

**Draft Abandoned Vessels Policy**  
Report by Head Ranger (Navigation)

**Summary:** This report sets out the proposed policy and procedures for use when dealing with abandoned vessels within the navigation area.

**1 Introduction**

- 1.1 Under the Norfolk and Suffolk Broads Act 1988, Schedule 5, Section 12.1, "The Authority may raise, remove or destroy any vessel which has been sunk, stranded or abandoned in any waterway within the navigation area or at any place, other than in the Haven, where it will, in the opinion of the Authority, affect navigation within the navigation area or the Haven".
- 1.2 In the past vessels have been dealt with on a case by case basis and there has not been a written policy for dealing with this issue.

**2 Background**

- 2.1 In an average year the Authority will deal with four or five abandoned vessels of which about half will have been sunk. There are checks and balances in the legislation and the Authority has the power to recover costs from the owner or by selling the vessel. In practice the owner is often not traceable and the vessel is in such a poor state that it has no value. The ownership of many abandoned vessels has allegedly passed through a number of people who have not registered the vessel and therefore cannot be held responsible for any costs involved.
- 2.2 It should be noted that failure to notify the Authority of change of ownership is an offence under the Registration byelaws.
- 2.3 If a vessel sinks there are a number of considerations and practices that come into play namely:
- (i) Whether persons could still be aboard – which would immediately involve the police.
  - (ii) The sinking is a result of a crime – as above.
  - (iii) Risk of pollution – which is assessed by observing the actual pollution being released together with known capacities of tanks and the likely tank level.
  - (iv) Securing the vessel – which involves placing lines and sometimes strops tied to the bank by ground anchors.

- (v) Location of the wreck in the navigation channel – affects priority of response.
  - (vi) Marking the wreck – which is undertaken in all circumstances and can involve a combination of markers, buoys and lights.
- 2.4 These actions will involve primarily the Navigation Rangers but can be dealt with by standby staff outside normal hours. Enquiries are then made to establish the owner and to liaise with them and /or their insurance company regarding raising and then removing the vessel. If no owner is established it is dealt with as an abandoned vessel although it may be raised quicker if pollution or any serious obstruction is being caused.
- 2.5 The budget for the removal of wrecks has recently been reduced to £2,000 annually as a result of taking the Dockyard in house. However, this figure can be spent on recovering one vessel if divers are required. Whilst the Dockyard staff are now involved in raising, transporting and destroying of vessels which is more cost efficient, it does depend on the location and availability of the cranes required and can lead to a long waiting period. Contractors have also been used where they have been working nearby and the now disbanded Police diving team have been very helpful in the past.
- 2.6 When a vessel has sunk and the owner is known or has been traced, the Head Ranger will liaise with the owner as to the removal of the wreck. If the wreck is not raised within one month, sooner if causing an obstruction, then the Authority will take over raising the vessel under the provisions of the 1988 Act and will seek to recover the costs for the owner or their insurers.
- 2.7 Stranded vessels are extremely rare within the navigation area. In such cases the Authority staff liaise with the owner regarding arranging removal or refloating which would be at the owners cost. If the owner failed to act in good time given the circumstances and position of the vessel then the same considerations and actions as for sunk or abandoned vessels would apply.

### **3 Draft Policy and Procedure.**

- 3.1 The draft policy is proposed as follows:

“The Authority will aim to remove from the navigation area any abandoned vessel within a period of three months from establishing the vessel is truly abandoned”.

- 3.2 When a vessel is either reported or suspected of being abandoned (if not sunk or stranded and requiring urgent action for safety or other navigation reasons) a documented inquiry will begin to establish who was the last registered owner and who is the current owner. The initial information will be provided by the Tolls section and the owner written to by the Head Ranger. Any correspondence will often be backed up by local inquiry on the ground by Navigation Rangers. If no owner can be found within one month the Head Navigation Ranger will cause to be placed an Abandoned Vessel Notice under 1998 Act giving in most cases 14 days notice of removal. If no one has

claimed ownership after 14 days, the vessel will be towed to the Broads Authority Dockyard or Ludham Field Base where it will either be destroyed or advertised for sale, depending upon its condition. Should there be any inquiries or information is awaited the vessel will be kept at our premises awaiting completion of those inquiries.

- 3.3 A record of correspondence and the condition of the vessel will be kept, including photographs and an independent survey if required. The decision as to whether a vessel will be destroyed is taken by Head Ranger following an assessment of condition, risk and saleability.
- 3.4 The committee will be updated at each meeting regarding the number of sunken/abandoned vessels currently in the system and their status via the Chief Executive's Exercise of Powers report.

#### **4 Conclusion**

- 4.1 Members views are sought on the policy and procedure proposed.

Background papers: Nil

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Appendices: APPENDIX 1 – List of abandoned vessels

**APPENDIX 1**

Name	Description	Location found	Hazard to Navigation?	Action	Abandoned Notice Affixed	Result
Herondale	Seamaster cruiser 8.53 length / 2.65 beam GRP Blue Hull / White Superstructure	Found abandoned on River Yare Thorpe	Yes	Abandoned vessel notice issued and expired. Owner not traced	yes	Towed to dockyard  Advertised for sale. Deadline for disposal 28 <sup>th</sup> Feb.
Freelander	Proton Aux Yacht 5.33 length / 1.68 beam White GRP	Sunk near Buckenham	No	Abandoned notice issued and expired .Owner not traced.	Yes	Awaits raising due date 15 <sup>th</sup> March.
Joint Venture	Fantasy 20 houseboat 5.99 length / 1.98 beam White GRP	Sunk Trowse, River Yare	Yes	Abandoned vessel notice issued and expired. Owner not traced.	yes	Lifted deposited on Dockyard slipway Advertised for sale As Herondale
Ayesha	Motor Cruiser 8.28 length / 2.69 beam White and mahogany timber	Found floating down river at Haddiscoe. Moved to Dockyard	Yes	Abandoned vessel notice issued and expired. Extensive enquiries made but owner not traced.	Yes	Towed to dockyard  Advertised for sale. As Herondale
Marleesh	Ex motor fishing vessel	Abandoned u/s end of Thorpe New Cut	No	Notices of Contravention completed. Warning letters stuck on boat. Papers served on vessel. Abandoned vessel issued and expired. Enquiries continuing	yes	Removed to dockyard. Enquiries continuing if unsuccessful will be advertised for sale 20 <sup>th</sup> February and either sold or disposed of by By 15 <sup>th</sup> March.

Name	Description	Location found	Hazard to Navigation?	Action	Abandoned Notice Affixed	Result
Special Lady	Blue/white 42' Caribbean style motor cruiser	Burned out and sank during night .Bungalow Lane, Thorpe	Yes	Wreck to be dealt with by owner/insurer	no	Awaits recovery by insurance company deadline 28 <sup>th</sup> February.
Zola Dex	Silhouette sailing yacht	Abandoned Thorpe u/s end of rail bridge	No	Abandoned notice issued and expired .Owner not traced enquiries continue.	Yes	Removed to dockyard. Enquiries continuing if unsuccessful will be advertised for sale 20 <sup>th</sup> February and either sold or disposed of by By 15 <sup>th</sup> March.
	Rowing Boat	Abandoned Fishergate, River Wensum	No	Abandoned notice issued and expired .Owner not traced enquiries continue.	Yes	Removed to dockyard. Enquiries continuing if unsuccessful will be advertised for sale 20 <sup>th</sup> February and either sold or disposed of by By 15 <sup>th</sup> March.
Half Pint	4.5 m Micro. GRP/Timber	Ludham Field base	Yes	Abandoned found floating in river. Owner contacted but now disappeared.	no	Removed to dockyard. Enquiries continuing if unsuccessful will be advertised for sale 20 <sup>th</sup> February and either sold or disposed of by 15 <sup>th</sup> March.