

# TOR BAY HARBOUR AUTHORITY



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## SCHEDULE OF CHARGES, DUES & FEES 2012 – 2013

VAT Registration No. GB 142 2082 11

For the period commencing 1st April 2012  
until 31<sup>st</sup> March 2013

### REFERENCES

Harbour Docks and Piers Clauses Act 1847  
Harbours Act 1964  
Pilotage Act 1987  
Tor Bay Harbour Act 1970  
Tor Bay Harbour (Torquay Marina &c.) Act 1983

### PUBLICATIONS

**Tor Bay Harbour Act 1970**  
Price - £5.00 By Post - £5.50  
**Tor Bay Harbour Byelaws 1994**  
Price - £3.00 By Post - £3.50

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# Part 1 – Introduction

## 1.1 General

- 1.1.1 All charges, dues and fees are subject to the appropriate rate of Value Added Tax (20%) which is included in the price, except as indicated.
- 1.1.2 Annual charges relate to the period 1st April to 31st March following and any part thereof. Certain charges maybe levied at either 75% or 50% of the annual rate if no latent demand exists for the facility and three or six months of the annual charging period has elapsed.
- 1.1.3 Seasonal charges, only where applicable, relate to the periods:
- |                             |   |        |
|-----------------------------|---|--------|
| 1st April to 30th September | - | Summer |
| 1st October to 31st March   | - | Winter |
- 1.1.4 All accounts are to be paid promptly and within the time specified. Payment of the charges listed may be required in advance of the service being taken up. Credit and debit card facilities are available for payments made at the Harbour Offices or via telephone.
- 1.1.5 Penalty for evading payment of charges – Section 30 Tor Bay Harbour Act, 1970  
“The owner of any vessel or goods or any other person who eludes or evades or attempts to elude or evade payment of, or refuses to pay, a charge payable by such owner or person to the harbour authority at the time when the same becomes due and payable shall be liable to pay to the harbour authority, in addition to the charge, a sum equal to the amount thereof, which sum shall be a debt due to the harbour authority and shall be recoverable by them in any court of competent jurisdiction.”
- 1.1.6 Failure to notify the harbour office of arrival, or departing the harbour without paying harbour charges, will be taken as an attempt to evade the payment of harbour charges.
- 1.1.7 Visiting vessels of special interest and/or vessels owned by Registered Charities to be eligible for a 50% concession on applicable Harbour Charges at the discretion of the Harbour Master.
- 1.1.8 Any person claiming the return of the whole or part of any charges paid to the Authority shall make such claim and produce all documents and give all information required by the Authority in proof of such claim within twenty four months from the time of payment and, in default thereof, the claim shall cease to be enforceable. (Section 31 Torbay Harbour Act 1970). Refunds would normally only apply in exceptional circumstances and will incur an administration charge (see 5.7)
- 1.1.9 All lengths referred to are overall lengths which in the context of these charges includes bowsprit, pushpit, stern davit, and/or bumpkin etc. etc. as determined by the Harbour Master if required.
- 1.1.10 Any person who without reasonable cause fails to provide information which is reasonably required for the purpose of the harbour undertaking shall be liable on summary conviction to a fine not exceeding level three on the standard scale. (Section 18 Tor Bay Harbour (Torquay Marina &c.) Act 1983).
- 1.1.11 Application for and acceptance of a mooring, quay berth, boat park space, pontoon berth or other facility, implies acceptance of the rate of charge currently in force and of the conditions of issue including that the Authority and its staff are indemnified against any claims arising from or in connection with such berth or facility, save only as the Authority may be liable under the Unfair Contracts Terms Act 1977.
- 1.1.12 Vessels directed into the harbour by the Secretary of States Representative (SOSREP) or by any other person legally entitled to direct vessels into a harbour are required to pay one months harbour dues in advance as a condition of entry. If using a mooring facility, they will also be required to pay one months mooring fees in advance as a condition of entry. These charges are in addition to any charges

incurred for pilotage, tugs, berthing the vessel or for the provision of any other service supplied by the Authority.

- 1.1.13 The lawful orders or directions of the Council's Harbour Master and other authorised officers must always be obeyed promptly.
- 1.1.14 No facility granted may be shared, assigned or sub-let without the prior consent of the Harbour Master in writing and further charges may apply (Tor Bay Harbour Byelaw no 38 & 41).
- 1.1.15 The Council have the right to exercise a general lien upon any vessel, and/or her gear and equipment, whilst in or upon the harbour premises, or afloat, until such time as the monies due to the Council from the applicant in respect of such vessel whether on account of storage or mooring charges or otherwise, shall be paid.
- 1.1.16 No person shall place a vessel on a mooring prescribed in the mooring scheme prepared by the Council for a vessel of a different size than that applied for, without the applicant obtaining the approval of the Harbour Master in writing (Tor Bay Harbour Byelaw no 40).
- 1.1.17 In the event of the applicant selling or otherwise disposing of the vessel authorised to use the mooring, the Harbour Master shall be notified in writing (Tor Bay Harbour Byelaw no 33).
- 1.1.18 These charges will be applied in a fair and equitable manner, to reflect, as reasonably as possible, the service provided. However, for the avoidance of doubt, the Harbour Master may interpret this Schedule in such a manner as to maximise income to the Council as the Harbour Authority.
- 1.1.19 The Harbour Master may vary these charges and/or levy additional charges in respect of anything done or provided by (or on behalf of) the Harbour Authority in accordance with the Harbours Act 1964 and/or Section 24 of the Tor Bay Harbour Act 1970 (or any amendments or re-enactments of those Acts) and all powers delegated to the Harbour Master by Torbay Council.
- 1.1.20 The owner of any vessel using Tor Bay Harbour shall indemnify the Council, their servants and agents against all actions, claims, costs and demands in respect of any injury or death of any person and any damage to any property which may arise out of the owner's occupation and use of the harbour facilities including slipways, steps, jetties, pontoons and staging and for this purpose shall maintain a Public Liability policy against such risks. Failure to maintain the appropriate insurance cover will result in the withdrawal of mooring, launching or other facilities.

## **1.2 Definitions**

### **1.2.1 Limits of the Harbour**

The limits of the Harbour shall comprise the areas as set out in Parts I and II of Schedule 1 of the Tor Bay Harbour Act, 1970, and are as follows;

#### **PART I**

The area below the level of high water enclosed by an imaginary line drawn from the point at which the northern boundary of the borough meets the coast to a point one half of a nautical mile true east, thence to a point one half of one nautical mile true east of Hope's Nose, thence to a point one nautical mile true east of Berry Head and thence direct to Sharkham Point, but excluding the area referred to in Part II of this schedule.

#### **PART II**

The area below the level of high water enclosed by;

- (a) an imaginary line drawn from Shoalstone Point in the parish of Brixham extending in a west-north-westerly direction for a distance of 6,500 feet or thereabouts until it intersects the imaginary line next described;
- (b) an imaginary line drawn from the centre of Old Quarry at O.S. Ref. SX91445723 in a north-easterly direction for a distance of 3,000 feet or thereabouts until it intersects the imaginary line first described; and

(c) the land line of the coast from the centre of Old Quarry aforesaid to the said Shoalstone Point.

The description Enclosed Harbour means:

Torquay - The area of water enclosed by an imaginary line drawn from the western end of Haldon Pier to the south-eastern end of Princess Pier.

Paignton - The area of water enclosed by an imaginary line from the eastern end of North Quay to the northern end of East Quay

Brixham - The area of water enclosed by the Breakwater; an imaginary line from the northern end of the Breakwater to Battery Point and the shore.

#### 1.2.2 **Recreational Vessels**

Any vessel, less than 50m LOA, used solely for the purpose of recreation. All vessels owned and operated by a registered charity for the purpose of training people at sea for recreational purposes. Any vessel that meets the definition of a Passenger Vessel in 1.2.3 below, shall not be considered a Recreational Vessel.

#### 1.2.3 **Passenger Vessels**

An MCA Class V, VI or VIA vessel, or an MCA coded vessel, or, where applicable a vessel licensed by Torbay Council to carry fare-paying passengers. Any vessel that meets this definition shall not be considered a recreational vessel.

#### 1.2.4 **Motor Fishing Vessels**

A registered Motor Fishing Vessel based in and working from a Tor Bay Harbour, the owner/master of which is engaged in commercial fishing, whose sole or main income is derived from selling fish on the Brixham Fish Market or landing fish for sale at Brixham, Torquay or Paignton Harbours and paying Fish Tolls to the Torbay Council. (Income from Fish Tolls must total at least £5,000 in the previous year to meet the sole or main income test)

#### 1.2.5 **Commercial Vessels**

Recreational vessels of 50m LOA and over and all other vessels, including naval vessels, workboats and pilot boats used for any purposes other than recreation with the exception of, licensed passenger vessels, fishing vessels, or training vessels as defined in 1.2.2, 1.2.3 and 1.2.4 above.

#### 1.2.6 **Power Boat**

A Power Boat is defined as a small vessel propelled by machinery and which is ordinarily capable of a speed exceeding 17 knots.

#### 1.2.7 **Passenger**

Any person carried that is not essential to the running of the vessel or any person who has paid to be transported, accommodated or trained on the vessel on which they are embarked.

#### 1.2.8 **Work Within The Harbour**

The loading, discharging, transport, carriage, storing or accommodation of goods, cargo, dry, liquid or gaseous commodities, livestock or passengers. The carrying out of any project for any purpose including but not limited to photographic, film or other artistic work on or by any vessel. Capital dredging; diving support; pile driving or pile removal; laying or recovering an under water cable or pipeline; laying, maintenance, survey or recovery of mooring anchors, ground tackle, risers or buoys; surveying, scientific research, water sampling or core sampling; and drilling into the river bed for any purpose. Any other project resulting in the construction or removal of any structure or the alteration of the harbour bed or infrastructure. Operations carried out by HM Customs, immigration officers, police and fisheries patrols but excluding fire fighting and search and rescue operations.

#### 1.2.9 **Further Definitions**

Definitions contained within the Harbours Act 1964, the Tor Bay Harbour Act 1970, the Tor Bay Harbour (Torquay Marina &c.) Act 1983 and Tor Bay Harbour Byelaws are applicable where appropriate.

# PART 2 – Harbour Dues

## 2.1 General

- 2.1.1 Harbour Dues are normally payable on all vessels entering, within or leaving the harbour. Harbour Dues relate to a particular vessel and are not transferable. No refunds or partial refunds are normally given.
- 2.1.2 Bona-fide tenders of up to 4.3m LOA, or of up to 6.0m LOA, for parent vessels of 10.0m LOA and over are covered by the payment of harbour dues on the parent vessel. Such tenders must be clearly and uniquely identifiable. If the parent vessel has paid the relevant annual harbour charges the associated tender must show the plaque issued at the time of payment and must be clearly marked 'Tender to (the main vessel's name)'. With the exception of commercial vessels of 50m LOA and over only one tender per vessel is covered in this way. Tenders can only be used for transport to and from the parent vessel and/or mooring. Craft which are not tenders to a larger vessel on a Council mooring will attract Harbour dues in addition to the tender rack charge. All tenders should be stored within appropriate tender racks unless other arrangements have been specifically agreed in written form with the Harbour Master, this would include alongside charges as appropriate.
- 2.1.3 Small vessels less than 3m LOA of which the only means of propulsion is either oars or paddles and which are not normally berthed within the harbour, single canoes of less than 4m LOA and sailboards and rowing skiffs are exempt from the payment harbour dues.
- 2.1.4 Safety and or rescue vessels may be exempted from Harbour Dues as agreed with the Harbour Master. Except that all RNLI vessels will be exempt from the payment of Harbour Dues and mooring fees.
- 2.1.5 HM Ships, Customs and Excise vessels and craft in the service of Trinity House may be exempt from the payment of Harbour charges except as may be otherwise agreed with the Harbour Authority (Section 35 Torbay Harbour Act 1970).
- 2.1.6 Harbour Charges may be offered at concessionary rates for vessels taking part in organised events within Harbour limits if permission is sought and granted in advance of the event and the names and lengths of the vessels involved are made available to the Harbour Master.

## 2.2 Commercial Vessels

- 2.2.1 This section applies only to commercial vessels (as defined in 1.2.5) not normally moored within the harbour that are, have been or will be carrying out work within the harbour at any time except laid up vessels that will be charged as per 2.2.5. Prices are exclusive of VAT.
- 2.2.2 Charges in this section include mooring/quayside charges where applicable. (vessels over 50 metres only, otherwise see section 3.1)
- 2.2.3 **Vessels visiting an enclosed harbour for up to 7 days**  
£2.85/m/LOA/day
- 2.2.4 **Vessels remaining in an enclosed harbour more than 7 days**  
For every week or part thereof during which a vessel (not being a vessel to which paragraph 2.2.5 or 2.2.7 of this Part of the Schedule applies) remains in the Harbour after the expiration of seven days from the date of entry when arranged and agreed in advance.  
£ 12.93/m/LOA/week

- 2.2.5 **Vessels laid up - Un-laden (and gas-free if applicable) and not working within the Harbour**  
For every month or part thereof during which a vessel is laid up (in lieu of the rates mentioned in paragraphs 2.2.3 & 2.2.4 above when arranged and agreed in advance).  
To be determined by the Harbour Master
- 2.2.6 **Vessels entering the enclosed harbours of Tor Bay to take on or discharge fuel oil or supplies**  
For vessels which are not normally moored in the harbour (maximum stay 24 hours)  
£1.19/M/LOA/Day
- 2.2.7 **Floating docks**  
For every year or part thereof during which a floating dock remains in the Harbour (in addition to harbour dues applicable to each vessel docked)  
To be determined by the Harbour Master
- 2.2.8 **Vessels at anchor in Tor Bay other than those seeking shelter**  
£105.00 per day
- 2.2.9 **Vessels at anchor in Tor Bay for underwater survey, hull cleaning, repairs or associated activity**  
£210.00 for first 48 hours or part (in addition to the above charge)
- 2.2.10 **Vessels undertaking fish and cargo transhipments**  
For the transhipment of fish, cargo, personnel or other goods whether at anchor or underway within Tor Bay Harbour limits.  
To be determined by the Harbour Master

## **2.3 Non Commercial Vessels**

- 2.3.1 This section applies to Torquay, Paignton and Brixham harbours. Charges are levied per metre per annum or part thereof expiring 31<sup>st</sup> March following. Prices are inclusive of VAT, except where specified. For daily rates see part 3.
- 2.3.2 Payment of Annual Harbour Dues must be signified by the display of the Harbour Authority 'Plaque' which will be issued when payment is made. Failure to display a 'Plaque' may result in daily charges being applied as detailed in part 3. Tenders must be registered with the Harbour Authority to obtain their tender 'plaque'. The display of any 'Plaque' issued in respect of another vessel will be taken as an attempt to evade the payment of harbour dues. Such attempts may be subject to payment of twice the amount of set harbour dues (section 30 Tor Bay Harbour Act 1970) (see section 1.1.5).
- 2.3.3 Motor Fishing Vessel charges only apply to vessels bona fide engaged in fishing. Registered fishing vessels employed as pleasure craft and carrying passenger for reward are to pay the appropriate passenger vessel charge for the period so employed.

<b>Torquay Harbour</b> Recreational Vessels, Commercial Vessels under 50m LOA not undertaking work within the harbour and Commercial Vessels normally moored within the harbour regardless of whether they are carrying out work or not (other than passenger vessels).	£51.29/m/LOA/year or part
<b>Paignton &amp; Brixham Harbour</b> Recreational Vessels, Commercial Vessels under 50m LOA not undertaking work within the harbour and Commercial Vessels normally moored within the harbour regardless of whether they are carrying out work or not (other than passenger vessels).	£38.35/m/LOA/year or part
Passenger Vessels under 16.5m LOA or carrying 12 passengers or less	£51.29/m/LOA/year or part
Passenger Vessels over 16.5m LOA and carrying more than 12 passengers	£74.69/m/LOA/year or part
Motor Fishing Vessels based in and working from Tor Bay Harbour (Exclusive of VAT)	£9.55/m/LOA/year or part

## 2.4 Goods, Cargo and Passenger Dues

- 2.4.1 Goods dues are levied on all vessels (VAT exempt for vessels of over 15 GRT) per occasion as follows.
- 2.4.2 The payment of fish tolls includes alongside berthing charge at Brixham and electricity/water consumption where a recharge facility does not exist.

<b>Goods (Exclusive of VAT)</b>	
<b>Fish (other than cured fish ) but including shellfish, crabs etc.,</b> Brought into the Harbour or to any place within the limits of the Harbour by sea and sold, on the gross proceeds of fish (includes alongside berthing charge at Brixham and electricity/water consumption where a recharge facility does not exist)	£0.025 per £
<b>Fish overlanded and sold on Brixham Fish Market,</b> On the gross proceeds of the sale	£0.015 per £

<b>Cargo Dues (Exclusive of VAT)</b>	
General Cargo/Other Commodities	To be determined by the Harbour Master
General Ships Stores/Spares etc	£1.60 per tonne
Waste Bins (1,100 litres)	£2.13 per unit
STS Transfer Hoses	£106.60 per transfer
STS Transfer Fenders	£106.60 per transfer

<b>Passenger Dues</b>	
Cruise ship passenger landing fees, per passenger	£3.00 per passenger
For Passenger Vessel charges	See section 4.4

# PART 3 – Visitor Charges

## 3.1 Launching and Recovery Fees and Visitor Charges

- 3.1.1 This section applies to Recreational Vessels, Passenger Vessels, Fishing Vessels and Commercial Vessels under 50m LOA not undertaking work within the harbour. These are applicable at each of the enclosed Harbours. No visitor charge is applicable to Recreational Vessels staying alongside for less than two hours.
- 3.1.2 All charges quoted within this section are inclusive of VAT except where stated. These charges are combined charges that include harbour dues and mooring fees where applicable.
- 3.1.3 Visitor Pontoons are available, normally for Recreational Vessels during the summer months in Brixham and Torquay harbours.
- 3.1.4 Visitors staying more than 3 nights get one night free (This offer is at the discretion of the Harbour Master for undeclared visits). Vessels may be required to double-up with other craft, and in such cases fendering will be the responsibility of the Masters of the craft involved. There is no reduction for doubling up.
- 3.1.5 Motor Fishing Vessel charges only apply to vessels bona fide engaged in fishing. Registered fishing vessels employed as pleasure craft and carrying passenger for reward to pay the appropriate passenger vessel charge for the period so employed.
- 3.1.6 To avoid the abuse of visitor moorings by local vessels, all craft using visitor mooring facilities are normally restricted to a maximum stay of three weeks (21 days) with no return within one week 7 days.
- 3.1.7 Use of harbour facilities can and will be denied if boats are not adequately insured (see 1.1.20).

<b>Daily Visitor Charges (per night or over 2 hours)</b>	
Up to 4 metres (13ft)	£9.00 per day
Over 4 metres up to 5.5 metres (14ft-18ft)	£10.00 per day
Over 5.5 metres up to 7 metres (19ft-23ft)	£11.00 per day
Over 7 metres (23ft) up to 15 metres (50ft)	£1.80 m/per day
Over 15 metres (50ft) up to 50 metres (164ft)	£27.50 per day
Motor Fishing Vessels not working regularly from Tor Bay Harbour up to 4 days (Exclusive of VAT)	£1.38 m/per day
Passenger vessels	£1.98 m/per day
Tri-Marans	£2.72 m/per day

<b>Weekly Visitor Charges</b>	
Up to 4 metres (13ft)	£40.00 per week
Over 4 metres up to 5.5 metres (14ft-18ft) (per day)	£46.00 per week
Over 5.5 metres up to 7 metres (19ft-23ft) (per day)	£51.00 per week
Motor Fishing Vessels not working regularly from Tor Bay Harbour over 4 days (Exclusive of VAT)	£5.76 per m/per week or part

<b>Slipway Charges</b>	
Up to 4 metres (13ft)	£9.00 per day
Over 4 metres up to 5.5 metres (14ft-18ft) (per day)	£10.00 per day
Over 5.5 metres up to 7 metres (19ft-23ft) (per day)	£11.00 per day
Over 7 metres (23ft) up to 15 metres (50ft)	£1.80 m/per day



- 3.1.8 Annual launch and recovery passes are issued at the discretion of the Harbour Master and are subject to availability.
- 3.1.9 Annual launch and recovery passes do not include trailer parking charges.
- 3.1.10 Passenger vessels other than MCA Coded and MCA class V, VI, VIA Passenger Vessels and EU Classes to be charged as commercial vessels see section 2.2.

<b>Annual Charges</b>	
Launching and recovery pass for private use of Tor Bay Harbour slipways.	£34.20 per m
Launching and recovery pass for commercial use of Tor Bay Harbour slipways.	£46.80 per m
MCA Coded and MCA class V, VI, VIA Passenger Vessels and EU classes visiting Tor Bay Harbour (combined charge)	£256.01

### **3.2 TRAILER PARKING**

- 3.2.1 Trailer parking is subject to availability.
- 3.2.2 Annual trailer parking is only available when purchasing an annual launching and recovery pass.
- 3.2.3 Customers seeking continuous trailer storage should refer to Boat & Trailer parking in section 4.5; such facilities are subject to availability. The annual trailer parking identified in this section does not entitle constant use of the trailer parking area.

Daily trailer parking	£5.00 per day
Weekly trailer parking	£20.00 per week
Annual trailer parking (only available with private annual launch & recovery pass)	£54.98 per year or part

### **3.3 PERSONAL WATERCRAFT (JET SKIS)**

- 3.3.1 All personal watercraft (jet skis) must be registered with the Harbour Authority and proof of insurance will be required.
- 3.3.2 The granting of launching/recovery facilities is at the discretion of the Harbour Master and subject to availability.
- 3.3.3 These launching/recovery charges do not include trailer parking.
- 3.3.4 “Qualified” means a person holding a recognised RYA Personal Watercraft Certificate – proof will be required on each occasion.

<b>Personal Watercraft (Jet Skis) Launching &amp; Recovering</b>	<b>Qualified</b>	<b>Unqualified</b>
Daily charge	£12.50 per craft/day	£17.50 per craft/day
Weekly charge	£57.00 per craft /week	£78.00 per craft /week
Annual charge	£168.00 per craft /annum	£233.00 per craft /annum
Registration fee	£15.00	£15.00

<b>Town Dock Jet Ski Pods (subject to availability)</b>	
Daily charge	£15.00
Weekly charge	£50.00

# PART 4 – Tor Bay Harbour Authority Moorings, Berths & Facilities

## 4.1 General

- 4.1.1 A waiting list exists for some Tor Bay Harbour moorings & facilities. The registration fee to join each waiting list is £25.00. The deposit is not refundable or transferable but will be credited to the mooring fees when a mooring is obtained.
- 4.1.2 Permanent moorings and berthing facilities are allocated on an annual basis, 1<sup>st</sup> April to the 31<sup>st</sup> of March following.
- 4.1.3 When vessels are moored, outboard engines in the raised position must have the propeller and skeg covered with a plastic bucket or other approved protective cover in order to prevent damage to other boats.
- 4.1.4 Owners must ensure that the vessel is provided with a sufficient number of fenders adequate for the size of vessel, so as to prevent damage to other vessels, quays or other property (Tor Bay Harbour Byelaw 46).

## 4.2 Visiting Commercial Vessels

- 4.2.1 For vessels under 50m LOA not undertaking work within the harbour see section 3.1 (combined charge applicable.)
- 4.2.2 For all other commercial vessels see section 2.2 (combined charge applicable.)

## 4.3 Visiting Non Commercial Vessels

- 4.3.1 See section 3.1 (combined charge applicable)

## 4.4 Use of Tor Bay Harbour Authority Landing/Embarkation Facilities

- 4.4.1 These charges are inclusive of VAT and apply in relation to passengers embarking/landing at Brixham, Paignton and Torquay quays, piers, pontoons or any other fit for purpose harbour facility. Except those passengers embarked as trainees aboard vessels owned and operated by a registered charity for the purpose of training people at sea for recreational purposes.
- 4.4.2 For Cruise Ship Passenger Charges see section 2.4

<b>Visiting Passenger Vessels</b>	
MCA coded vessels and MCA Class V, VI, VIA vessels and EU classes	£2.38p per passenger per visit
MCA coded vessels and MCA Class V, VI, VIA vessels and EU classes – over 15grt (VAT Exempt)	£1.98 per passenger per visit
Other Passenger Vessels	To be determined by the Harbour Master

<b>Passenger Vessels - Annual Compound Charges</b>	
MCA coded vessels up to 24m LOA	£34.82 per annum
MCA class V, VI, VIA vessels, EU classes and coded vessels of 24m and over	£1.45 per passenger

#### **4.5 Quayside Charges**

- 4.5.1 This section applies to Non Commercial vessels and resident Commercial vessels and all charges are inclusive of VAT.
- 4.5.2 Grids are only available at Brixham Harbour.
- 4.5.3 No charge for Tor Bay based MFV's when fitting out or under repair for a period not exceeding 14 days per annum or at the Harbour Authority's discretion.
- 4.5.4 Annual charges for MFV's lying alongside the quay in Brixham are covered by the payment of fish tolls as described under goods and passenger dues in section 2.4.
- 4.5.5 Torquay Inner Harbour South Pier pontoon charges are inclusive of harbour dues.
- 4.5.6 Torquay Outer Harbour Town Dock non commercial pontoon charges are inclusive of harbour dues.
- 4.5.7 Town Dock non commercial facilities are charged as per the allocated berth size and not the LOA.

<b>Quayside Berth Daily Charges</b>	
Vessels carrying out repairs inclusive of harbour dues (where a bookable facility exists)	£2.56 per m LOA/per day
Vessels carrying out repairs exclusive of harbour dues (where a bookable facility exists)	£2.46 per m LOA/per day
Resident vessels with moorings and paying harbour dues lying alongside the quays pontoons or each other (for visitors see section 3.1).	£1.54 per m LOA/per day
Use of Grids inclusive of harbour dues	£3.72 per m LOA/per day
Use of Grids exclusive of harbour dues	£3.65 per m LOA/per day
Use of slipway to dry out/repairs	£3.01 per m LOA/per day
<b>Annual Charges for Vessels Lying Alongside the Quay, Pontoon or Each Other.</b>	
Torquay Harbour (for MFV's please see charge below)	£60.84 per m LOA
Paignton Harbour (for MFV's please see charge below)	£47.12 per m LOA
Brixham Harbour (for MFV's please see charge below)	£47.12 per m LOA
Registered MFV's (see definition 1.2.4) Torquay & Paignton only	£33.81 per m LOA
Torquay Inner Harbour South Pier Pontoons for Commercial Boat Sales	£202.60 per m

<b>Torquay Outer Harbour Town Dock</b>	
Private Vessels - per year	£202.60 per m berth
Jet Ski Pods – per year	£850.00 per pod
Jet Ski Pods – April to September (subject to availability)	£550.00 per pod
Jet Ski Pods – October to March (subject to availability)	£350.00 per pod
Passenger Vessels under 16.5m LOA or carrying 12 passengers or less	£104.40 per m LOA
Passenger Vessels over 16.5m LOA and carrying more than 12 passengers	£96.60 per m LOA

- 4.5.8 Annual charges for boat and trailer parking on quays are inclusive of harbour dues. Local yacht clubs and bona fide local youth organisations are recognised as youth training organisations and invited, on an annual basis, to submit details of eligible young persons under the age of 18 years to be considered for a concession of 50%. Boat park charges will be based on the greater length of either the boat or trailer - if stored on a road trailer and not a launching trolley.

4.5.9 Charges for horizontal racks are inclusive of harbour dues.

4.5.10 Craft, which are not tenders to a larger vessel on a Council Mooring, will attract harbour dues in addition to the rack charge (see section 2.1.2).

4.5.11 Beacon Quay reserved car parking spaces are located under the public car park on Beacon Quay. Allocation of these spaces is on the understanding that they can be given up for up to 14 days per year to assist in accommodating maritime events.

<b>Boat &amp; Trailer Parking, Storage on Quays</b>	
Boat parking – single hull vessels (includes racks at Torquay)	£60.22 per m LOA/per annum
Boat parking – multi hull vessels (occupying more than one space)	£77.72 per m LOA/per annum
Boat parking – Haldon Pier only (Summer season only)	£30.11 per m LOA/per season
Boat trailers only (subject to availability)	As per single hull boat parking
Boat storage on the Quay (on or off a trailer) (subject to availability)	£2.46 per m LOA/per day
Commercial boat parking on Haldon Pier (subject to availability)	£119.20 per m LOA/per annum
Dinghy/tender rack	£32.44 per rack per year
Use of courtesy tenders, subject to availability	£32.44 per year
Paignton horizontal racks, subject to availability (max, length 3.7m)	£149.22 per rack/per year
Kayak/Canoe rack (Brixham only)	£100.00 per year or part
Paignton Harbour West Quay Parking	£125.00 per year or part
Paignton Harbour South Quay Parking	£260.00 per year or part
Reserved car parking space on Beacon Quay	£450.00 per year or part

#### **4.6 Annual Mooring Charges**

4.6.1 Trot, Swinging and Outhaul Moorings – all prices inclusive of VAT

4.6.2 It is Torbay Council's policy to support the fishing industry and this is reflected in certain mooring charges at Brixham Harbour

4.6.3 The fore and aft mooring buoys in Torquay Outer Harbour are provided for motor fishing vessels, passenger vessels and commercial craft only.

<b>Mooring Charges</b>	
Brixham Inner Harbour trot mooring (no risers provided)	£44.83 per m loa /per annum
Brixham Registered MFV's trot mooring (no risers provided)	£44.83 per m loa /per annum
Brixham Outer Harbour swinging mooring	£79.80 per m loa /per annum
Brixham Registered MFV's Outer Harbour swinging mooring	£79.80 per m loa /per annum
Brixham outhaul mooring (not exceeding 4.88m) (no tackle provided)	£18.48 per m loa /per annum
Paignton trot mooring (no risers provided)	£44.83 per m loa /per annum
Paignton outhaul mooring (not exceeding 4.88m) (no risers provided)	£36.22 per m loa /per annum
Torquay Inner Harbour trot mooring	£58.00 per m loa /per annum
Torquay outhaul mooring (not exceeding 4.88m)	£36.22 per m loa /per annum

#### **4.7 Winter Storage**

4.7.1 Winter storage is only available at Brixham & Paignton Harbours and is charged on length overall as detailed in 1.1.9

4.7.2 Licensed passenger craft stored at Brixham harbour will be entitled to a 50% concession if stored at their home port.

4.7.3 Vessels having annual facilities at Paignton Harbour will be entitled to a 50% concession.

4.7.4 Accommodation is let for the period 1<sup>st</sup> October to 31<sup>st</sup> March only, subject to availability. This charge applies for the whole or any part of the above period and no reduction will be allowed for any lesser period. Any craft that remains in storage after 31<sup>st</sup> March may attract a further charge of £2.46 per metre per day.

<b>Winter Storage Charge</b>	
Uncovered storage at Brixham or Paignton Harbours	£45.42 per m LOA
Lifting Charge (Brixham Harbour only)	£18.52 per m LOA/per lift

## **PART 5 – Tor Bay Harbour Authority**

### **5.1 Utilities**

5.1.1 Electricity cards for electricity only, are available in the following denominations for the respective price (prices listed are inclusive of 5% REDUCED RATE VAT)

5.1.2 These utility charges are applicable only where a recharging facility exists, e.g. card/token meters or sub meters. Also these charges are linked to the relevant energy prices at any given time (See 2.4.2 for MFV charges when paying fish tolls)

<b>Electricity Charges</b>	
Level 1 card (available only at Torquay & Paignton)	£1.00 each
10 KW card (available only at Brixham)	£2.00 each
50 KW card (available only at Brixham)	£10.00 each
Brixham Harbour KW charge for MFVs	To be determined by the Harbour Master

5.1.4 For water taken by small vessels in quantities of less than one tonne there is no charge other than where a recharge facility exists.

5.1.5 For water supplied from the Council's standpipes other than in 5.1.4 above the following charges apply.

<b>Water Charges (Zero rated VAT)</b>	
Up to 50 tonnes	£3.00 per tonne
50 tonnes and over	£2.00 per tonne

### **5.2 Crane, Labour and Equipment Hire Charges**

5.2.1 The Brixham Harbour crane has a safe working load of 4 tonnes maximum.

5.2.2 Use of mobile commercial cranes and/or other lifting appliances (including Hiabs) on Harbour Property/Estate is at the discretion of the Harbour Master and prior notification must be provided for each operation. Prior notification in respect of cranes on Beacon Quay must be provided 48 hours in advance.

<b>Crane Charges</b>	
Crane per lift (other than boat lifts) e.g. masts engines etc.	£72.40 per hour or part
Boat lift (minimum charge £72.40)	£9.34 per m
Lift out and re-launch same day before 1600 hours (Monday - Friday)	Charge as 1½ lifts
Hang in slings over 4 hours	£20.20
Block-up charge	£3.62 per m LOA
Block up charge, twin keel	£1.52 per m LOA
Storage on quay, per day or part per metre LOA (See 4.5)	£2.46 per day or part/m LOA
Site rental for mobile crane at Torquay Harbour	To be determined by the Harbour Master
Use of mobile commercial crane and/or Hiab on Harbour Property/Estate up to 4 hours. (Inclusive of Launch Fee)	£36.40 per crane
Use of mobile commercial crane and/or Hiab on Harbour Property/Estate over 4 hours. (Inclusive of Launch Fee)	£70.72 per crane/per day

- 5.2.3 Enhanced rates will be charged, out of ordinary working hours, where overtime is required to be worked. If staff have to be called out, a minimum of 2 hours overtime will be charged (per person).
- 5.2.4 Tor Bay Harbour Authority personnel and equipment (subject to availability) are charged out at the following rates all including VAT. Hire of these facilities are at the Harbour Masters discretion.
- 5.2.5 Towing and water taxi services are provided at the discretion of the Harbour Master.
- 5.2.6 Use of forklifts on harbour property/estate is at the discretion of the Harbour Master.
- 5.2.7 Fork lift truck services to Ship's Agents, includes labour up to 30 minutes and minimal storage up to 1 week. Storage charges (subject to capacity) after 1 week are at £1.77 per pallet per day. (Exclusive of VAT).
- 5.2.8 The boat pressure washing service includes the provision of an operative.

<b>Labour and Equipment Hire Charges</b>	
Labour charge (during normal working hours) per staff member	£22.00 per hour or part
Hire of workboat including skipper and crew	£130.00 per hour or part
Hire of workboat including skipper and crew	£650.00 per day, 0900-1700 hours
Water taxi service to or from vessel in enclosed Harbour, including crew	£12.50 per single trip or per round trip if no waiting
Towing within enclosed harbour	£31.20 per hour or part
Towing outside enclosed harbour to nearest enclosed harbour within Tor Bay	£26.00 per ½ hour or part
Pumping out of vessels within the enclosed harbours	£41.60 per hour or part
Hire of fork lift truck without driver (Requires qualified driver)	£70.00 per half day
Hire of fork lift truck with driver	£39.50 per hour or part
Fork lift truck services to Ship's Agents (Exclusive of VAT)	£18.00 per pallet
Boat pressure washing service (minimum charge £41.60)	£9.35 per metre LOA

### **5.3 Storage Space**

- 5.3.1 The storage of fishing equipment is only chargeable after 48 hours at the discretion of the Harbour Master.
- 5.3.2 A charge will be made for moving equipment into storage and the applicable rate will be labour charge identified in 5.2 above.

Unleased quay areas for fish boxes, fishing gear, cargo containers etc.	£0.95 per m <sup>2</sup> /per day
Storage of beams. on unleased quay areas	£3.00 per set/per week
Storage of waste bins (1,100 litres)	£2.00 per bin per day
Storage of loaded pallets on unleased quay areas	£2.83 per pallet/per week
Lock-up storage (ship stores only) (Equipment removal and transportation costs at applicable hourly rate)	To be determined by the Harbour Master
Storage lockers at Paignton Harbour (subject to availability)	£166.39 per annum

#### 5.4 Licences (Exclusive of VAT)

- 5.4.1 Fish salesmen's and buyer's licences are valid from 1<sup>st</sup> April each year.
- 5.4.2 The period of validity for a Boatman's licence must run concurrent with their DfT licence - MCA and Code of Practice Boatmen only.
- 5.4.3 Torbay Council, as the Harbour Authority, may grant upon such terms and conditions as they may think fit licences for pleasure craft to be let for hire or to be used for carrying passengers for hire within the Harbour, and to the boatmen or persons assisting in the charge or navigation of such craft. (See section 22 (1) Tor Bay Harbour Act 1970).

Fish salesmen's licence	£240.00 per annum
Fish buyer's licence	£240.00 per annum
Self-drive pleasure boats	£5.00 per boat/per annum
Artists' Licence (street trading option)	As per Council's Street Trading Consent Fee.
Fishing permit	To be determined by the Harbour Master

#### 5.5 Bunkering Charges (Exclusive of VAT)

- 5.5.1 Bunkering charges do not apply where fuel is taken from the refuelling stations at the Bunkering Jetty at Brixham, Brixham Marina or South Pier at Torquay

For fuel oil delivered to ships from tankers on shore or afloat (minimum charge £13.50)	£0.94p per 500 Litres
For fuel oil delivered to ships from tankers afloat in Tor Bay	To be determined by the Harbour Master

#### 5.6 Waste Charges

- 5.6.1 Waste/rubbish that litters the Harbour Estate as a result of refit or repair work maybe removed by the Harbour Authority. This activity will incur the costs detailed below.

Transportation to the Council refuse tip, Including attendants and use of Council transport etc.	£88.00 per truck load or part load
Council tipping charge.	As per weighbridge load

- 5.6.2 A significant contribution towards the reasonable cost of Port Waste reception facilities for vessels covered by the Port Waste Reception Facilities Regulations 2003 will be made by way of a consolidated harbour dues charge where applicable. However, with the exception of small volumes of waste oil, the charge for receipt of dirty ballast water, tank washings (slops), oily mixtures containing chemicals, scale and sludge from tank cleaning operations, oily bilge water, sludge from purification of fuel oil, noxious liquid substances, sewage and excessive volumes of garbage will be levied at cost plus 10%.

## 5.7 Miscellaneous Charges

- 5.7.1 The parking of exhibition vehicles on Harbour Estate is at the discretion of the Harbour Master.
- 5.7.2 Pleasure Boat Advertising Boards are licensed sites and are subject to a tendering process .
- 5.7.3 Vessels of exceptional construction or methods of propulsion, or not otherwise covered which include; sea planes, hovercraft, hydroplanes, hydrofoils and similar craft, rafts used for recreational purposes, etc.
- 5.7.4 The Harbour Authority may from time to time levy a charge on persons promenading on Quays and Piers of the Harbour Estate
- 5.7.5 Annual Contractors passes are valid from 1<sup>st</sup> April each year and are subject to Terms and Conditions of Use. To be determined by the Harbour Master using Powers Delegated by Torbay Council.

Administration Charge (This charge is at the discretion of the Harbour Master)	£30.00 Minimum
Officer Charge (this charge applies when time has been spent by officers in preparing reports or supervising work that is not the responsibility of the Harbour Authority)	To be determined by the Harbour Master
Parking of Exhibition Vehicle on Harbour Estate	£62.40 per day or part
Replacement Swipe Card or Fob for controlled access areas	£7.00 per card
Vessels of exceptional construction or methods of propulsion, or not otherwise covered.	Such charges as may from time to time be fixed.
Contractors Pass (for Tradesmen working on the harbour estate) Exclusive of VAT	£240.00 per year or part
Daily Contractors Pass Exclusive of VAT	£7.50 per day or part
Advertising Charges	To be determined by the Harbour Master
Facilities for visiting Fishing Vessels at Brixham Harbour	
Use of showers	£2.00 per shower
Use of washing/drying machine	£2.00 per wash/dry



# PART 6 – Pilotage

## 6.1 Services of a Pilot and/or Pilot Boat (Exclusive of VAT)

### 6.1.1 Extract from Tor Bay Harbour Pilotage Directions

Pilotage shall be compulsory within the compulsory pilotage area for all vessels except :-

- i. any ship of Her Majesty’s Royal Navy or Royal Fleet Auxiliary;
- ii. foreign warships navigating in the harbour for the purpose of taking up or leaving an anchorage;
- iii. any vessel of less than 36m LOA entering or leaving an enclosed harbour and not carrying a cargo of dangerous goods or marine pollutants;
- iv. any vessel of less than 80m LOA providing they do not enter or leave an enclosed harbour
- v. any vessel engaged in towing where the length of such vessel aggregated with the length of the tow is less than 80m or less than 36m for those entering or leaving an enclosed harbour;
- vi. any fishing vessel less than 47.5m LOA;
- vii. any vessel proceeding to or departing from a designated anchorage provided such vessel has been forced by stress of weather to seek shelter.

From sea to Brixham or Torquay Harbours	£55.00 per metre draught
From Brixham or Torquay Harbours to sea	£50.00 per metre draught
Shift berth within Torquay or Brixham Harbours	£29.00 per metre draught
From sea to Tor Bay Harbour anchorage	£24.00 per metre draught
From Tor Bay Harbour anchorage to sea	£17.50 per metre draught
Sea to Tor Bay Harbour & Tor Bay Harbour to sea – surcharge for vessels over 150m LOA	£1.00 per metre for each metre over 150m
Minimum charge (with or without a Pilot on board)	£90.00
Detention, after 1 hour	£53.00 per hour or part
Pilot Boat Charges (Shipping or Landing a Local Pilot)	Levied by Torbay & Brixham Shipping Agents Ltd.

## 6.2 Charges for Pilotage Exemption Certificates

6.2.1 Pilotage Exemption Certificate, per issue £100.00