

EXETER CORPORATION ACT, 1971

Made 26th May, 1976

Coming into Operation 12th August, 1977

The Exeter City Council in exercise of their powers under Section 31 of the Exeter Corporation Act, 1971 and all other enabling powers hereby make the following byelaws:

CITATION AND COMMENCEMENT

1. These byelaws may be cited as the River Exe and Exe Estuary Byelaws, 1976 and shall come into operation one month after the date of confirmation thereof by the Secretary of State for the Environment.

APPLICATION

2. These byelaws shall apply to the River Exe and its Estuary above an imaginary line projected in an easterly direction from Langstone Point to the Exe Fairway Buoy (at 50° 35.9' N—3° 22.1' W) and thence in a north easterly direction to Straight Point as shown for the purposes of identification only on the plan annexed to these byelaws.

INTERPRETATION

3. In these byelaws except so far as the context otherwise requires the following expressions have the meanings hereby respectively assigned to them that is to say:
"the Council" means The Exeter City Council
"vessel" means every description of vessel howsoever navigated propelled or moved.

BYELAWS LIMITING SPEED AND RELATING TO WATER SKIING AND OTHER SIMILAR ACTIVITIES

4. No person in charge of a vessel shall cause or suffer a vessel to proceed at a speed greater than ten knots through the water provided that this byelaw shall not apply:
 - (a) to that part of the estuary of the River Exe within an imaginary line extending due east (true) from a position Lat. 50° 37' 25" North—Long. 3° 25' 20" West to the high water mark of ordinary Spring tides; an imaginary line extending due south (true) from the said position for a distance of 366 metres; an imaginary line extending thence due east (true) to high water mark of ordinary Spring tides and for the purposes of identification only shown edged with a broken line and cross-hatched on the map annexed hereto between 08.00 hours and 21.00 hours Greenwich Mean Time and between 09.00 hours and 22.00 hours British Summer Time in any day if the predicted tidal height at any time during that period is 3.8 metres or more above Chart Datum as predicted by the Institute of Oceanographic Sciences or
 - (b) insofar as a speed of ten knots or more through the water is necessary to facilitate water skiing or any similar activity permitted under Byelaw 5 or
 - (c) to any person taking part in an event organised by the Council or by any other person with the consent of the Council in writing, or
 - (d) to any person (hereinafter called the hirer) using a vessel hired for a continuous period not exceeding two hours from a person (hereinafter called the proprietor) who with the consent in writing of the Council provides the same for hire in the course of a trade or business provided that the hirer uses the vessel within the area to be specified by the Council in the consent issued to the proprietor or
 - (e) to any person testing a vessel or equipment connected therewith with the consent of the Council in writing for the purpose of or in connection with a trade or business of manufacturing vessels or equipment connected therewith.
5. No person shall participate in the sport of water skiing or any similar activity provided that this byelaw shall not apply:—
 - (a) to an area bounded on the north side by an imaginary line drawn due east (true) for a distance of 1097 metres from a point 137 metres measured in a south easterly direction from River Exe Buoy Station numbered 21 along an imaginary line joining River Exe Buoy Stations numbered 21 and 19; on the east side by an imaginary line drawn due south (true) for a distance of 622 metres from the terminal point of the northern boundary; on the south side by an imaginary line drawn due west (true) from the terminal point of the eastern boundary to the point of its intersection with the imaginary line between the said River Exe Buoy Stations; and on the west by the imaginary line last mentioned between its intersections with the northern and southern boundaries aforesaid or
 - (b) to any person taking part in an event organised by the Council or by any other person with the consent of the Council in writing.

6. No person in charge of a vessel shall cause or suffer a vessel to be navigated without due care and attention or without reasonable consideration for other vessels or for the public using the water.
7. No person in charge of a vessel shall cause or suffer a vessel to be navigated in such a manner as to hamper the safe passage of:
 - (a) a ferry of the Devon Dock, Pier and Steamship Company Limited plying between Starcross and Exmouth;
 - (b) the South West Water Authority's sludge disposal vessel plying between the sewage works at Countess Wear in the City of Exeter and the high seas;
 - (c) Commercial Shipping under pilotage.

PENALTIES

8. Any person who without reasonable excuse offends against any of these Byelaws shall be liable on summary conviction to a fine, not exceeding twenty pounds and to a further fine not exceeding five pounds for each day during which the offence continues after conviction therefor.

REVOCATION OF BYELAWS

9. The Byelaws with respect to Navigation in the River Exe and Exe Estuary made by the Mayor Aldermen and Citizens of the City and County of the City of Exeter on the 14th day of November 1973 and confirmed by the Secretary of State for the Environment on 8th May, 1975 are revoked.

The Common Seal of The Exeter
City Council was hereunto
affixed this Twenty-sixth day of
May 1976 in the
presence of:



D. G. SAINSBURY
City Secretary and Solicitor

The Secretary of State for Transport hereby confirms the foregoing byelaws.
Signed on behalf of the Secretary of State this 12th day of July 1977.

F. G. OSBORN
An Assistant Secretary in the Department of Transport.

Notes not forming part of these byelaws

- (1) The imaginary line referred to in Byelaw 2 is shown by a broken line on the attached map for the purpose of identification only.
- (2) The area in which water skiing is permitted is shown by a continuous line and stipple shading on the attached map.
- (3) Every person causing or suffering a vessel to be navigated on the water shall comply with such collision regulations made pursuant to Section 418 of the Merchant Shipping Act 1894 as may be applicable to him (the current collision regulations are The Collision Regulations (Ships and Seaplanes on the Water) and Signals of Distress (Ships) Order 1965 S.I. 1965 No. 1525).

CITY OF EXETER

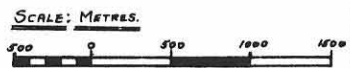
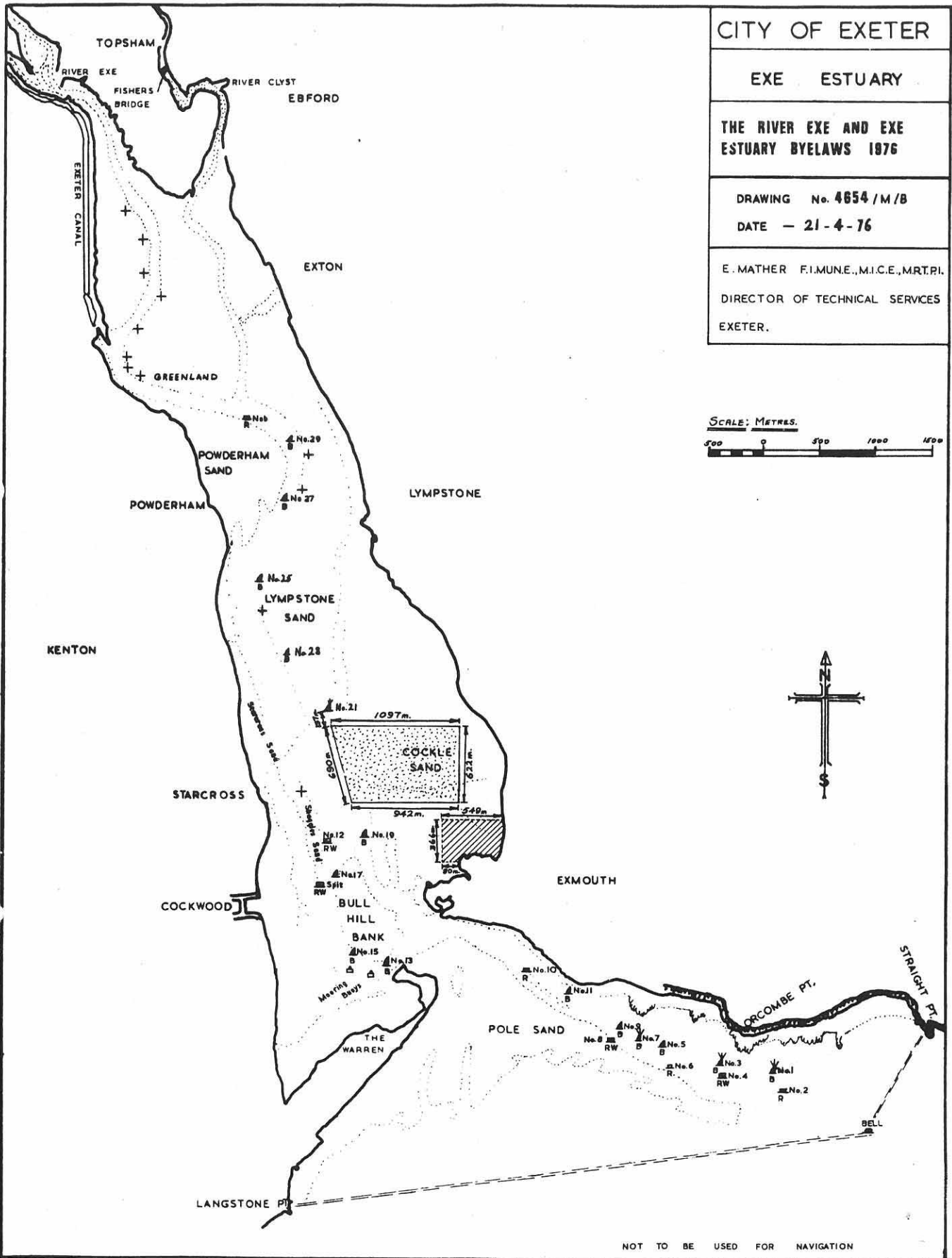
EXE ESTUARY

THE RIVER EXE AND EXE ESTUARY BYELAWS 1976

DRAWING No. 4654/M/B

DATE - 21-4-76

E. MATHER F.I.MUNE., M.I.C.E., M.R.T.P.I.
DIRECTOR OF TECHNICAL SERVICES
EXETER.



NOT TO BE USED FOR NAVIGATION