

**Pleasure Boat/Vessel Licence**  
**Section 94 of the Public Health Acts Amendment Act 1907**

**Application Guidance Notes**

The Council issue Pleasure Boat licences under Section 94 of the Public Health Acts Amendment Act 1907. These notes have been compiled to assist applicants who wish to apply to licence a boat/vessel through the Council as a licensed Pleasure Boat.

The Council may grant upon such terms and conditions as they may think fit licences for Pleasure Boats and Pleasure Vessels to be let for hire or to be used for carrying passengers for hire and may charge such annual fee as appears to them to be appropriate.

The Authority will only issue such licences following a full assessment of the boat/vessel by a professionally qualified surveyor appointed from the Council's list by the applicant, and who shall conduct the assessment using the Maritime & Coastguard Agency (MCA) and the Association of Inland Navigation Authorities (AINA) 'sound practice, safer waters' Inland Waters Small Passenger Boat Code. Arrangements for subsequent inspections are outlined later in this document.

A list of authorised assessors is attached. (Assessment charges and all other charges resulting from the assessment are the sole responsibility of the applicant and should be agreed with the surveyor prior to him undertaking a survey.)

All boats/vessels must:

- a) be deemed safe and fit for the purpose by a professional Council approved assessor.
- b) be categorised by the assessor. The assessor will also determine the number of passengers which may safely be carried. (The decision of the assessor is final)
- c) All licensed boats must have liability to passengers and third party insurance with minimum cover of at least £3 million.
- d) pay the appropriate licence fee according to the current scale of charges.
- e) display at all times, once licensed, whilst the boat/vessel is being used for hire and reward, the Council's Licence plate in a prominent position, to be easily seen by all passengers and to the satisfaction of the Council's Authorised Officer.

All licences are issued for a maximum period of one year. At any time during the licensed period, the Council may suspend or revoke a licence in the interest of public safety.

Inland waters are categorised as one of four categories.

- Category A - Narrow rivers and canals where the depth of water is generally less than 1.5 metres
- Category B - Wider rivers and canals where the depth of water is generally 1.5 metres or more and where the significant wave height could not be expected to exceed 0.6 metres at any time
- Category C - Tidal rivers, estuaries and large, deep lakes and lochs where the significant wave height could not be expected to exceed 1.2 metres at any time
- Category D - Tidal rivers and estuaries where the significant wave height could not be expected to exceed 2 metres at any time

### **Area of operation as defined in MSN 1837 (M) amendment 2**

New Forest District Council can only issue pleasure boat licences to vessels operating in Category A, B, C and D waters. This applies to the following areas and any licence issued will reflect the area in which the vessel may operate.

- Southampton (Category C) – Within a line from Calshot Castle to Hook Beacon;
- Beaulieu River (Category C) – Within Beaulieu river not eastward of a North/South line through Inchmery House;
- Keyhaven Lake (Category C) – Within a line drawn due north from Hurst Point Low Light to Keyhaven Marshes;
- The Solent (Category D) – Inside the IOW within an area bounded by lines drawn between the church spire, West Wittering, to Trinity Church, Bembridge, to the eastward and the Needles and Hurst Point to the westward.

### **Method of application**

1. After reading and agreeing to abide by the licence conditions, complete the application form.
2. Choose an assessor from the list supplied, agree details of the assessment with the assessor and note any necessary details on the application form.
3. Send the application form and a copy of the insurance certificate together with payment or contact details for officers to obtain a card payment.
4. Submit the boat/vessel for assessment. Do not forget to take the **original** insurance certificate with you. (If the original insurance certificate is not supplied at the time of assessment or if there is any form of problem with it the assessor will fail the boat/vessel.)
5. The assessor will undertake the assessment of the boat/vessel. For all applicants he will complete a verification certificate (Pass or Fail) and send it to the Council.
6. The Council will match your application with the verification certificate and issue the licence or, in the case of assessment failure, return the application, minus the fee, to the applicant.

7. Officers will contact applicants one month after receipt of a boat survey, where the corresponding application paperwork has not been received.
8. Where further clarity is required on supporting paperwork to a licence application, the case officer will contact the applicant directly for confirmation or in some cases, the third party.

Tacit consent does not apply to this licence. It is in the public interest that the authority must process your application before it can be granted. If you have not heard from NFDC within 28 days, please contact us.

Applicants granted a licence must comply with all the conditions attached to the licence.

### **Boat surveys**

The following type and frequency of survey are required, based on the following 5 year renewal cycle:-

Initial application: full survey carried out by an assessor approved by us.

- First renewal: self certification survey.
- Second renewal: self certification survey.
- Third renewal: mid-term survey carried out by an assessor approved by us.
- Fourth renewal: self certification survey.
- Fifth renewal: full survey carried out by an assessor approved by us.

Every person who acts in contravention of Section 94 of the Public Health Acts Amendment Act 1907, shall, for each offence, be liable on summary conviction to a penalty not exceeding £1,000 (level 3 on the standard scale).

A person aggrieved by the withholding, suspension or revocation of a licence may appeal to the magistrates' court within 21 days of receipt of the notification of the decision.