers for hire, or when let for hire as the case may be, be furnished with lifesaving jackets, lifebelts or other form of lifesaving apparatus of a type approved by the Department of Trade sufficient for all the persons on board and any such apparatus other than a lifesaving jacket designed for wear by an individual shall be fitted with a rope or other attachment which could be grasped by a person in the water.
12. Means of extinguishing fire from oil or petrol, in the form of a supply of sand, and one or more efficient chemical fire extinguishers, which shall be of a foam or powder type approved by the Department of Trade, shall be carried in the boat in easily accessible positions.
13. A licensed boatman shall be in charge of each boat carrying passengers for hire.

THE EAST DORSET DISTRICT COUNCIL DO NOT WARRANT BY THIS LICENCE THE SAFETY OF ANY BOAT, ALSO THE GRANTING OF THIS LICENCE DOES NOT REMOVE FROM THE LICENSEE RESPONSIBILITY FOR WRONGFUL ACTS OR DEFAULT OR FOR THE EMPLOYMENT OF INCOMPETENT PERSONS OR FOR THE USE OF AN UNSAFE OR INSUFFICIENTLY EQUIPPED BOAT.

**Dorset Council**

**PUBLIC HEALTH ACTS AMENDMENT ACT 1907 (SECTION 94)**

**Application for Licence to act as a Boatman**

Type of boatman:      Assisting in the charge      ☐      Remaining on shore and      ☐  
                                          or navigation of a boat                                           hiring out self-drive boat

Current licence number (if applicable).....

|                       |  |
|-----------------------|--|
| Applicant (full name) |  |
| Full address          |  |
| Telephone number      |  |
| Email address         |  |

Please indicate if you hold any of the following certificates

- Royal Yacht Association / Department of Transport certificate of competency
- Maritime and Coastguard Agency Boatmaster's licence (grade 3)
- Royal Yacht Association advanced powerboat certificate
- Royal Yacht Association Day Skipper practical certificate

|  |
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|  |
|  |
|  |
|  |

Certificate Number

Date of issue

Please indicate which of the following certificates you have obtained within the last five years and provide a copy of the certificate with your application.

- Elementary First Aid Certificate
- Royal Yacht Association Small Craft First Aid Certificate
- Certificate issued by the ambulance service or a voluntary society following the successful completion of a first aid course approved by the Health and Safety Executive. This course must be adapted to have extra emphasis on the treatment of hypothermia and casualty evacuation

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**Please provide the following with your application**

- The appropriate application fee
- A medical fitness report  
(medical examinations are required for first time applicants, subsequent examinations must then be undertaken every 8 years to age 45, then every 5 years to age 65, then annually from age 65 onwards)
- A recent passport size photograph of yourself

Signature:.....Date:.....

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Dorset Council will use your personal information to provide you with the service which you or someone acting on your behalf has asked us to provide. We will also use your personal details for purposes of crime prevention and crime detection and will, if asked, share it with other public bodies for that purpose. The full statement about how we will use your personal details can be seen within the Council's web pages or a copy can be provided upon request.

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*Please note this authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing public funds for these purposes.*

**Dorset Council**

**PUBLIC HEALTH ACTS AMENDMENT ACT 1907 (SECTION 94)**

**Application for Pleasure Boat Licence(s)**

Type of boat(s):      Motor ☐      Non motor ☐

Current licence number (if applicable).....

|                                                                                                                 |                                                         |
|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| Applicant (full / company name)                                                                                 |                                                         |
| Full address                                                                                                    |                                                         |
| Telephone number                                                                                                |                                                         |
| Email address                                                                                                   |                                                         |
| Boat(s) to be licensed                                                                                          | Please use attached form to list boat(s) to be licensed |
| Where will the boat(s) primarily be used                                                                        |                                                         |
| If the boat(s) is/are licensed by another authority please state the authority concerned and the licence number |                                                         |

**Please provide the following with your application**

- The appropriate application fee
- A report by one of the Council's approved Boat Assessors which assesses the suitability of the boat(s) to be licensed
- A current certificate of suitable insurance.

Signature:.....Date:.....

Print Name:.....

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Particulars of Boat(s) to be licensed

| Type of Boat | Name of Boat | Dimensions | Passenger carrying capacity |
|--------------|--------------|------------|-----------------------------|
|              |              |            |                             |

## Council approved boat assessor's report

[illegible]

I have inspected the boats above mentioned. I make the following observations and recommendations upon the application

The boats inspected have **passed/failed (please circle as appropriate)** the safety inspection

Boat Inspector  
signature

Print Name

Date

**CONFIDENTIAL**

**MEDICAL CERTIFICATE**

**APPLICATION FOR BOATMAN'S LICENCE**

Medical examinations must be undertaken for first time applicants, then every 8 years to age 45, every 5 years to age 65 and annually from age 65 onwards. Please contact the Licensing Officer if you are unsure whether you require a medical examination.

You must be seen by a GP at the practice where you are registered.

NAME OF APPLICANT: .....DATE OF BIRTH:.....

ADDRESS: .....

**NB IN COMPLETING THIS FORM, THE DISTRICT COUNCIL ASK THE MEDICAL PRACTITIONER CONCERNED TO ENSURE THAT THE APPLICANT IS EXAMINED AND ALSO THAT FULL REGARD IS PAID TO THE APPLICANT'S MEDICAL HISTORY.**

- (a) This certificate is for the confidential use of the Dorset Council and medical practitioners are asked to be good enough to complete it in the presence of the applicant and return it to them at the time of the medical examination. Any fee charged is payable direct from the applicant to the medical practitioner.
- (b) The standard of acuity of vision is considered unsatisfactory if it is below 6/12 with one eye and 6/36 with the other eye, with or without optical aid.
- (c) Special attention is directed to the condition of the arms, hands, legs and feet and particularly to the joints of the upper and lower extremities.

| QUESTION                                                                                                                                                                                                                  | REPLY |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| Is the applicant, to the best of your judgement subject to epilepsy, vertigo, sudden attacks of disabling giddiness or fainting, or any mental disorder or defect likely to affect his/her efficiency as a boat operator? |       |
| Does the applicant suffer from any heart or lung disorder or defect which might interfere with the efficient performance of duties as a boat operator?                                                                    |       |
| Is there any defect of vision? If so, give details                                                                                                                                                                        |       |

|                                                                                                                                                                    |                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| <p>If yes, give acuity of vision by Snellens test type with and without glasses and answer the following:</p>                                                      | <p>RE.....LE.....<br/>(without glasses)</p> <p>RE.....LE.....<br/>(with glasses if applicable)</p> |
| <p>Was the test conducted with the applicant's own glasses, or,</p>                                                                                                |                                                                                                    |
| <p>Have suitable glasses been prescribed?</p>                                                                                                                      |                                                                                                    |
| <p>Do you consider that the applicant should wear glasses when operating a boat?</p>                                                                               |                                                                                                    |
| <p>Is the applicant's field of vision by hand test satisfactory?</p>                                                                                               |                                                                                                    |
| <p>Is the colour vision normal?</p>                                                                                                                                |                                                                                                    |
| <p>Does the applicant suffer from a squint or any other visual defect which could affect his/her fitness to operate a boat?</p>                                    |                                                                                                    |
| <p>Could any visual defect observed be sufficiently corrected to make the applicant fit to operate a boat?</p>                                                     |                                                                                                    |
| <p>Is there any defect of hearing? If so, do you consider that it would interfere with the efficient performance of the applicant's duties as a boat operator?</p> |                                                                                                    |
| <p>Has the applicant any deformity or loss of limbs? If so, could it interfere with the efficient performance of his/her duties as a boat operator?</p>            |                                                                                                    |
| <p>Is the applicant sufficiently active for the performance of his/her duties?</p>                                                                                 |                                                                                                    |
| <p>Does the applicant show any evidence of being addicted to the excessive use of alcohol, tobacco or drugs?</p>                                                   |                                                                                                    |
| <p>Do you consider further examination necessary? If so, in what period of time?</p>                                                                               |                                                                                                    |

**I CERTIFY THAT I HAVE EXAMINED: .....**

**THE ANSWERS TO THE QUESTIONS ABOVE ARE CORRECT TO THE BEST OF MY  
KNOWLEDGE AND BELIEF AND I CONSIDER THE APPLICANT \*FIT / UNFIT TO  
ACT AS THE OPERATOR OF A BOAT . (\*delete as applicable)**

**SIGNATURE OF MEDICAL PRACTITIONER:.....**

**QUALIFICATIONS:.....DATE:.....**

**ADDRESS:.....**

## Licensing Committee – 6 March 2019

### Pleasure Boat Licensing – review of licence conditions

#### 1. Purpose of report

To consider amendments to the current licence conditions for pleasure boats.

#### 2. Key issues

- 2.1 Section 94 of the Public Health Acts Amendments Act 1907 empowers the Local Authority to issue licences for pleasure boats subject to such terms and conditions as it sees fit. The current pleasure boat licence conditions are attached as **Appendix 1**.
- 2.2 Two licensed pleasure boat operators have requested that the Council remove the licensing conditions currently imposed in respect of lifejackets being worn by under 16's whilst on board category 2 boats. Copies of their request and supporting information are attached as **Appendix 2**.

#### 3. Recommendation

That the existing Pleasure Boats: Conditions of Licence be replaced with the conditions attached as **Appendix 3**.

#### 4. Policy issues

##### 4.1 How will this affect the environment, social issues and the local economy?

The adoption of the new requirements will support local business and maintain standards of public safety throughout the licensed trade.

##### 4.2 Resource implications

There are none.

#### 5. Further information

- 5.1 Category 2 boats are small boats in the charge of a licensed boatman plying for hire or let for hire (e.g. a boat conducting tourist trips).
- 5.2 The Council currently imposes on all category 2 pleasure boat licences a number of conditions relating to the equipment required to be carried. Condition 5.2 requires that lifejackets be available for all passengers and crew, that lifejackets must be worn by all children under the age of 16 and that the stowage position of the lifejackets to be clearly marked and readily accessible.
- 5.3 Although the necessity of having access to suitable lifejackets is widely recognised and supported, the requirement to force passengers under the age of 16 to wear them is not. There is in fact no statutory requirement for them to be worn by any passengers of such boats regardless of age or ability to swim.

- 5.4 Following discussions with partner agencies and similar business owners, the common approach is one of retaining the power to enforce the provision of lifejackets but leaving the issuing of them to risk assessment by the boatman in charge of the vessel or at the request of the passengers themselves.
- 5.5 From wider discussion this approach could be considered suitable to the provision of all equipment set out within the conditions, with the boatman conducting a comprehensive risk assessment at the time of licensing and using that risk assessment to determine necessary safety equipment for each journey.
- 5.6 The replacement of the requirement for all passengers under 16 to wear lifejackets with a risk assessment approach recognises the professionalism of those businesses and balances the protection of public safety with the realities of their operating procedures.

### **Appendices:**

- 1 – Current Pleasure Boat Licence Conditions**
- 2 – Requests for review**
- 3 – Proposed Pleasure Boat Licence Conditions**

For further information contact:-

Ian Carter, Licensing Officer

**PUBLIC HEALTH ACTS AMENDMENT ACT 1907, SECTION 94**

**PLEASURE BOATS: CONDITIONS OF LICENCE**

**1. Interpretation**

In these Conditions the following words mean:

**Category 1 Boats** means small boats or craft including canoes/kayaks, pedaloos, personal water craft, beach floats, self-drive motor and rowing boats let for hire whether in the charge of a licensed boatman or not.

**Category 2 Boats** means small boats in the charge of a licensed boatman plying for hire or let for hire (e.g. a boat conducting tourist trips)

**Council** means Purbeck District Council

**Licensee** means the person named in the Licence

**MCA** means the Maritime and Coastguard Agency

**Navigator** means the person who, whether as Licensee or otherwise, has the charge or control of the Pleasure Boat and includes a person who, being present, is entitled to give orders to the person having charge or control

**Painter** means a line attached to the bow of a pleasure boat for use in towing or making fast

**Pleasure Boat** means the Category 1 or Category 2 boat that is the subject of this licence

**Quoit** means a rescue ring that can be thrown overboard to rescue a person in the water, usually having a long heavy floating line attached to it

**Rough weather conditions** means force 6 or more on the Beaufort Wind Force Scale.

**2. Period of Licence**

The Licence will be for the period 1st April [insert date of Good Friday if earlier] to 31st October 201\* unless the Licence is terminated by the Council earlier.

**3. General**

- 3.1 The Licensee shall not let or hire or cause or permit the Pleasure Boat to be let or hired to any person under 14 years of age unless accompanied by a person who is 18 years or over.
- 3.2 The Licensee shall not let or hire or cause or permit the Pleasure Boat (if it is motorised) to be let or hired to any person under 16 years of age unless accompanied by a person who is 18 years or over.
- 3.3 The Licensee shall not let or hire or cause or permit the Pleasure Boat to be let or hired to any person who is or appears drunk or otherwise incapacitated nor to any person whom such proprietor does not reasonably believe to be competent to manage the Pleasure Boat.
- 3.4 The Pleasure Boat shall not be used for the carrying of passengers for hire unless the Navigator is licensed by the Council
- 3.5 The Pleasure Boat shall be let for hire in rough weather conditions.
- 3.6 The Navigator shall not allow musical instruments to be played or other similar distractions on or in connection with the Pleasure Boat.
- 3.7 The Pleasure Boats shall be kept free from oil and refuse.
- 3.8 Where the Pleasure Boat is required to carry additional fuel it shall be stored securely and safely in appropriate containers.
- 3.9 The Licensee must provide a safety boat that is ready to respond to an emergency involving the Pleasure Boat for recovery of any persons in danger. The safety boat must carry appropriate rescue equipment to deal with such emergencies.

**4. Operating schedule and operating hours**

- 4.1 The Licensee shall have in place at the point of hire/launch, a record of hire of craft to include
  - a) Date and time hired and date and time returned
  - b) Pleasure boat licence number
  - c) Number of persons hiring the pleasure boat and contact details of the hirer.
- 4.2 The Licensee must have and keep under regular review, a documented safety management system (SMS) to ensure that best practice is adhered to at all times. The system should contain:
  - The Licensee's health and safety policy.

- Documented lines of communication between those with responsibilities in the operation of the Pleasure Boat.
  - Procedures for the safe operation of the Pleasure Boat. This can include but not be limited to, equipment testing checklists, bunkering checklists, pre-departure checklists, passenger safety briefing.
  - The Licensee must ensure that their passengers/hirers know about the use and stowage position of all safety appliances on board and the wearing of lifejackets is to be demonstrated.
  - Emergency response procedures.
  - Accident reporting procedures.
  - Crew training records/records of musters and drills.
- 4.3 Category 1 Boats are not to be hired for use (or used for the carriage of passengers) except between the times of sunrise and sunset.
5. **Signage and equipment requirements**
- 5.1 The Licensee shall display a plaque issued by the Council displaying the licence number, and maximum number of persons the Pleasure Boat is licensed to carry in a position on the Pleasure Boat that is visible to the public.
- 5.2 The Pleasure Boat shall be provided with the equipment listed below as applicable. Where a higher standard of equipment than required by reason of any statutory order or provision of any requirements by the MCA, the higher standard shall be applied. All equipment must be supplied and carried at all times and be kept in good working order.

Equipment to be provided for Category 1 Boats

1. Painter
2. Bilge pump (if practicable), bailer and bucket
3. Lifejackets available for all passengers and crew. Lifejackets must be worn by all children under the age of 16. The stowage position of the lifejackets to be clearly marked and readily accessible.
4. Powered or sailing craft must provide an approved alternative means of propulsion (e.g. paddles)
5. 1 Lifebuoy for boats carrying not more than 6 persons, otherwise 2 lifebuoys. It must be of a type approved by the Department of Trade and Industry of a size not less than 610mm in diameter with a buoyant

line of at least 18 metres attached with a minimum breaking strain of 115 kilos

6. In addition to lifebuoys, approved buoyant apparatus to support all of the passengers and crew. The buoyant apparatus may include standard MCA lifebuoys and/or have built-in buoyancy (provided that the built-in buoyancy is adequate and suitable grab lines or rails or bilge keels are provided and maintained).
7. A safety notice explaining the emergency procedures shall be provided to persons hiring the craft

Equipment to be provided for Category 2 Boats

All equipment required for a Category 1 Boat together with:

8. (Powered Boats) At least two approved fire extinguishers (If the Pleasure Boat has covered accommodation it must have foam CO<sub>2</sub> or dry powder extinguishers).
  9. Buoyant heaving line at least 30 meters in length with MCA approved rescue Quoit.
  10. Boat hook.
  11. Klaxon, foghorn, or other approved noise signal.
  12. A sufficient first aid kit.
  13. Navigation lights in accordance with current Merchant Shipping Regulations.
  14. Approved orange smoke floats (at least two).
  15. Suitable tool kit.
  16. One water resistant torch.
  17. VHF or mobile phone (the local navigation authority should be consulted in order to establish the most effective form of communication, whether VHF or other means. Emergency procedures for establishing contact in an emergency should be prepared. It should be noted that a mobile phone may be sufficient in some areas, but if mobile phone coverage is poor, alternative means should be agreed
- 5.3 The Council's approved pleasure boat assessor may by written notice to the Licensee require additional equipment as he considers necessary for the specific operational requirements

- 5.4 Any towing boat shall have at least two crew at all times; one to drive and navigate and the other to watch the tow. A tow line must be between 25-30m in length. A method of quick release in an emergency must be available.

**6. Collision and damage reporting requirements**

- 6.1 The Licensee must inform the Council of any collision or grounding of the Pleasure Boat as soon as reasonably practicable and in any event within 72 hours.
- 6.2 The Licensee must inform the Council of any substantial damage caused to the Pleasure Boat as soon as reasonably practicable and in any event within 72 hours. The Licensee shall supply to the Council on request a written specification of the proposed repairs.
- 6.3 If the Pleasure Boat suffers any significant damage or deterioration caused by collision, accident or any other means it shall not be hired to any persons until it has been repaired and the Pleasure Boat has been inspected (at the Licensee's expense) by the Council's approved pleasure boat assessor.

**7. Pleasure Boat Inspection**

The Licensee will upon request make the Pleasure Boat available for an out-of-water inspection by the Council's approved pleasure boat assessor to ensure that the Pleasure Boat remains in a safe and sea-worthy condition.

**8 Public Liability Insurance**

The Licensee shall take out and maintain a Third Party and Passenger Insurance to cover a minimum sum of £5,000,000. The policy document shall be produced on request to an authorised officer of the Council. The Council shall be notified prior to any change in or on the expiry or termination of the cover.

**9. Right of Entry**

- 9.1 Any officer duly appointed by the Council for the purpose shall have full right at all reasonable times to inspect the Pleasure Boat and to enter upon any yard or premises for that purpose. No Licensee or person in attendance shall obstruct or hinder any such officer from making such entry and inspection or otherwise in the execution of his duties in regard to these conditions.
- 9.2 Every Licensee shall, on demand, produce their Licence to any duly authorised officer of the Council.

**10. Suspensions and Revocation**

- 10.1 At any time during a licence the Council may suspend or revoke this licence in the interest of the public safety or if the Licensee fails to observe or comply with any condition.
- 10.2 In the case of suspension, any suspension shall remain in force until the damage or deterioration of the Pleasure Boat is repaired and made good to the satisfaction of the Council. The Council may require the Pleasure Boat to be inspected (at the Licensee's expense) by the Council's approved pleasure boat assessor as a pre-condition of any suspension being lifted.

NOTE: The Council does not assume responsibility for testing the accuracy of the representations upon which this Licence is granted, nor does the Council warrant in granting this Licence the safety of the Pleasure Boat or the competency of any Boatmen. This Licence does not relieve the Licensee from his liability for his acts or omissions or those by his employees, contractors or agents or the use of any unsafe or insufficiently equipped pleasure boat or vessel.

**PUBLIC HEALTH ACTS AMENDMENT ACT 1907, SECTION 94**

**PLEASURE BOATS: CONDITIONS OF LICENCE**

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- 3.9 The Licensee must provide a safety boat that is ready to respond to an emergency involving the Pleasure Boat for recovery of any persons in danger. The safety boat must carry appropriate rescue equipment to deal with such emergencies.

**4. Operating schedule and operating hours**

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  - b) Pleasure boat licence number
  - c) Number of persons hiring the pleasure boat and contact details of the hirer.
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  - The Licensee's health and safety policy.

- Documented lines of communication between those with responsibilities in the operation of the Pleasure Boat.
  - Procedures for the safe operation of the Pleasure Boat. This can include but not be limited to, equipment testing checklists, bunkering checklists, pre-departure checklists, passenger safety briefing.
  - The Licensee must ensure that their passengers/hirers know about the use and stowage position of all safety appliances on board and the wearing of lifejackets is to be demonstrated.
  - Emergency response procedures.
  - Accident reporting procedures.
  - Crew training records/records of musters and drills.
- 4.3 Category 1 Boats are not to be hired for use (or used for the carriage of passengers) except between the times of sunrise and sunset.
5. **Signage and equipment requirements**
- 5.1 The Licensee shall display a plaque issued by the Council displaying the licence number, and maximum number of persons the Pleasure Boat is licensed to carry in a position on the Pleasure Boat that is visible to the public.
- 5.2 The Pleasure Boat shall be provided with the equipment listed below as applicable. Where a higher standard of equipment than required by reason of any statutory order or provision of any requirements by the MCA, the higher standard shall be applied. All equipment must be supplied and carried at all times and be kept in good working order.

Equipment to be provided for Category 1 Boats

1. Painter
2. Bilge pump (if practicable), bailer and bucket
3. Lifejackets available for all passengers and crew. Lifejackets must be worn by all children under the age of 16 (category 1 boats only). The stowage position of the lifejackets to be clearly marked and readily accessible.
4. Powered or sailing craft must provide an approved alternative means of propulsion (e.g. paddles)
5. 1 Lifebuoy for boats carrying not more than 6 persons, otherwise 2 lifebuoys. It must be of a type approved by the Department of Trade and Industry of a size not less than 610mm in diameter with a buoyant

line of at least 18 metres attached with a minimum breaking strain of 115 kilos

6. In addition to lifebuoys, approved buoyant apparatus to support all of the passengers and crew. The buoyant apparatus may include standard MCA lifebuoys and/or have built-in buoyancy (provided that the built-in buoyancy is adequate and suitable grab lines or rails or bilge keels are provided and maintained).
7. A safety notice explaining the emergency procedures shall be provided to persons hiring the craft

Equipment to be provided for Category 2 Boats

All equipment required for a Category 1 Boat together with:

8. Lifejackets for all passengers and crew. The stowage position of the lifejackets to be clearly marked and readily accessible.
9. (Powered Boats) At least two approved fire extinguishers (If the Pleasure Boat has covered accommodation it must have foam CO<sub>2</sub> or dry powder extinguishers).
10. Buoyant heaving line at least 30 meters in length with MCA approved rescue Quoit.
11. Boat hook.
12. Klaxon, foghorn, or other approved noise signal.
13. A sufficient first aid kit.
14. Navigation lights in accordance with current Merchant Shipping Regulations.
15. Approved orange smoke floats (at least two).
16. Suitable tool kit.
17. One water resistant torch.
18. VHF or mobile phone (the local navigation authority should be consulted in order to establish the most effective form of communication, whether VHF or other means. Emergency procedures for establishing contact in an emergency should be prepared. It should be noted that a mobile phone may be sufficient in some areas, but if mobile phone coverage is poor, alternative means should be agreed

5.3 The Council's approved pleasure boat assessor may by written notice to the Licensee require additional equipment as he considers necessary for the specific operational requirements

5.4 Any towing boat shall have at least two crew at all times; one to drive and navigate and the other to watch the tow. A tow line must be between 25-30m in length. A method of quick release in an emergency must be available.

**6. Collision and damage reporting requirements**

6.1 The Licensee must inform the Council of any collision or grounding of the Pleasure Boat as soon as reasonably practicable and in any event within 72 hours.

6.2 The Licensee must inform the Council of any substantial damage caused to the Pleasure Boat as soon as reasonably practicable and in any event within 72 hours. The Licensee shall supply to the Council on request a written specification of the proposed repairs.

6.3 If the Pleasure Boat suffers any significant damage or deterioration caused by collision, accident or any other means it shall not be hired to any persons until it has been repaired and the Pleasure Boat has been inspected (at the Licensee's expense) by the Council's approved pleasure boat assessor.

**7. Pleasure Boat Inspection**

The Licensee will upon request make the Pleasure Boat available for an out-of-water inspection by the Council's approved pleasure boat assessor to ensure that the Pleasure Boat remains in a safe and sea-worthy condition.

**8 Public Liability Insurance**

The Licensee shall take out and maintain a Third Party and Passenger Insurance to cover a minimum sum of £5,000,000. The policy document shall be produced on request to an authorised officer of the Council. The Council shall be notified prior to any change in or on the expiry or termination of the cover.

**9. Right of Entry**

9.1 Any officer duly appointed by the Council for the purpose shall have full right at all reasonable times to inspect the Pleasure Boat and to enter upon any yard or premises for that purpose. No Licensee or person in attendance shall obstruct or hinder any such officer from making such entry and inspection or otherwise in the execution of his duties in regard to these conditions.

9.2 Every Licensee shall, on demand, produce their Licence to any duly authorised officer of the Council.

**10. Suspensions and Revocation**

- 10.1 At any time during a licence the Council may suspend or revoke this licence in the interest of the public safety or if the Licensee fails to observe or comply with any condition.
- 10.2 In the case of suspension, any suspension shall remain in force until the damage or deterioration of the Pleasure Boat is repaired and made good to the satisfaction of the Council. The Council may require the Pleasure Boat to be inspected (at the Licensee's expense) by the Council's approved pleasure boat assessor as a pre-condition of any suspension being lifted.

NOTE: The Council does not assume responsibility for testing the accuracy of the representations upon which this Licence is granted, nor does the Council warrant in granting this Licence the safety of the Pleasure Boat or the competency of any Boatmen. This Licence does not relieve the Licensee from his liability for his acts or omissions or those by his employees, contractors or agents or the use of any unsafe or insufficiently equipped pleasure boat or vessel.