

# **A Voluntary Code of Practice for Manually Powered Craft, Sailing Dinghies and Swimmers within the Thames River Users Group 8 area (Teddington Lock to Bell Weir Lock)**

## **Introduction**

This voluntary Code of Practice has been produced by river users on the Teddington Reach of the non-tidal Thames between Teddington and Molesey Lock. This is the first reach on the non-tidal Thames and is recognised as the busiest reach in terms of river use in terms of water sports, leisure and recreation and commercial trip boats. The Teddington Reach is one of five reaches within the RUG 8 Area. Each reach is named after the lock at the downstream end:

1. Teddington
2. Molesey
3. Sunbury
4. Shepperton
5. Chertsey

There has been a significant increase of activity on all five reaches and this Code includes, for the first time, stand-up paddlers and open water swimmers.

It has been inspired by the excellent 'Tideway Code' which the Port of London Authority (PLA) has produced for the tidal Thames below Teddington Lock. All our recommendations are consistent with the PLA Tideway Code and we commend this document as an additional source of information and advice for users of manually powered craft on the non-tidal Thames.

<https://server1.pla.co.uk/assets/tidewaycodedigital.pdf>

The **Environment Agency** is the Navigation Authority for the non-tidal Thames under the Thames Navigation Licensing & General Byelaws 1993.

The objectives of our voluntary code of practice for the non-tidal Thames from Teddington Lock to Bell Weir are to:

- Increase awareness of the existing Thames Byelaws, and to provide additional guidance and interpretation
- Help to resolve minor conflicts between individual river users and between clubs and organisations on the river
- Promote water safety awareness and good relationships between all river users and passers-by who love the river.

**The guidance contained herein is not intended to form the basis of any enforcement action taken by the Environment Agency.**

## Thames Byelaws

The Environment Agency inherited the Thames Navigation Licensing and General Byelaws 1993 from the National Rivers Authority when they (the EA) took over responsibility for navigation on the non-tidal Thames from Lechlade to Teddington in 1996.

<https://www.gov.uk/government/publications/river-thames-navigation-licensing-and-general-byelaws-1993>

The 1993 Byelaws, based on the International Regulations for Avoiding Collisions at Sea (the 'Col Regs') are effective for enforcing the rules of the road on the Thames for powered vessels, defined as launches, tugs and houseboats. However, unpowered craft are defined simply as "any vessel that is **not** a launch, tug or houseboat'.

The RUG 8 Teddington Reach Coordination Meeting on 18/03/2021 passed a resolution to set up an informal working party to review the definitions of unpowered vessels and recommend updates to byelaws 24-42 (Steering Sailing and Speed) to the EA. This document is the result. The composition of the working party is listed in the appendix at the end of this document.

Swimmers are only mentioned twice in the Byelaws.

### **General Conduct.**

**63** *No persons shall while using or while in upon or about the river or banks or the towpaths thereof or any land of the Authority:*

*(b) knowingly bathe at any place where bathing is for the time prohibited by the Authority, and so indicated by notice publicly displayed*

*(e) jump into the river or onto any vessel on the river from any place including a bridge or a highway or dive or swim or bathe in the river in such a manner to cause obstruction, nuisance, annoyance or risk of danger or injury to persons or property.*

## **RECOMMENDED ADDITIONS TO DEFINITIONS**

Note: The numbering system below replicates the numbering system in the 1993 Byelaws.

### **PART I – PRELIMINARY**

#### **4. Interpretation**

(iv) Manually powered craft are:

- Canoes and kayaks
- Dragon boats
- Stand-up Paddleboards (SUP)
- Punts
- Rowing boats: sculls, fine boats and traditional rowing boats (may be coxed or coxless)
- Miscellaneous inflatables

(v) Unpowered craft are:

- Sailing dinghies and wind-surfboards

(vi) Other users:

- Anglers
- Swimmers

We have divided Swimmers into two groups:

1. Open water swimmers – anyone purposefully swimming whether training for a race or to keep fit. These people may travel a considerable distance up and down the river
2. Casual swimmers – anyone taking a refreshing dip or messing about in the water, including jumping into the water.

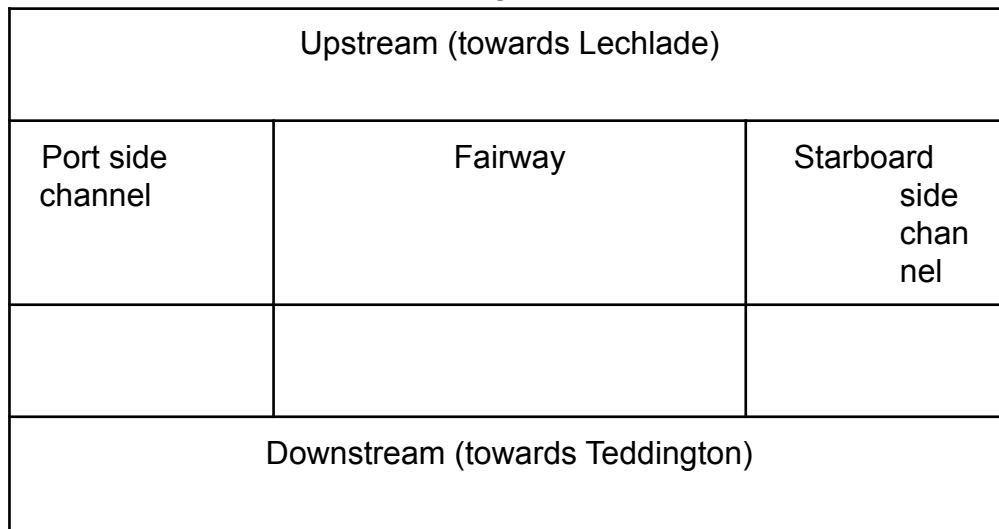
**IMPORTANT DEFINITION**

Along its entire length from Lechlade to Teddington the non-tidal Thames can be roughly divided into three channels, which remain in place whether the water level is high or low.

The middle channel is the main navigation channel and is called the fairway. It is a deeper channel for larger boats and is not generally marked. Large vessels have more draught (hull below the waterline) so will usually be nearer the centre of the river, in the fairway. Thames Byelaw **31** states that: Masters of every power-driven vessel shall keep to the fairway if safe and practicable and keep to the starboard side. This is the basic ‘drive on the right’ rule on the river

Manually powered craft, by implication, should generally keep clear of the fairway and navigate in the side channels on either side of the fairway. Red and green channel markers are not used to define the fairway on the non-tidal Thames. If they were, heading upstream, it would look like this.

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They should also follow the ‘drive on the right’ rule and keep to the starboard side channel going upstream, returning downstream in the port side-channel. Thames Byelaw **34** states that vessels crossing the fairway should do so with great care and keep clear of vessels already in the fairway. They should cross the fairway at right angles. This leads to the circulation pattern illustrated in the diagram below.

Lechlade Direction of Stream  
Teddington



Fairway
<b>Port Side-channel</b>

However, it is a convention on the non-tidal Thames that competitive canoes, kayaks, dragon boats, and rowing boats, when on training outings or racing pieces may use the fairway heading downstream at full speed, if the fairway is clear.

### **ENFORCEMENT**

The Environment Agency Harbour Master (Non-Tidal) Thames is responsible for enforcing the Thames Byelaws.

Three sanctions are available:

- Warning
- Caution
- Prosecution

### **SUMMARY OF EXISTING BYELAWS 24-42: STEERING SAILING AND SPEED**

Byelaw	Topic	
<b>24</b>	<b>Exemptions</b>	Nothing in byelaws 27-42 shall exonerate the master of any vessel from the consequences of neglect
<b>25</b>	<b>Master of vessel must keep a proper lookout</b>	Fundamental principle of collision regulations at sea
<b>26</b>	<b>Safe Space</b>	Avoidance of wash which may cause damage or disturbance to riverbanks or people
<b>27</b>	<b>Maximum Speed</b>	8 kilometres per hour /4.3knots /5mph
<b>28</b>	<b>Exemptions from max speed limit</b>	Coaching launches and blue light services

<b>29</b>	<b>Collision</b>	Use all available means to assess risk of collision
<b>30</b>	<b>Action to avoid collision</b>	All actions necessary must be taken to avoid collision
<b>31</b>	<b>Vessels proceeding up or down the river</b>	Masters of every power-driven vessel shall keep to the fairway if safe and practicable, and keep to the starboard side
<b>32</b>	<b>Power-driven vessels</b>	Must take care when navigating against the current or approaching a sharp bend or bridge
<b>33</b>	<b>Sailing vessels in sight of one another</b>	Vessel on port tack must keep clear of vessel on starboard tack
<b>34</b>	<b>Vessels crossing the river or entering the fairway</b>	Must give way to vessels already in the fairway
<b>35</b>	<b>Overtaking</b>	Overtaking vessel keeps clear
<b>36</b>	<b>Head on situation</b>	Both vessels turn to starboard
<b>37</b>	<b>Crossing situation</b>	Vessel which has the other vessel on its starboard side shall give way
<b>38</b>	<b>Action by give-way vessel</b>	Take early and substantial action
<b>39</b>	<b>Action by stand-on vessel</b>	Maintain course and speed, but take action to avoid collision at all costs if necessary
<b>40</b>	<b>Responsibilities</b>	Power boats (including manually powered) must keep out of the way of a vessel: 1) not under command 2) restricted in her ability to manoeuvre 3) sailing. A sailing vessel must keep out of the way of a vessel: 1) not under command 2) restricted in her ability to manoeuvre.
<b>41</b>	<b>Conduct of vessels in restricted visibility</b>	Navigate with extreme caution
<b>42</b>	<b>Overtaking hauled vessels</b>	Navigate with extreme caution

**FOR THE PURPOSES OF THE VOLUNTARY CODE OF PRACTICE THE FOLLOWING ARE RECOMMENDED ADDITIONS TO THE BYELAWS** Note:

The numbering system below replicates the numbering system in the 1993 Byelaws. Text in *italic* replicates text in the Byelaws.

**25 Master of vessel must keep a proper look out etc.**

*The master of every vessel shall keep or cause to be kept a proper look-out by sight and hearing....*

A rower in single rowing boat, or the bow person in a coxless rowing boat should swivel to look ahead every 3-5 strokes. Similarly, kayakers, canoers and paddleboarders should regularly swivel to look behind.

**Vessel proceeding up or down the river**

**31(a)** *The master of every power-driven vessel proceeding up and down the river shall when it is safe and practicable keep the vessel in the fairway or mid-channel and shall keep to that side of the fairway or mid-channel which lies on the vessel's starboard or righthand side.*

(b) *The master of a vessel nearing a bend.....*

(c) Manually powered craft when heading upstream should keep out of the fairway and navigate in the starboard side-channel. When heading downstream on a training piece or racing, they may use the fairway at full speed, if it is clear and safe to do so.

(d) Sailing dinghies, due to their reliance on variable wind and their lack of power to overcome a strong stream, need to use the full width of the river. They may need to tack across the river or creep up either bank to keep out of strong stream and make the most of the wind available. If the wind is blowing across the river from the left to right (looking upstream), there will be more wind in the starboard side-channel (and more wind in the port side-channel if the wind is coming from the right). On occasion, sailing dinghies will be becalmed and stationary, or even drifting backwards. All sailing dinghies are advised to have a paddle onboard, in order to get out of danger quickly in such circumstances.

(e) Punts normally operate in the shallow water near to the riverbank, taking advantage of any gravel bed or dedicated punting ledge. They may need to punt upstream and downstream in the same side channel, so other river users may find them heading directly towards them on what appears to be the 'wrong side' of the river.

(f) Recreational kayakers and stand-up paddleboarders should remain in the side channels and hug the bank as far as it is possible. Competitive rowers and kayakers need to be aware that if they are navigating in the side channels, they may come across river users of all types, including stationary or slow moving craft, punters, people on inflatables and swimmers. There is no right of way in the side channels and they must be prepared to hold up, or move into the fairway to overtake.

## **Swimmers (new category)**

Open water swimmers and casual swimmers should make themselves aware of outdoor swimming advice from the Royal Life Saving Society. In addition due to the specific hazards of swimming in the Thames, they should:

- Swim in small groups and lookout for each other
- Swim parallel to the bank and as close to it as possible
- Not attempt to swim across the river
- Not jump or dive into the river
- Use a high visibility tow float and cap
- Not swim near locks or weirs

It is recognised that experienced open water swimmers who are acclimatised to the river temperature and aware of the dangers of 'cold water shock' are competent to swim across the river. If they decide to do so, they must check that the fairway is clear first and then swim across at an angle of 90 degrees.

## **Vessels crossing the river of entering the fairway must not obstruct other vessel**

**34.** *Notwithstanding anything to the contrary contained in these Byelaws, the master of every vessel crossing from one side of the river to the other side or entering the fairway from any side channel cut or other waterway shall do so at a proper time having regard to vessels navigating up and down the river and shall give way to such vessel.*

(b) All persons in charge of manually powered craft or sailing dinghies must pay particular attention to this byelaw and never attempt to cut (or tack, if a sailing dinghy) across the bows of power boat or trip boat constrained in its ability to manoeuvre in the fairway.

## **40. Responsibilities between vessels**

*Except where Byelaws 31 (navigating in the fairway) and 35 (overtaking) otherwise require:*

*(a) the mast of a power-driven (or manually-propelled) vessel underway shall keep his vessel out of the way of:*

- (i) a vessel not under command;*
- (ii) a vessel restricted in her ability to manoeuvre*
- (iii) a sailing vessel*

Sailing dinghies are often racing each other in races organised by their club when they go on the water. The fact that they are racing does not give them any additional rights of way over other craft. Dinghies that are racing avoid collisions among themselves by following the World Sailing (WS) Rules of Racing.



## **PART II NAVIGATION LIGHTS AND OTHER VISUAL SIGNALS**

### **Unpowered vessels underway after dusk (and in low visibility)**

8(a) The following lights should be firmly fixed on a rowing boat, punt or sailing dinghy:

- On the bow: a constant white light \*\*
- On the stern: a constant white light (ie not flashing)

In addition, a sailing dinghy should carry a portable torch which can be used to light up the sails if necessary.

(b) The following lights should be firmly fixed on a canoe or kayak:

- On the bow: a constant (not flashing light) \*\*
- On the stern: a constant (not flashing light)

(c) Any person on a paddle board should display a white 360 degree light on their board and wear bright clothing.

(d) Fluorescent hi-vis vests are highly recommended for all crew members on a manually powered craft underway after dusk.

(e) Open water swimmers should display a light inside their tow float. Fluorescent swimming caps are highly recommended certainly at dusk and later.

***\*\*The current Thames Bylaws state that a constant white light should be displayed. However PLA regulations on the adjacent Tideway demand a “flashing white light to determine the direction of travel”. Some boat clubs on the non tidal Thames already successfully use a flashing white light technically contrary to current Thames Bylaws. They should consider checking this with their insurers.***

## **SOUND SIGNALS**

### **Signals to attract attention**

23(b) If it is necessary to attract the attention of another unpowered vessel or a swimmer, the person in charge of an unpowered vessel should shout clearly. Recommended warning shouts are: “Ahead!” or “Take a look!”, addressed to: “scull, skiff, kayak, punt, sailor, paddleboard, or swimmer!” If overtaking a vessel ahead the

shout should be: “Coming through!” or “overtaking!” “on your left/right hand side!”

(c) Kayakers and paddleboarders should carry a whistle attached to their person to be used to attract attention in an emergency.

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#### Appendix: Composition of Working Party

<b>Name</b>	<b>Club/organisation</b>	<b>Representing</b>
Dermot Sweeney	Kingston RC	Rowing
Farrell Mossop	Kingston RC	Rowing
Malcolm Knight	Dittons SPC	Skiffing
Peter Williams	Dittons SPC	Punting
Kevin East	British Canoeing	Canoeing and kayaking
Brett Scillitoe	Dittons PB	Stand-up Paddling
Brian Johncey	Thames SC	Stand-up Paddling
Simon Kibble	Thames Young Mariners	Open Water Swimming
Simon Griffiths	Outdoor Swimming magazine	Open Water Swimming
Jonathan Barker	Royal Canoe Club	Kayaking
Matt Allchurch	RNLI	SAR
Andrew Bell	RNLI	SAR
Matt Kyte	Thames SC	Sailing
Robin Broomfield	Minima YC	Sailing
John Adams	RUG 8 Teddington Reach Coordinator	
Steve Collins	RUG 8 Chairman (ret)	
Jonty Steel	RUG 8 Chairman	

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