STATUTORY INSTRUMENTS

1973 No. 1230

MERCHANT SHIPPING

SAFETY

The Lake Windermere (Collision Rules) Order 1973

Made - - - -	16*th July* 1973
Laid before Parliament	20*th July* 1973
Coming into Operation	1*st October* 1973

At the Court at Buckingham Palace, the 16th day of July 1973

Present,

The Queen's Most Excellent Majesty in Council

Whereas the Urban District Councils of The Lakes and Windermere, who are interested in the navigation of the waters of Lake Windermere, have made application in pursuance of section 421(2) of the Merchant Shipping Act 1894(a) for the rules set forth in the Schedule hereto to be made by Her Majesty in Council as regards vessels navigating the said Lake:

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by the said section 421(2) and by section 738(1) of the said Act and of all other powers enabling Her in that behalf is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Lake Windermere (Collision Rules) Order 1973 and shall come into operation on 1st October 1973.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament and as if this Order and the Order hereby revoked were Acts of Parliament.

(3) The Lake Windermere (Collision Rules) Order 1961(c) is hereby revoked.

2. The Rules set forth in the Schedule to this Order shall have effect and shall apply to all vessels navigating the waters of Lake Windermere.

W. G. Agnew.

(a 1894 c. 60. (b) 1889 c. 63. (c) S.I. 1961/343.

SCHEDULE

LAKE WINDERMERE COLLISION RULES

Rules concerning the lights or signals to be carried, and the steps for avoiding collision to be taken, by vessels navigating the waters of Lake Windermere

1. These Rules shall be complied with by all vessels on the lake.

2.—(1) In these Rules—

"the lake" means Lake Windermere and all waters connected therewith, navigable by vessels, to which the public have access;

"length" in relation to a vessel means the overall length of the vessel;

"power-driven vessel" means any vessel propelled by machinery;

"statute mile" means a mile of 1,760 yards;

"vessel" includes every description of water craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water;

"visible" in relation to lights means visible on a dark night with a clear atmosphere.

(2) A power-driven vessel under sail and not under power shall be deemed for the purposes of these Rules to be a sailing vessel, and a vessel under power, whether under sail or not, shall be deemed for the purposes of these Rules to be power-driven vessel.

(3) A vessel is under way within the meaning of these Rules when she is not anchor, or made fast to the shore, or aground.

RULES CONCERNING LIGHTS

3. The Rules concerning lights (that is to say, Rules 4 to 10) shall be complied with in all weathers from sunset to sunrise. The lights prescribed by these Rules may also be exhibited from sunrise to sunset in restricted visibility.

4. A power-driven vessel of 25 feet or more in length, when under way, shall carry:—

(1) in the forepart of the vessel where it can best be seen and at a height of not less than 9 feet above the hull and of not less than 3 feet above the sidelights prescribed in paragraph (2) of this Rule, a white light so constructed and fixed as to show from right ahead to 22½ degrees (2 points) abaft the beam on both sides of the vessel, and of such a character as to be visible at a distance of at least 2 miles; and

(2) on the starboard side, a green light so constructed and fixed as to show from right ahead to 22½ degrees (2 points) abaft the beam on the starboard side; and, on the port side, a red light so constructed and fixed as to show from right ahead to 22½ degrees (2 points) abaft the beam on the port side. Each of the two sidelights shall be of such a character as to be visible at a distance of at least 1 mile.

5. A power-driven vessel of less than 25 feet in length, when under way, shall carry:—

(1) in the forepart of the vessel where it can best be seen but above the sidelights prescribed in paragraph (2) of this Rule, a white light constructed, fixed and of such a character as prescribed in Rule 4(1);

(2) green and red sidelights constructed and fixed as prescribed in Rule 4(2). The two sidelights may be combined in a single lantern showing a green light and a red light from right ahead to 22½ degrees (2 points) abaft the beam on their respective sides. Each of the two sidelights (whether or not combined in a single lantern) shall be of such a character as to be visible at a distance of at least 1 mile.

6. A power-driven vessel when towing another vessel shall carry, in addition to the lights required under Rule 4 or 5 (as the case may be), an additional white light similar

in construction and character to the light prescribed in Rule 4(1) or 5(1) (as the case may be), 3 feet in a vertical line above or below that light.

7. Vessels of 15 feet or more in length under sail and vessels being towed (except as otherwise provided in Rule 8), when under way, shall—

(1) if of 25 feet or more in length, carry the lights prescribed in Rule 4;

(2) if of less than 25 feet in length, carry the lights prescribed in Rule 5;

except in either case for the white light mentioned in Rules 4 and 5 which they shall never carry.

8. Vessels of less than 15 feet in length under oars or sail and all rowing boats, when under way, shall only be required to have ready at hand an electric torch or a lighted lantern showing a white light, which shall be exhibited in sufficient time to prevent collision.

9. A vessel on being overtaken by another vessel shall, by means of an electric torch or a lantern, show from her stern a white light in sufficient time to prevent collision. If the lantern is fixed at the stern of the vessel, it shall be so constructed and fixed as to show the light from right aft to 67½ degrees (6 points) on each side of the vessel, and of such a character as to be visible at a distance of at least 1 mile.

10. A vessel at anchor in or near a fairway, shall carry forward, where it can best be seen, a white light visible all round the horizon at a distance of at least 1 mile. This Rule shall not apply to vessels and boats when at their permanent recognised moorings, if those moorings are out of the fairway.

Conduct in Restricted Visibility–

11.—(1) Every vessel shall, in fog, mist, falling snow, heavy rainstorms or any other conditions similarly restricting visibility, go at a moderate speed, having careful regard to existing circumstances and conditions, and shall, if necessary, slacken speed or stop or reverse in order to avoid risk of collision.

(2) Every vessel shall, in fog, mist, falling snow, heavy rainstorms or any other conditions similarly restricting visibility, sound a blast on a whistle or sound a foghorn at frequent intervals.

Steering and Sailing Rules

12.—(1) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:—

(*a*) When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other.

(*b*) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

(2) For the purposes of this Rule the windward side shall be deemed to be the side opposite to that on which the mainsail is carried.

13. When two power-driven vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

14. When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

15. When a power-driven vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, the power-driven vessel shall keep out of the way of the sailing vessel.

16. When two vessels, one of which (whether or not fitted with propelling machinery or carrying sails) is being manually propelled solely by the use of oars, are proceeding

in such directions as to involve risk of collision, the vessel which is not under oars shall keep out of the way of the other.

17. Where by any of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed. When, from any cause, the latter vessel finds herself so close that collision cannot be avoided by the action of the giving-way vessel alone, she shall also take such action as will best aid to avert collision.

18. Every vessel which is directed by these Rules to keep out of the way of another vessel shall, so far as possible, take positive early action to comply with this obligation, and shall, if the circumstances of the case admit, avoid crossing ahead of the other.

19. Every power-driven vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

20. If a power-driven vessel is in any circumstances unable to manoeuvre in compliance with these Rules, she shall sound the letter "D" in the Morse Code (that is to say, one blast followed by two short blasts) to indicate "I am unable to give way". It shall then be the duty of the other vessel to keep clear.

21. Notwithstanding anything contained in these Rules, every vessel overtaking any other vessel shall keep out of the way of the overtaken vessel.

22. When two power-driven vessels are approaching, from approximately northerly and southerly directions respectively, a pier or landing stage preparatory to going alongside it and both vessels are at nearly equal distance therefrom, the vessel which is to the northward of the other shall give way and allow the other vessel to go alongside first. If, owing to miscalculation of distance, any doubt exists as to which vessel is alongside first, the vessel which is to the southward of the other shall sound 1 prolonged blast to indicate "I am going alongside" and that other vessel shall acknowledge by sounding 3 short blasts.

23. If necessary to attract attention in the interests of safety, one blast shall be sounded by a power-driven vessel when starting from any pier or landing stage.

24. No power-driven vessel or sailing vessel shall pass within a distance of 30 feet or half her own length, whichever is the greater, of any other vessel except when leaving or approaching a pier, landing stage or mooring.

25. All vessels shall, whenever possible, pass astern of the power-driven ferry boat plying between Ferry House and Ferry Nab when it is crossing the lake, and no vessel shall pass nearer than 50 yards of the ferry boat when passing ahead of it, nor pass ahead of the ferry boat when it is approaching and within 100 yards of the shore. Ferry drivers must ascertain that the passage across the lake is clear before leaving either shore.

26. Notwithstanding anything contained in these Rules, no person in charge of any vessel shall wilfully or negligently hamper the safe passage of a steamer of the British Railways Board in the areas of the lake specified in Rule 27(2).

27. No vessel shall pass at a greater speed than 6 statute miles per hour through the waters of the lake in any of the following areas:—

(1) at the northern end of the lake, the area lying north of a straight line drawn from Holme Crag (on the eastern shore), through Seamew Crag (off the western shore) to the western shore;

(2) in the vicinity of Belle Isle, the area bounded by—

(*a*) a straight line joining the northernmost point of Belle Isle to the northernmost point of a house known as "Fallbarrow" (near the eastern shore of the lake); and

(*b*) a straight line drawn from the house known as "Belle Isle" on Bell Isle to the northernmost point of Cockshot Point;

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order is made on the application of the Urban District Councils of The Lakes and Windermere and makes rules concerning the lights and signals to be carried, and the steps to be taken for avoiding collisions, by vessels navigating Lake Windermere. It revokes and replaces with amendments the Lake Windermere (Collision Rules) Order 1961 (S.I. 1961/343).

The amendments include changes in the rules relating to the lights to be carried by vessels (vessels being now classified for this purpose by reference to length in the place of tonnage) and the action to be taken by vessels in specified circumstances to avoid collision. There are changes in the areas subject to a speed limit of 10 m.p.h., and in the description of power driven vessels permitted to be navigated by persons under 16. New rules are also included providing for a speed limit of 6 m.p.h. in certain areas of the lake and for safeguarding the passage of steamers of British Railways.

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(3) at the southern end of the lake, the area bounded by—

(*a*) a straight line drawn from the south-eastern corner of Buckyeats Wood (on the western shore, north of Lake Side) due east to the eastern shore; and

(*b*) the south-eastern side of the bridge opposite the Swan Hotel at Newby Bridge.

28. No vessel shall pass at a greater speed than 10 statute miles per hour through the waters of the lake in the area bounded by—

(*a*) a straight line drawn from the north-eastern corner of the house known as "Waterloo Gardens" (on the western shore), through the northernmost point of Lady Holm, and thence due east to the eastern shore of the lake; and

(*b*) a straight line drawn from The Ferry Landing (on the western shore) to Ferry Nab (on the eastern shore);

provided that there shall be excluded from such area the area specified in Rule 27(2) in which a speed limit of 6 statute miles per hour is prescribed.

29. No power-driven vessel of greater capacity than $1\frac{1}{2}$ nominal horse power, 1 brake horse power or 80 cubic centimetres capacity, according to the manufacturers' specification for engine measurement, shall be navigated by a person under the age of 16 years.

30. No vessel shall be navigated on the lake recklessly or at a speed or in a manner which is dangerous to other vessels or to the public using the lake, having regard to the conditions on the lake at the material time and the amount of traffic which is actually present or which might reasonably be expected to be present on the lake at that time.

31. No vessel shall be navigated on the lake without due care and attention or without reasonable consideration for other vessels or for the public using the lake.

32. A power-driven vessel—

(1) shall not tow more than 2 water skiers at any one time;

(2) when towing a water skier, shall carry two competent persons, one of whom shall be in charge of the water ski-ing operations and the navigation of the vessel and the other of whom shall watch the water skier and relay his signals to the former;

(3) when towing a water skier, shall be equipped with a mirror so constructed and fixed as to enable the navigator of the vessel to observe the water skier and vessels to the rear of his vessel.

33. In obeying and construing these Rules, due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.