

Modification Bye-Law Consultation Feedback

Consultee	Feedback	Remarks
<p>South Devon AONB</p>	<p><u><i>Vessels to navigate with care</i></u></p> <p>43. (e) <i>to not deliberately or recklessly disturb, damage or destroy the wildlife or habitats of the harbour;</i></p> <p>In this section wildlife includes wild flora, fauna or physiological features. ('wildlife' is undefined in law whereas 'flora and fauna' are).</p> <p><i>and shall cause the vessel to proceed slowly when passing a vessel engaged in dredging, diving or other underwater work, or activity or work at a buoy or mooring, or in rescue work.</i></p> <p>Bye-law 45 of the 1994 Bye-laws is revoked and replaced with the following provision:</p> <p><u><i>Speed</i></u></p> <p><i>45.(1) Except with the prior written permission of the Harbour Master, and Subject to paragraph (2), Bye-law 43 and the Collision Regulations the master of a power-driven vessel shall not permit or cause that vessel to be navigated or driven -</i></p>	<p>Wording of Proposed Modification is:</p> <p><i>(e) not unreasonably to interfere with the wildlife habitat of the harbour;</i></p> <p><i>This proposal includes diving</i></p>

	<p>(a) any where in the harbour at a speed exceeding eight knots through the water;</p> <p>(b) at a speed exceeding six knots through the water:</p> <p>(i) within the area lying north of a line drawn between Salcombe and Smalls Cove (50°14'N) and south of a line drawn between Heath Point and Wareham Point including all of the waters of Batson, Frogmore and Southpool Creeks; or</p>	<p><i>This proposal moves the extent of the 6 knot speed limit north from Halwell Point to Wareham Point and as a result incorporates Frogmore Creek</i></p>
<p>Dr Harvey Tyler-Walters, Strategic Director, Marine Life Information Network Marine Biological Association of the UK, The Laboratory, Citadel Hill, Plymouth, PL1 2PB.</p>	<p>We have had the opportunity to look at the suggested modification to the Salcombe Harbour bylaws currently under consultation. In particular, we note section 5, bylaw 43. At present, bylaw 43 seems to provide less protection for wildlife and habitats than other activities within the harbour.</p> <p>The current amendment process seems to be the perfect opportunity to strengthen the protection of habitats and wildlife within the harbour.</p> <p>Therefore, we would endorse the following modification:</p> <p>Vessels to navigate with care</p> <p>43. ... shall navigate ... in such a manner as -</p> <p>(e) to not deliberately or recklessly disturb, harass or endanger the wildlife or damage to the habitats of the harbour;</p> <p>I hope that you will be able to take this amendment into consideration.</p>	<p><i>This proposal has been incorporated into the AONB proposal above</i></p>

Ilan Drinkwater	<p>The only suggestion I have for modification is to extend the speed restriction in the Kingsbridge area to 50degrees 16.3 rather than 16.5.</p> <p>This would protect all moorings in Bowcombe and the Southville area where I know of incidents causing real danger to tender users when approaching and boarding their boats.</p>	<p><i>This proposal extends the extent of the 6 knot speed limit 2 cables (400 yards) to the south and as a result incorporates New Bridge and Balcombe Creek</i></p>
Roderic O'Sullivan	<p>Thank you for sending me the consultation document.</p> <p>I have no comments to make to it.</p>	
SKEA	<p>Please be advised as follows:</p> <p>Modifications 1 to 5 we have no objection too as written.</p> <p>Modification 6</p> <p>We understand what it is you want to achieve, however, we consider that as written, it is not specific enough and is open to mis- interpretation.</p> <p>As written the limits on speed marked (a) & (b) are not referenced to the geographic areas marked (i) &(ii).</p> <p>We think it would be better to be quite specific and define the area controlled to 8 knots through the water and ditto the area controlled to 6 knots.</p> <p>There is also a case to qualify this bye-law by making it subject to all of the provisions of the new no 43.</p>	<p><i>The way the Modification Bye-law is written, the speed limit within the estuary is 8 knots with a zone where the speed limit is reduced to 6 knots. This is the normal convention for writing bye-laws.</i></p>

<p>Kingsbridge Estuary Boat Club</p>	<p>The Kingsbridge Estuary Boat Club has given detailed consideration to the proposal laid out in your consultancy document issued for consideration on 18th April 2008.</p> <p>The Club fully endorses the Harbour Board's proposal, particularly with respect to the restriction of speed limit to 6 knots in defined areas.</p> <p>You have been made aware of one comment which recommends implementation of the restriction 50deg 16.3 rather than 50deg 16.5, in order to protect the area of moorings at Bowcombe and Southville.</p> <p>Clear signage of the new limits is considered essential and whilst it may not be a bye law requirement, reinstatement of the 'Dead Slow' sign on the buoy near the Crabshell Inn would further help reduce problems from wash along the wall at the top end of the basin.</p>	
<p>Salcombe Town Clerk</p>	<p>Just to let you know that this document was taken to full council and they were content and had no comments.</p>	