

**REPORT OF LEAD LICENSING OFFICER**  
**To: LICENSING COMMITTEE**  
**Subject: SMALL COMMERCIAL VESSEL LICENSING POLICY**  
**Date: 25 JANUARY 2023** **Reference:**

**PURPOSE OF REPORT:**

To present to the Committee the responses to the recent consultation on the review of the Licensing Policy for Small Commercial Vessels and seek approval of the Policy.

**1. INTRODUCTION**

Consultation on the revised Licensing Policy for Small Commercial Vessels was carried out between 8<sup>th</sup> December 2022 and 20<sup>th</sup> January 2023. This report provides a summary of the feedback from the consultees.

**2. REPORT**

The Authority has consulted with the following organisations and individuals over a 6 week period.

- Maritime and Coastguard Agency
- Bideford Harbourmaster
- Owners of vessels licensed under the TDC scheme
- Skippers Licensed under the TDC scheme
- Elected members

The consultation document asked for comments on the following specific revisions:

1	It has been proposed to change the name of the boatman licence to a boat skipper licence	No comments received
2	It has been proposed that the Authority adopts a condition of licence that prohibits the launching and operating of jet skis from the Churchfield Car Park Slipway.	2 comments from licence holders - see below

**Comments received in respect of question 2**

That's good, presumably privately owned jet skis can still be launched?

I feel it necessary to raise my concern regarding the banning of launching of jet skis at Churchfield Car Park, Appledore. In order for this to be implemented a full time warden is necessary to be in attendance seven days a week. The warden will receive a great deal of harassment and aggravation. It is of course obvious the jet skis would launch from other slipways. Particularly the ferry slip opposite Johns Post Office. This slipway is already extremely well used by two ferry boats, three pleasure boats, three gig boats, commercial fishermen and children crabbing, in addition to people queuing to use the ferry.



Other comments received are as follows:

3.1.1 (ii) South West Category 2: small boats in the charge of a licensed boatman skipper plying for hire or let for hire (e.g. for fishing, **sailing** or tourist trips). (NB. The Authority may only license vessels for up to 12 passengers. Above this limit, application must be made to the MCA or to another certifying authority)

3.2.3 The Licensee shall be responsible that no motor boat, mechanically propelled boat or sailing boat shall be let for hire or reward unless a competent person(s) be placed in charge thereof by the licence holder and remain in charge so long as the hire shall last. ~~Such competent person should hold a nationally recognised qualification for the activity concerned.~~ *I would leave this last sentence in.*

Page 11 point three – amend as 3.1.3.1 ie:

All boats shall be subject to ~~an annual~~ **a regular** hull examination **as set out in 3.1.3.3** which shall be carried out by an authorised person approved by the Local Authority. The vessel must be inspected out of the water at least once every five years.

*IE 3.1.3.1 reads The examination regime will be based on the 5 year cycle specified in the MCA's Code of Practice for the Safety of Small Vessels in Commercial Use for Sport or Pleasure Operating from a Nominated Departure as follows:*

*Year 1 Initial compliance examination.*

*Physical examination of the vessel carried out by a qualified marine surveyor or competent person. (At least part of the examination must be conducted with the vessel out of the water).*

*Year 2 Examination of vessel by owner/managing agent.*

*Year 3 Examination of vessel by owner/managing agent.*

*Year 4 Examination by surveyor (in water inspection).*

*Year 5 Examination of vessel by owner/managing agent.*

Annex 4

Surfboard/bodyboard hire

Licence the operator

Encourage operator to provide safety boat, the ~~ex'n~~ skipper of which is to be **a licenced boatman**, or have alternative means of retrieving surfers

~~Consider~~ restricting area of use to within visual range of operator and/or lifeguard if practicable

**All** participants ~~especially children~~ to wear buoyancy aid

It might be worth stating in section 3.1.3.1 Construction and Seaworthiness that this is to be done at the owner's expense. It reads as if this is something TDC will do.

Might also be worth noting that lifejackets must be serviced annually.

The final draft policy is included at Appendix A with changes highlighted in red.



