

Water Ski Permit - amendment to conditions

Report by Head of Safety Management

Purpose:	<p>This report set out a change in the policy as regards the necessity to undertake a Wash and Noise test as part of the Water Ski Permit conditions.</p> <p>A draft of the amended permit conditions is set out in Appendix 1.</p>
Recommendation:	<p>That the Authority adopt the proposed Permit conditions to be implemented from 1 April 2019.</p>

1. Background

- 1.1. The Authority developed a set of permit conditions for water skiing and wakeboarding in 2010 following concern over safety and that water ski tow boats and specifically boats used for towing wakeboarders who generated wash in excess of that specified in the Broads Authority Byelaws.
- 1.2. The current permit conditions requires all boats to complete a wash and noise test to determine whether the boat named on the permit produces excess wash and noise when in normal use.

2. Wash and Noise Test

- 2.1. To complete the test, various equipment is set up bankside and the vessels have to pass the test station at two speeds making a passage downstream and then upstream. Noise levels and wash heights are recorded.
- 2.2. The documented test procedure sets out the criteria derived from the Broads Authority Navigation Byelaws, the British Water Ski and Wakeboard environmental standards. A large number of water ski boats have completed the test and to date none have failed to meet the pass criteria.
- 2.3. It has been observed that there has been little variance in generated wash and noise during the tests by the range of water ski tow boats as the design, dimensions and engine size are very similar due to the nature of the use.

3. Proposals

- 3.1. As the boats have not demonstrated large variations or failed to meet the pass criteria and given the burden on the boat owner, the water ski club and the Authority to organise and carry out the tests it is proposed to remove the need to complete a wash and noise test from the permit conditions.

- 3.2. It is proposed that the change will be effective from 1st April 2019.
- 3.3. It is also proposed that if the Authority receives complaints regarding untested boats that a wash and noise test could be carried out as part of the investigation into the complaint.

4. Consultation

- 4.1. The Boat Safety Management Group was consulted at its meeting on 1st October 2018. The members were content with the proposals however, they did suggest that where a new type of vessel was registered, a make and model that had not previously been used on the Broads as a Water Ski tow boat, the Authority should reserve the right to insist on a wash and noise test being carried out.
- 4.2. The Navigation Committee welcomed the proposed amendment but did support the suggestion from the Boat Safety Management Group, which they recommended should be on the face of the permit conditions.
- 4.3. The Eastern Rivers Ski Club was content with the subsequent amendment to the proposed permit conditions.

Background papers: None

Author: Steve Birtles
Date of report: 8 November 2018

Appendices: Appendix 1 - Draft Water Ski Permit conditions.

BROADS AUTHORITY

Water Skiing and Wake Boarding Permit

This Permit is issued under Section 27 of the Broads Authority Act 2009.

The Broads Authority hereby permits

_____ to navigate the Authorised Vessel

for the purpose of towing a water skier (or wake boarder) in the zones and at the times specified in Appendix 1 to this Permit provided this is in accordance with the conditions specified below.

This Permit is issued on the basis that

- a) the Authorised Vessel has a block area of no more than 13 square metres, has a planing hull, and does not have permanent covered accommodation.
- b) the Authorised Vessel has been registered in accordance with the Authority's Byelaws and that payment of the Prescribed Annual Toll for the vessel has been made.

In this Permit the following definitions apply:-

The "2009 Act" means the Broads Authority Act 2009

"Authorised Vessel" means the vessel described in Part 1 of the Schedule

"Authorised Person" means the persons named in Part 2 of the Schedule

The "Authority" means the Broads Authority

The "Permit Holder" means the person named above

The "Prescribed Annual Toll" means the appropriate annual toll within a scale of tolls, currently in force in any year, as prescribed by the Authority pursuant to Section 26 of the Harbours Act 1964

"Kill Cord" means a device to automatically stop the engine of the Authorised Vessel if the person navigating the Vessel leaves the helm

"Air Chair" means a board or chair with an integral hydrofoil for the purpose of lifting the rider and board or chair above the surface of the water

"Bank Start" means where a skier is pulled from a bank or platform by a water ski vessel to start the water skiing activity.

"Boom" a device which extends over the edge of a vessel for the purpose of providing physical support during training and for barefooting.

"Inflatable" means an object that can be inflated with gas or air.

“Jumping” means being towed by a boat and using a ramp to leave the surface of the water.

“Parascending” means being towed behind a vessel while attached to a specially designed parachute, known as a parasail.

“Kneeboard” means a buoyant board ridden in a kneeling stance that is used to ride on water whilst being towed behind a boat.

“Wakeboard” means a device where the feet are bound to a device at an acute angle to the parallel that is designed to travel on the wake created by the towing vessel,

“Water Ski” means a ski-like board used in pairs, or a mono ski, where the feet are bound in-line with the parallel that is designed to ride on water whilst being towed behind a boat.

THE CONDITIONS

1. This Permit runs from _____ to _____ unless cancelled earlier by the Authority under Condition 23 of this Permit.
2. This Permit is personal to the Permit Holder and is not transferrable.
3. (a) This Permit does not permit anyone other than the Permit Holder and the Authorised Persons to navigate the Authorised Vessel.

(b) Condition 3(a) does not apply in respect of training for the British Water Ski ski-boat driver award that can be undertaken for a maximum of 3 months in the period covered by this Permit. The Permit Holder or Authorised Person must be on board the Authorised Vessel and is considered master of the vessel at all times during the period of training.
4. a) This Permit authorises the Permit Holder and the Authorised Persons to navigate the Authorised Vessel at a speed over the ground greater than specified in the Broads Authority Speed Limit Byelaws 1992 Schedule 1 while being used for the purpose of "towing a water skier" in the zones and at the times specified in Appendix 1 to this Permit

b) For this purpose, "towing a water skier" shall be deemed to include the act of recovering a water skier who has been separated from the vessel during towing.
5. The Permit Holder and any Authorised Person must:-
 - (a) Throughout the period of this Permit each maintain a policy of insurance in respect of any liability referred to in paragraph 2 of Schedule 3 to the 2009 Act in the sum of £2,000,000.
 - (b) On written request from an Officer of the Authority to do so produce to the Authority evidence of the insurance cover referred to in Condition 5 (a).
6. (a) The Permit Holder and any Authorised Person and any person under training must throughout the period of this Permit:-
 - (i) Each be a member of both the Eastern Rivers Ski Club and the British Water Ski & Wakeboard
 - (ii) Except where Permit Condition 6 (b) applies, only tow water skiers or wake boarders who are members of such clubs.
(b) Condition 6 (a) (ii) does not apply in respect of water skiers and wake boarders who are towed up to a maximum of 4 occasions in the period covered by this Permit.

Formatted: Font color: Black

7. The Permit Holder and any Authorised Person must throughout the period of this Permit each hold a current British Water Ski Boat Driver Award or qualification approved by the Authority following consultation with the British Water Ski and Wakeboard.
8. (a) Whilst in use for the purpose of water skiing or wake boarding the Authorised Vessel must display in the approved position a set of registration marks at a minimum height of 225mm (9 inches) and of a type, colour and material approved by the Authority.
- (b) For this purpose, “approved position” means on each side of the bow and at the after end of the vessel so as to be visible from astern.
9. The Authorised Vessel must not be used pursuant to this Permit if, following its issue, either:-
- (a) A material change is made to it or to its systems which in either case may affect the generation of wash or noise from the vessel, unless that change has been approved by The Authority; or
- (b) A change is made to the vessel that either increases its block area to more than 13 square metres or involves the provision of a non-planing hull or permanent covered accommodation.
- ~~10. The Authorised Vessel must have completed and passed a Wash and Noise Test of a type approved by the Authority and complying with the pass criteria set out in Appendix 3 to this Permit.~~
- ~~10 The Permit Holder and any Authorised Person must not navigate an Authorised Vessel, which has failed to pass a Wash and Noise Test of a type approved by the Authority.~~
- ~~a) The Authority may require a Wash and Noise test on any Authorised Vessel, registered after 1st April 2019. The pass criteria of the test are set out in Appendix 3~~
11. (a) The Authorised Vessel must be subjected to an annual test (which complies with the methodology set out in Appendix 4 of this Permit) carried out by a person approved by the Authority which verifies that:
- (i) The steering system of the vessel is in good condition and fit for purpose and,
- (ii) The Kill Cord functions correctly.
- (b) The Permit Holder must produce to the Authority on request details of the test carried out under condition 11(a).
- 12 The Permit Holder and any Authorised Person must use “approved equipment” only
- a) For this purpose, “approved equipment” shall be limited to
- i. The Authorised Vessel
 - ii. Tow Rope;
 - iii. Knee Board
 - iv. Wake Board
 - v. Skis

Formatted: Indent: Left: 2.54 cm,
Hanging: 1.21 cm

Formatted: Superscript

vi. Boom

13. The Permit Holder and any Authorised Person must not permit the use of ballast or excessive weight in the vessel or carry passengers in excess of the manufacturer's recommendations.
14. The Permit Holder and any Authorised Person must not permit the use of "air chairs", and any "inflatable".
15. The Permit Holder and any Authorised Person must not cause an Authorised Vessel to make any sustained wave, against a bank, of more than 300 mm (12 inches) in height from trough to crest.
16. (a) The Permit Holder must:-
 - (i) Maintain and keep up to date a log book issued by the Authority in respect of the use by the Permit Holder and any Authorised Person of the Authorised Vessel under this Permit.
 - (ii) Keep the log book on the Authorised Vessel whilst being used by the Permit Holder and any Authorised Person under this Permit.
 - (iii) Produce the log book on request to any officer of the Authority.
 - (iv) Return the log book to the Authority at the end of the period covered by this Permit or upon its cancellation if earlier.
- (b) Any Authorised Person whilst operating the Authorised Vessel under this Permit must produce the log book on request to any officer of the Authority.
17. The Permit Holder and any Authorised Person must navigate the Authorised Vessel with care and caution.
18. The Permit Holder and any Authorised Person must not navigate the Authorised Vessel unless there is also on board at least one person to provide assistance during towing.
19. The Permit Holder and any Authorised Person must not at any time navigate the Authorised Vessel so as to tow more than 2 persons.
20. The Permit Holder and any Authorised Person must ensure that any water skier or wake boarder being towed does not engage in parascending, ski jumping, or bank starts.
21. The Permit Holder and any Authorised Person must:-
 - (a) Use tow-ropes of equal length when towing two water skiers; and
 - (b) Ensure that two water skiers do not cross in front of, or behind, each other; and
 - (c) Not navigate the Authorised Vessel without attaching the Kill Cord to their person in a way which ensures that it will operate effectively.

22. a) The Permit Holder and any Authorised Person must ensure that any water skier or wake boarder being towed remains in or on the water at all times during towing.
- b) Condition 22 (a) does not apply in respect of water skiers and wake boarders provided that all of the conditions 22 b) i),ii,iii), and iv) are complied with.
- i) Water skiing and wake boarding shall be limited to zones and times set out in Appendix 2.
- ii) No more than six concurrent Authorised Vessels are used at any one time in any one zone set out in Appendix 2.
- iii) The Permit holder and any Authorised Persons shall register with the Authority on each occasion their intention to navigate the Authorised Vessel.
- iv) The Permit Holder and any Authorised Person must not at any time navigate the Authorised Vessel so as to tow more than 1 person.
23. The Authority may cancel this Permit, or amend its conditions, if:-
- (a) The Permit Holder or any Authorised Person is convicted of an offence under Section 29 of the 2009 Act; or under any byelaw made by the Authority; or
- (b) Condition 5 of this Permit has not been observed.

The Schedule

Part 1

The Authorised vessel to which this Permit applies is as follows¹:

Part 2

The Authorised Person/s to which this Permit applies is/are as follows²:

1	Permit Holder
2	Authorised Person
3	Authorised Person
4	Authorised Person

Appendices

- 1 Water Ski and Wake Boarding Zones and Times

¹ This information should be added by the Broads Authority only.

² This information should be added by the Broads Authority only. Additions may also only be made by the Broads Authority.

- 2 Water Ski and Wake Boarding Zones and Times applicable to the Wake Boarding Trial 2012/13
- 3 Wash and Noise Test Pass Criteria
- 4 Annual Steering and Kill Cord Test Methodology