

The Mersey Docks and Harbour Company

**BYELAWS**  
AND  
**REGULATIONS**

WITH RESPECT TO THE USE OF

**THE LANDING STAGE**  
**AT LIVERPOOL**

AND THE PREMISED USED IN CONNECTION THEREWITH

The Mersey Docks and Harbour Company

## **BYELAWS**

WITH RESPECT TO THE USE OF

### **THE LANDING STAGE**

### **AT LIVERPOOL**

**AND THE PREMISES USED IN CONNECTION THEREWITH**

MADE BY THE MERSEY DOCKS AND HARBOUR COMPANY  
IN EXERCISE OF THE POWERS CONFERRED UPON THEM BY  
**SECTION 221 OF THE MERSEY DOCKS ACTS CONSOLIDATION ACT**  
**1858**

AND ALL OTHER ENABLING POWERS

#### **Scope and commencement of**

1.—These Byelaws shall apply on and within the stage and the premises used in connection therewith and within or on board any vessel using the same.

2.—The Byelaws shall come into operation on the expiration of fourteen days from the date of confirmation thereof by the Secretary of State for Transport and on such coming into operation the Byelaws confirmed by the Minister of Transport and Civil Aviation on the 4th June 1957 and the Regulations made under the said Byelaws on 20th May 1957 shall be revoked.

#### **Interpretation**

3.—(1) In the construction of these Byelaws the following words and expressions shall, unless there be something in the context repugnant to such construction, have the meanings hereby assigned to them, viz:—

“Company” means The Mersey Docks and Harbour Company;

“bridge” means any roadway or footway, other than the floating roadway, affording access to the stage;

“floating roadway” means the roadway affording access from St. Nicholas Place in the City of Liverpool to the stage and so designed as in part to float upon the waters of the river Mersey;

“invalid carriage” includes any vehicle designed for the carriage of infirm persons;

“light truck” means a vehicle propelled by hand having not more than two wheels and designed for the conveyance of articles or things of any description;

“mobile crane” means any crane or other lifting machinery which is so constructed as to be capable of being propelled over the ground;

“perambulator” includes any vehicle designed for the carriage of young persons;

“permission” means permission of the Company and includes permission granted by a responsible officer of the Company; and “permitted” shall be construed accordingly;

“Prince’s Parade” includes the Customs baggage rooms, waiting rooms and other premises situate on either side thereof and not forming part of the stage;

“stage” means the Landing Stage for the time being at Liverpool adjacent to the river wall fronting the Pier Head, St. Nicholas Place and Prince’s Parade Liverpool and the buildings and erections thereon and includes any bridge and the floating roadway and “the premises used in connection therewith” means Prince’s Parade and Prince’s Jetty;

“vehicle” includes any mobile crane;

“vessel” includes any ship, lighter, keel, barge, raft, pontoon and craft of any kind however navigated, propelled or moved.

(2) Permission for the doing of any act may be granted subject to conditions, and any act done contrary to or without due compliance with such conditions shall be deemed to be done without permission.

(3) For the purpose of these Byelaws the bridges shall be numbered 1 to 3 consecutively commencing from the most southerly bridge.

### **Power to make Regulations**

**4.**—The Company may, subject to the provisions of Section 21 of the Mersey Docks and Harbour Board Act 1950, from time to time make, vary and rescind Regulations—

(1) prescribing the berths or portions into which the Stage shall be deemed to be divided, and the user of such portions;

(2) prescribing the berth or portion of the stage which a vessel or a vessel of a specified class shall occupy whilst lying alongside the same;

(3) prescribing the animals or goods which may be shipped or unshipped at the stage or at any portion thereof; and

(4) prescribing the vehicles, whether by reference to class or weight or otherwise, that may use any portion of the stage or premises used in connection therewith, and the conditions of such user.

#### **General restrictions on mooring**

5.—The person having charge of a vessel shall not without permission cause or permit the vessel to come alongside or make fast to—

(a) any part of the stage other than the Westerly face thereof;

(b) any vessel lying alongside or made fast to the stage; or

(c) Prince's Jetty.

#### **Duties of persons in charge of vessels**

6.—The person having charge of a vessel navigating to come alongside or to leave the stage, or of a vessel lying alongside the stage—

(a) shall not cause or permit the vessel to come alongside the stage elsewhere than at such a berth as may be prescribed for the vessel by regulation made under these Byelaws or as may be directed by an officer of the Company;

(b) shall, so far as is reasonably practicable, cause the vessel to come alongside the stage and to leave the stage with her head against the tide;

(c) shall, whilst the vessel is lying alongside the stage, cause such fenders to be used as may be necessary to prevent damage to the stage;

(d) shall, whilst the vessel is lying alongside the stage, cause such mooring ropes to be used as may be necessary for securing the vessel thereto and shall cause the same to be properly attended to;

(e) shall cause the mooring ropes of the vessel to be made fast only to bollards, ring bolts or other objects specifically provided for the purpose of the mooring of vessels;

(f) shall not without permission cause or permit the vessel to swing whilst made fast to the stage;

(g) shall not without permission cause or permit the vessel to load or discharge bunkers or fuel whilst lying alongside the stage;

- (h)* shall, whilst the vessel is lying alongside the stage, cause her to be kept in readiness to leave the stage whenever so required;
- (i)* shall cause all gangways and boats to be properly secured;
- (j)* shall not cause or permit the vessel to remain at the stage after having received orders from an officer of the Company to remove her therefrom; and
- (k)* shall cause the gangways giving access to the vessel and the parts of the stage used by animals or goods shipped on board or unshipped from the vessel to be properly swept and cleansed immediately upon completion of the shipment or unshipment.

#### **User of stage, bridges and floating roadway**

7.—(1) Pedestrians may use the stage and may use such bridges as they are permitted to use by the Regulations made under these Byelaws.

(2) A person shall not without permission use, or bring any vehicle or animal upon, any bridge or the floating roadway otherwise than in accordance with regulations made under these Byelaws.

#### **Vehicles on the stage**

8.—(1) A person shall not without permission bring or cause or permit to be brought on to or to be on the Stage any vehicle pedal cycle or motor cycle other than one which—

- (a)* is intended to be shipped on board or has been unshipped from a vessel at such stage; or
- (b)* is employed in connection with the conveyance of such animals or goods as are authorised by the Company to be shipped on board or unshipped from such a vessel;

Provided that this paragraph of this Byelaw shall not apply to any light truck which is for the time being employed for or in connection with the conveyance of baggage to or from such stage.

(2) A person shall not ride upon any pedal cycle or motor cycle on the Stage other than in process of embarking on or disembarking from any vessel.

#### **Vehicles on Prince's Parade**

9.—A person shall not without permission bring or cause or permit to be brought on to or to be on Prince's Parade any vehicle other than one which—

- (a)* is intended to be shipped on board or has been unshipped from a vessel at the Stage; or
- (b)* is employed in connection with the conveyance—
  - (i)* of persons to or from such a vessel, or

- (ii) of such animals or goods as are authorised by the Company to be shipped on board or unshipped from such a vessel:

Provided that this Byelaw shall not apply to any light truck which is for the time being employed for or in connection with the conveyance of baggage on or to or from Prince's Parade, or to any vehicle passing along Prince's Parade solely for the purpose of proceeding to and from points beyond the limits of Prince's Parade.

### **Speed of Vehicles**

**10.—**(1) A person shall not drive a vehicle on the stage at speed greater than 5 miles per hour.

(2) a person shall not drive a vehicle on Prince's Parade at a speed greater than 20 miles per hour.

(3) A person shall not drive a vehicle on the floating roadway at a speed greater than 15 miles per hour.

(4) A person shall not drive a vehicle on Bridge No. 2 at a speed greater than 5 miles per hour.

### **Shipment and unshipment of vehicles—prohibition against waiting**

**11.—**(1) A person having charge of a vehicle brought on to the Stage or the premises used in connection therewith for the purpose of being loaded on board a vessel shall not without permission cause or permit the vehicle to remain on the stage or on such premises if the vessel is not ready to receive it.

(2) A person having charge of a vehicle on the stage or on the premises used in connection therewith which has been unloaded from any vessel shall, unless otherwise permitted, forthwith remove the same from the stage and from such premises.

### **Vehicles delivering or receiving loads—prohibition against waiting**

**12.—**A person having charge of a vehicle, brought on to the stage or the premises used in connection therewith in order that any articles or things may be loaded upon or unloaded from it—

(a) shall not without permission cause or permit the same to remain on the stage or on such premises if the loading or unloading cannot be immediately commenced; and

(b) shall, unless otherwise permitted, upon the completion of the loading or unloading forthwith remove the same from the stage and from such premises.

**Vehicles delivering or receiving loads—operation to be carried out without delay**

13.—A person having charge of the loading or unloading of any articles or things on to or from a vehicle on the stage or on the premises used in connection therewith shall ensure that the loading or unloading is carried out without delay.

**Prohibition on leaving vehicles unattended**

14.—A person having charge of a vehicle shall not without permission leave the same unattended.

**Restriction on leaving goods on stage**

15.—A person having charge of any goods on the stage shall not without permission permit the same to remain thereon for a period longer than one hour.

**Prevention of injury to persons and of damage to stage**

16.—(1) A person having charge of the loading or unloading of any article or thing on the stage into or from a vessel or vehicle shall take such steps as may be necessary to prevent risk of injury to persons or of damage to the stage.

(2) A person shall not without permission cause any article or thing other than one which is moved upon wheels to be dragged or pushed on the stage.

(3) A person shall not scotch the wheels of a vehicle on the stage save with wooden chocks capable of being used without injury to the stage.

**Prohibition of certain acts**

17.—A person shall not without permission hold any meeting, address any crowd or assembly of persons, preach, lecture, read aloud, dance, perform on any musical instrument, distribute or post leaflets, papers, notices or advertisements, nor, in such a manner as to cause an obstruction, sing, take any photograph or make any drawing, sketch or painting.

**Prohibition of sale of articles**

18.—A person shall not without permission offer or expose for sale any article.

**Prohibition of fishing**

19.—A person shall not without permission fish from the stage or from Prince's Jetty.

**Barriers, notices etc.**

20.—A person shall not without permission pass beyond or cause or allow any vehicle driven or propelled by him or any part of such vehicle to pass beyond any fence, chain or other barrier for preventing or restricting passage or access, and shall not neglect to

conform to the indication given by any notice, light, flag or sign of any description for prohibiting, limiting or directing passage or access.

#### **Orders, signals, etc. for guidance of traffic**

**21.**—A person shall obey all orders, directions or signals for control or guidance of traffic (whether pedestrian, vehicular or otherwise) given or made by a constable or officer of the Company.

#### **Interference with moorings**

**22.**— A person shall not interfere with or attempt to climb on the moorings of any vessel made fast to the stage.

#### **Gangways, etc. not to be left on stage etc. when not in use**

**23.**—A person shall not without permission cause or permit any gangway or other appliance used in the embarkation or disembarkation of persons or in the shipping or unshipping of animals or goods (other than a gangway or other appliance belonging to the Company) to remain upon the stage or the premises used in connection therewith save whilst the same is in actual use.

#### **Restriction on shipping and unshipping of animals and goods**

**24.**—A person shall not without permission cause or permit animals or goods of any kind to be shipped or unshipped at the stage, save such as may be prescribed by regulations made under these Byelaws.

#### **Control of animals**

**25.**—A person having charge of any animal—

(a) shall keep the same at all times under control; and

(b) shall not without permission water or feed the same on the stage.

#### **Penalties**

**26.**—(1) Any person contravening any of these Byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50 and in the case of a continuing offence a further sum not exceeding £5 for each day during which the offence continues after conviction therefor.

(2) Where the commission by any person of an offence under these Byelaws is due to the act or default of some other person that other person may be charged with and convicted of an offence by virtue of this Byelaw, whether or not proceedings for the offence are taken against any other person.

(3) In any proceedings for an offence under these Byelaws, it shall be a defence for the person charged to prove—

- (a) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence; or
- (b) that he had a reasonable excuse for his act or failure to act.

(4) If in any case the defence provided by paragraph 3 (a) of this Byelaw involves the allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the Court, be entitled to rely on that defence unless, within a period ending seven clear days before the hearing he has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of that person as was then in his possession.

Given under the Common Seal of The Mersey Docks and Harbour Company Limited this Twenty-ninth day of September 1978.

(Sgd)                      J. B. FITZPATRICK                      Director

(Sgd)                      A. P. NUTE                                      Assistant Secretary

The Secretary of State for Transport hereby confirms the foregoing Byelaws.

Signed on behalf of the Secretary of State this 25th day of October 1978.

(Sgd)                      DAVID EDMONDS

An Assistant Secretary in the Department of Transport

**NOTICE**—Unless otherwise stipulated in any special conditions relating to services and facilities provided by the Company all goods on or within the estate of the Company are at the Owners sole risk in every respect.

The Company will not be responsible for any loss of or damage to any goods whatsoever caused by fire or theft or the negligence or breach of duty of the Company their servants or agents or by weather or otherwise howsoever.

The Mersey Docks and Harbour Company

## **REGULATIONS**

WITH RESPECT TO THE USE OF

## **THE LANDING STAGE**

## **AT LIVERPOOL**

**AND THE PREMISES USED IN CONNECTION THEREWITH**

MADE BY THE MERSEY DOCKS AND HARBOUR COMPANY  
IN EXERCISE OF THE POWERS CONFERRED UPON THEM BY  
**SECTIONS 4 AND 5 THE MERSEY DOCKS ACT 1880**

AND ALL OTHER ENABLING POWERS

1. The Mersey Docks and Harbour Company make the following Regulations in pursuance of the Mersey Docks Act 1880, and the Byelaws made by them regulating the use of the stage and the premises used in connection therewith confirmed by the Secretary of State for Transport on the twenty-fifth day of October 1978.

### **Interpretation**

2. (1) In these Regulations, unless there be something in the context repugnant to such construction, the several words and phrases to which meanings are assigned by the Byelaws referred to in Regulation 1 of these Regulations have the same respective meanings and—

“articulated vehicle” has the same meaning as in the Road Traffic Regulation Act 1984.

“single vehicle” means a vehicle which is not drawing another vehicle; provided that an articulated vehicle shall be deemed to be a single vehicle;

(2) For the purpose of these Regulations—

- (a) references to the maximum height of a vehicle shall be construed in relation to a vehicle carrying a load which extends above the highest part of the vehicle, as references to the maximum height of the load; and
- (b) references to the weight of a vehicle shall be construed as references to the sum of the weights transmitted to the road surface by all the wheels of the vehicle.

### **User of bridges and the floating roadway**

#### **3. Subject to the provisions of the Byelaws—**

##### **(1) Nos. 1 and 3 bridges may be used—**

- (a) by pedestrians;
- (b) by light trucks or motorised golf buggies with a gross weight not exceeding 500 kilograms; and
- (c) by pedal cycles, if propelled by the person having charge thereof on foot.

##### **(2) No. 2 bridge may be used—**

- (a) by pedestrians;
- (b) by pedal cycles and motor cycles;
- (c) by any single vehicle with a gross weight not exceeding 7.5 tonnes (or such other weight as may be determined from time to time by the Company) and of which the maximum height does not exceed 3.40 metres; and
- (d) by any single vehicle with a gross weight in excess of 7.5 tonnes with the prior written consent of The Mersey Docks and Harbour Company.

##### **(3) The floating roadway may be used—**

- (a) by pedestrians
- (b) by pedal cycles and motorcycles; and
- (c) by any single vehicle with a gross weight not exceeding 44 tonnes.

PROVIDED that nothing in this Regulation shall authorize the use of any bridge or the floating roadway by a vehicle which travels (whether wholly or partly) upon rollers or caterpillar tracks.

Printed by Order of:

**The Mersey Docks and Harbour Company**

February 2008