

SCHEDULES

SCHEDULE 10

Article 43(4)

SCHEME OF OPERATION

PART 1

PRELIMINARY

Interpretation

1.—(1) In this Schedule the following expressions have the following meanings—

“the bridge” means the new bridge;

“the communications facilities” means an email address, web portal, telephone number and the VHF equipment detailed in paragraph 99(5);

“emergency vessel” means a vessel used to respond to an emergency whether operated by the GYPA, a recognised emergency service or deputised provider;

“excessive wind condition” means greater than 20m/s (10 minute average) wind speed;

“inbound vessel” means any vessel approaching the bridge from the mouth of the river Yare intending to transit the bridge in a northerly direction towards the Haven Bridge;

“large vessel” means any vessel to which a pilotage direction for Great Yarmouth Port made under section 7 (pilotage directions) of the Pilotage Act 1987(1) applies;

“opening request” means a request given in respect of a vessel specifying the opening time that it requires the bridge to be open;

“opening request revision” means a request for an amendment to a vessel’s passage plan and to the opening time specified in an opening request;

“opening time” means the time when the vessel requires the bridge to be open as specified in an opening request;

“outbound vessel” means any vessel approaching the bridge from the Haven Bridge intending to transit the bridge in a southerly direction towards the river Yare;

“peak hours” means the periods on any day between—

(a) 08:00 and 09:00; and

(b) 16:30 and 17:30;

“port” means Great Yarmouth Port;

“recreational opening” means the opening of the bridge to allow the passage of a recreational vessel;

“recreational vessel” means any vessel being used solely for leisure purposes at the time the vessel transits through Great Yarmouth Port and includes any commercially operated hire vessel used or rented for leisure use; and

(1) 1987 c.21.

Status: This is the original version (as it was originally made).

“specified event” means—

- (c) an emergency (either marine or landside and includes a road traffic accident on or close to the bridge);
 - (d) excessive wind condition or other adverse weather conditions such as affects the safe operation of the bridge;
 - (e) a vessel colliding with the bridge;
 - (f) a power failure, hydraulic failure or mechanical failure; or
 - (g) any other circumstance beyond the reasonable control of the undertaker.
- (2) Paragraphs 100 to 103 are subject to paragraph 105 in their application to a recreational vessel.

PART 2

OPERATIONAL PROVISIONS

Bridge operations

2.—(1) The following provisions apply to the undertaker.

(2) The bridge is to be operated 24 hours a day, 365 days a year, opening upon request, subject to and in accordance with the provisions of this Schedule, for all marine traffic transiting the river Yare in the waters of the port.

(3) With the exception of a specified event, or in the circumstances detailed at sub-paragraph (8) and paragraph 107, the bridge is to be opened in sufficient time to allow the safe and unhindered passage of a vessel through the bridge.

(4) The undertaker is to ensure the bridge is manned and operated safely, by suitably qualified and experienced personnel at all times, in accordance with the prevailing applicable legislation.

(5) The undertaker is to provide suitable marine VHF radio equipment to monitor the port operational frequency to monitor and respond to Port Control, Vessels within the port, as well as maintaining an understanding of the flow of traffic and any developing marine emergencies.

(6) The undertaker is to provide, publicly promote, and constantly monitor the communications facilities for the purposes of receiving opening requests and opening request revisions.

(7) The undertaker is to cause and ensure that the bridge—

- (a) is fully opened and in a safe condition for transit by a vessel by the time given in that vessel’s opening request or (as the case may be) revised opening request; and
- (b) remains open for the duration of the vessel’s transit until the vessel is past and clear and it is safe to close.

(8) In the event of scheduled maintenance of the bridge structure, road surface, machinery or associated equipment, such that the bridge is unable to open upon request, the undertaker is to provide a minimum of 14 days notice, in writing, to GYPA stating the following;

- (a) start date and time of the scheduled maintenance;
- (b) duration the bridge will be out of operation; and
- (c) scheduled date and time of the bridge returning to operational state.

Opening requests

3.—(1) The following provisions of this paragraph apply to the master, owner, agent, pilot or operator of vessels wishing to transit the bridge (and accordingly such persons must comply with any obligation expressed by reference to a vessel).

(2) Any vessel wishing to transit the bridge must provide an opening request containing the following information no later than 120 minutes (2 hours) prior to the required opening time—

- (a) the name of the vessel requesting passage;
- (b) the required opening time;
- (c) the overall length and beam of the vessel requesting passage;
- (d) the presence of any superstructure, cargo, or structure which overhangs the designed beam of the vessel requesting passage;
- (e) the air draft of the vessel if this is less than 6 metres; and
- (f) for a tug and tow, or vessel being escorted by a tug or tugs;
 - (i) the names and number of tugs;
 - (ii) the overall length of the tow;
 - (iii) the maximum beam of the tow or towed object.

(3) Any vessel must reconfirm the requested opening time with the undertaker no later than 60 minutes (1 hour) prior to the requested opening time.

(4) Opening requests and reconfirmations under sub-paragraph (3) are to be made by the vessel via the communications facilities.

(5) The required opening time given in the opening request is to be that time which the vessel intends to commence its transit of the bridge, either inbound or outbound.

(6) The undertaker must—

- (a) acknowledge the opening request, by the same means as it was given, within 10 minutes of receiving the request;
- (b) provide a confirmation of approval or refusal of the requested opening time within 10 minutes of acknowledging the request; and
- (c) where an opening request is refused, provide the following information—
 - (i) a reason for refusing the request; and
 - (ii) except in the case of exceptional circumstances, an alternative time for the vessel to transit the bridge.

(7) Vessels acting as a group and wishing to transit the bridge as a group may request a bridge opening in accordance with paragraph 99 provided that—

- (a) the opening request is made by the group leader;
- (b) all vessels included in the group are listed in the opening request; and
- (c) the number of vessels is such that the anticipated transit time through the bridge from the passage of the first vessel to the passage of the last vessel is no greater than 15 minutes.

Opening request revisions

4.—(1) The following provisions of this paragraph apply to the master, owner, agent or operator of vessels wishing to transit the bridge (and accordingly such persons must comply with any obligation expressed by reference to a vessel).

Status: This is the original version (as it was originally made).

- (2) Should a vessel require to revise a previously requested opening time, this must be made by way of an opening request revision complying with the following requirements—
- (a) it is made via the communications facilities;
 - (b) it contains the revised opening time together with the information specified in paragraph 100(2)(a) and (c) to (f);
 - (c) it is made no later than 30 minutes prior to the originally requested opening time; and
 - (d) where it is made through written communications, the first line of text reads “opening request revision”.
- (3) The undertaker must—
- (a) acknowledge the opening request revision by the same means as it was given, within 10 minutes of receiving the request;
 - (b) provide a confirmation of approval or refusal of the requested revised opening time within 10 minutes of receipting the request; and
 - (c) where an opening revision request is refused, provide the following information—
 - (i) a reason for refusing the request; and
 - (ii) except in the case of exceptional circumstances, an alternative time for the vessel to transit the bridge.

Vessels inbound

5.—(1) The following provisions of this paragraph apply to the master, owner, agent or operator of inbound vessels wishing to transit the bridge (and accordingly such persons must comply with any obligation expressed by reference to a vessel).

(2) Vessels are to request a bridge opening in accordance with paragraph 100.

(3) Vessels entering the port are to conduct a marine VHF call with the undertaker on the port’s operational marine VHF channel immediately prior to entering the piers at the mouth of the river Yare, reconfirming the requested opening time of transiting the bridge.

(4) Vessels approaching from below the pilot station, situated at Berth 10, are to conduct a further marine VHF call with the undertaker on the port’s operational marine VHF channel on passing abeam of the pilot station.

(5) Vessels departing a berth within the river Yare to the south of the bridge and intending to conduct a transit through the bridge are to conduct a marine VHF call with the undertaker on the port’s operational marine VHF channel immediately prior letting go all lines.

Vessels outbound

6.—(1) The following provisions of this paragraph apply to the master, owner, agent or operator of outbound vessels wishing to transit the bridge (and accordingly such persons must comply with any obligation expressed by reference to a vessel).

(2) Vessels are to request a bridge opening in accordance with paragraph 100.

(3) Vessels entering the port from Haven Bridge are to conduct a marine VHF call with the bridge control room on the port’s operational marine VHF channel immediately prior to passing the Haven Bridge, reconfirming the intended time of transiting the bridge.

(4) Vessels departing a berth within the river Yare to the north of the bridge and intending to conduct a transit through the bridge are to conduct a marine VHF call with the undertaker on the port’s operational marine VHF channel immediately prior to letting go all lines.

Large vessels

7.—(1) Before any large vessel proposing to transit the bridge enters Great Yarmouth Port—

- (a) the harbour master must consider whether any safe alternative manoeuvre for the vessel would be practicable in the event that the bridge does not open to allow the vessel to transit it; and
- (b) GYPA will consider whether it is able to arrange a suitable emergency berth for the vessel as part of the pilotage plan for its passage through Great Yarmouth Port.

(2) If, prior to any large vessel proposing to transit the bridge enters Great Yarmouth Port, the harbour master considers under sub-paragraph (1)(a) that no safe alternative manoeuvre would be practicable and GYPA is unable to arrange under sub-paragraph (1)(b) a suitable emergency berth, the undertaker will open the bridge before the vessel enters Great Yarmouth Port.

Recreational vessels

8.—(1) The following provisions of this paragraph apply to the master, owner, agent or operator of recreational vessels wishing to transit the bridge (and accordingly such persons must comply with any obligation expressed by reference to a recreational vessel).

(2) Recreational vessels are to request a bridge opening in accordance with paragraph 100.

(3) Except as provided for in sub-paragraph (5), the undertaker is not obliged to make recreational openings upon request but the undertaker must make recreational openings at such times as the undertaker reasonably determines.

(4) In determining times under sub-paragraph (3), the undertaker may exclude peak hours.

(5) The undertaker must make a recreational opening when the vessel waiting facilities are full and another recreational vessel provides an opening request.

(6) Recreational vessels must use the vessel waiting facilities or depart the port when required to wait for the next recreational opening.

(7) Where the bridge has been opened for a vessel, other than a recreational vessel, a recreational vessel may transit the bridge with the undertaker's permission, provided that the transit time through the bridge from the passage of the first vessel to the passage of the last vessel is no greater than 15 minutes.

Emergency vessels

9.—(1) The following provisions of this paragraph apply to the master, owner, agent or operator of emergency vessels responding to an emergency and wishing to transit the bridge (and accordingly such persons must comply with any obligation expressed by reference to an emergency vessel).

(2) The provisions of paragraph 3 do not apply to the emergency vessel.

(3) Where possible the emergency vessel must provide as much notice as possible of its required opening of the bridge.

(4) Emergency vessels entering the port from sea and intending to conduct a transit through the bridge are to conduct a marine VHF call with the undertaker on the port's operational marine VHF channel immediately prior to entering the piers at the mouth of the river Yare.

(5) Emergency vessels departing a berth within the river Yare and intending to conduct a transit through the bridge are to conduct a marine VHF call with the undertaker on the port's operational marine VHF channel immediately prior letting go all lines.

(6) Should an emergency vessel request an immediate bridge opening whilst the bridge is already open to conduct a scheduled bridge opening, the undertaker is to ensure the bridge remains open until the emergency vessel has completed its transit and is past and clear.

Exceptions to obligations of undertaker

10.—(1) In the event of a specified event, such that the bridge is unable to open upon request, the undertaker is to—

- (a) immediately inform the GYPA of the specified event, by the fastest possible means, stating—
 - (i) the nature of the specified event preventing operation of the bridge; and
 - (ii) the possible duration the bridge will be out of operation;
- (b) immediately inform approaching vessels intending to transit the bridge of the specified event and the need to seek a temporary berth or port departure;
- (c) provide regular updates on the specified event to the GYPA, amending the possible duration of the interruption to operations; and
- (d) on successful resolution of the specified event inform the GYPA of such and the resumption of routine operations.

(2) Where opening the bridge would be likely to cause danger to—

- (a) any person or property, including the bridge;
- (b) any vessel;
- (c) any person using or intending to use or work on the bridge or aboard any vessel; or
- (d) the environment,

the undertaker is not obliged to open the bridge at any scheduled time but instead must open the bridge at such later time as is reasonable in the circumstances.

(3) Where the circumstances described in sub-paragraph (2) apply and the bridge is unable to be opened on request, the undertaker is to—

- (a) immediately inform the GYPA, by the fastest possible means, of—
 - (i) the reason preventing operation of the bridge; and
 - (ii) the possible duration the bridge will be out of operation;
- (b) immediately inform approaching vessels intending to transit the bridge of the reasons preventing operation of the bridge and the need to seek a temporary berth or port departure;
- (c) provide regular updates on the closure to GYPA, amending the possible duration of the interruption to operations; and
- (a) on successful resolution to inform the GYPA of such and the resumption of routine operations.