



A Code of Practice

for the Design and Construction
of Marinas and Yacht Harbours

in conjunction with

The Marina Operations Manual

7th edition

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A Code of Practice

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of Marinas and Yacht Harbours

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INTRODUCTION

Industry history

Marinas offer a lifestyle for leisure boaters and in some cases non-boaters alike. They can often act as a catalyst and focal point for marine developments.

Documents are known to exist demonstrating the use of recreational vessels during the Ancient Egyptian history. It is more commonly known that a vessel was used for leisure purposes in 1660 when King Charles II of England was presented with a yacht called 'Mary' by the Dutch, which he sailed enthusiastically on the River Thames, London. More leisure craft of all sizes materialised which were kept in dock yards and mooring buoys up creeks and rivers.

The first Yacht Club was incorporated in the early 18th century; The Royal Cork Yacht Club in 1720 was followed by Royal Thames in 1775 and The Royal Yacht Squadron in 1815.

The first 'marina' was a single line of floating pontoons moored on the River Dart in 1958, followed by Port Hamble, near Southampton in 1964. There was a very slow take up for berths until boaters acknowledged their convenience. Thereafter demand for berths increased substantially.

Although the first 'notice of meeting' was recorded in 1965, The National Yacht Harbour Association (N.Y.H.A.) was not registered with Companies house until May 1982. At this time it formed a close working relationship, in co-operation with the Ship and Boat Building National Federation (S.B.B.N.F.) now the British Marine Federation (B.M.F.).

Their mission statement comprised: assisting the membership, addressing political issues with regard to the construction and operation of marinas, organising meetings, outings and social events, together with producing a quarterly publication "Fore and Aft".

Their membership expressed a need for an industry guideline in the design, construction and operation of marinas and so the first edition of this Code of Practice was drafted and published in 1977. As a guide to good practice, copies have been distributed globally to those who were interested in marina operation and development.

Once again, by request from its members N.Y.H.A. developed The Gold Anchor Award Scheme in 1988, a voluntary assessment programme focused on customer service and facilities of Marinas. This was relaunched in 2011 and is integrated with this Code of Practice.

Through this code and the Gold Anchor Award Scheme, N.Y.H.A. attracted interest from international marina operators, so in 1990 changed its name to The Yacht Harbour Association (T.Y.H.A.). It operates as a not for profit, limited company which is led by a representative 'Council' of marina operators and suppliers.

Updates to this Code and the Guidance

In preparing this 7th edition, updates to legislation, industry practice, technology and the marina market have been included.

The document has been subject to wide consultation with a cross section of marina operators and independent experts. Their comments have been incorporated as appropriate. This is in addition to TYHA members, whose comments were considered by the review committee. Specific consultees include:

- Marina operators with knowledge and experience of accidents and legal challenges
- Marina builders and designers
- Dredging contractors
- Boat builders
- The Environmental Health Department of Southampton City Council
- An independent marina health and safety expert; Peter MacGregor, CMIOSH (Chartered member of the institution of institution of Occupational Safety and Health) RSP (Registered safety practitioner) MIEW (Registered expert witness)
- An independent fire prevention and control expert; Peter MacGregor, F.I.Fire.E (Fellow of the Institution of Fire Engineers)
- A pyrotechnics expert
- A legal committee which reviewed and updated the template berthing licence;
- The Royal Yachting Association
- The British Marine Federation
- Evaluated by international experts of the Recreational Navigation Commission (RecCom) of PIANC www.pianc.org
- An independent marina consultancy; Marina Projects Ltd www.marinaprojects.com
- An independent legal practice; Dorade Law www.doradelaw.com
- Ultimately approved by the Yacht Harbour Association management council

Status of this code

This document and its appendices are intended as a guide to best practice. It is acknowledged that the circumstances at each marina are different and therefore prescriptive regulation would not be appropriate or practical. Where it is not possible or practical to meet the ideal provisions laid out in this Code the principles should still be applied, albeit with appropriate modification. It is not suggested that this code is applied retrospectively.

Compliance with this Code of Practice does not absolve operators from the provisions of national or local authorities, or compliance with statutory regulations, byelaws and other legislation in force in their area or country where the marina development is located.

Be aware that statutory regulations and legislation in your country may override the guidance offered in this document.

Although great care has been taken to ensure the accuracy of this 7th edition, The Yacht Harbour Association and its associated advisers cannot be held responsible for any errors or omissions. Nor for any incidents arising as a result of these guidelines and therefore will not accept any liability whatsoever for any loss or damage arising from the use or reliance on any part of this code.

The supporting TYHA Marina Manual complements the Code of Practice, providing marina operators with generic advice and examples about how they might operate a marina and boatyard.

Implementation

This code and its appendices are directed towards potential and existing marina operators, owners and developers in the UK. There is an expectation that it will be used as a point of reference in different countries however it is emphasised that specific local issues and legislation should always be taken into consideration such as geography, market and government policy.

UK regulatory authorities, industry associations and insurers have a strong expectation that marina operators will comply with the Code, and it may be used against them in case of accident or loss:

The Code does not contain new legal obligations, but includes amongst other things, references to the legal duties in the UK which already exist as such, failure to comply with this code is not an offence in itself moreover the Code represents ideal circumstances.

Acknowledgement and thanks

The Yacht Harbour Association wishes to acknowledge and thank the organisations and individuals who gave such a considerable amount of time and expertise:

Members of TYHA Management Council, Members of the Code of Practice Subcommittee, Marina Projects Ltd, Dorade Law (Nick Horton), Walcon Marine, The Recreational Navigation Commission of PIANC, The Green Blue, The British Marine Federation, The Royal Yachting Association, Southampton City Council – Regulatory Services Division, EOD Contracts, Peter MacGregor Risk Management Consultant – CMIOSH, F.I.Fire.E, RSP, MIEW and Van Oord dredging.