

# Orkney Islands Council – Harbour Authority

## Request for permission to carry out recreational/leisure diving within Orkney Harbour Areas

Reason for Diving (recreational, sport, training etc.).....

Name of Dive Boat .....

Boat owner/skipper and qualification.....

Dive supervisor (if any).....

Dive body (club; dive company etc).....

Location of Dive .....

Start Position (if carried out from land).....

Date of First Dive (please notify Marine Services of any changes) .....

Date of Last Dive (please notify Marine Services of any changes) .....

**NOTE: NO DIVING OF ANY SORT TO TAKE PLACE WITHOUT WRITTEN PERMISSION BEING GRANTED**

**NOTE: ALL DIVING UNDER THIS PERMIT IS AT THE OWN RISK OF THOSE UNDERTAKING THE DIVE SUPERVISORS AND DIVE BOAT COXNS/MATERS**

### **GENERAL CONDITIONS AND PRECAUTIONS TO BE OBSERVED**

- This Permit is for recreational/sport/tourism/training/leisure diving only. All engineering and maintenance diving (on ships and structures) is authorised separately.
- The purpose of this Permit is to ensure water space management and to ensure that divers and their support boats are aware of all conditions associated with this permission.
- Responsibility for the safety of diving rests solely with those undertaking the dive, those supervising the dive and the dive boat skipper/owner. The Harbour Authority bears no responsibility for the safety of the dive or the competence and fitness of those engaged in diving.
- The applicant for this permit will be accountable for the conduct and behaviour of all divers on their vessel/diving under the permissions of the permit and it will be for them to ensure compliance with all laws and bye-laws, designations and protections and Historic Marine Protection Area requirements. Failure of anyone involved in the dive to so comply will result in the refusal of all subsequent permissions to dive from that vessel and/or from that applicant.
- During busy periods the Harbour authority will introduce allocated periods for dive activity on the German wrecks in order to manage the water space and to avoid excessive numbers in any area. The allocated slots are detailed overleaf and MUST be complied with when in force via VTS either before hand or on VHF Ch11. VTS may further segregate activity by wreck name.
- Any vessel or vessels directed to cease diving by Orkney VTS must do so immediately and bring all divers to the surface in a safe manner commensurate with stops after which vessels should clear the area until permitted to return.

- At all times during the operations an 'A' Flag shall be PROMINENTLY displayed.
- From time to time, dive boats will be required to display a number or letter board to assist in identification during busy periods or periods of allocated diving areas.
- Upon leaving port, the Dive Boat Skipper will notify Orkney VTS on VHF Channel 11 of dive location.
- The person or persons to whom the permit is granted and the person in charge of the craft used for the purposes of the permit shall comply with all instructions or directions given to them by Marine Services and shall keep Orkney VTS fully advised of the movements of craft used by divers. Upon leaving dive location, a Dive Boat shall report this along with destination to Orkney VTS.
- The Harbour Authority insists that all leisure divers should confirm to the dive boat skipper that they are suitably experienced/qualified/medically fit to carry out each dive.
- The Dive Boat Skipper or Dive Master/Supervisor will comply with all instructions issued by the Harbour Master.
- Dive Boats are to be suitably insured for diving activities and should carry Third Party liability insurance of at least £5 million.
- Permits will normally be issued to more than 1 month in advance.
- Local vessels may be permitted to hold permits 'general areas' for 1 month blocks. Visiting boats will only be issued with site specific permits for limited periods.
- All incidents should be reported to Orkney VTS even where a report has been made to Shetland Coastguard.

I declare that all the requirements on this permit have been satisfied and/or will be complied with, that precautions have been taken and that safety arrangements will be maintained for the duration of the diving operations, and that I/my vessel will not operate outside the stated area(s) and time(s).

Signed by the Dive Boat Skipper or Dive Master/Supervisor .....

Name.....

**NOTE: FAILURE TO COMPLY WITH THE ABOVE CONDITIONS AND PRECAUTIONS WILL RESULT IN THE PERMISSION TO DIVE BEING REVOKED AND SUBSEQUENT REQUEST BEING REFUSED. THE HARBOUR MASTERS DECISION WILL BE FINAL.**

Please forward this request to:

Harbour Master, OIC Marine Services, Harbour Authority Building, Scapa, Orkney, KW15 1SD.

VHF Ch 11 Telephone: 01856 873636 Fax: 01856 873012  
 E-Mail: [harbours@orkney.gov.uk](mailto:harbours@orkney.gov.uk)

For Internal Use Only	Date / Time Request Received:	
Subject to the information in this request being and remaining complete and accurate and to strict adherence to the precautions specified above, <b>Permission Granted.</b>  Authorised Person ..... Date .....		<b>Permission Refused</b> Reason ..... ..... ..... Authorised Person ..... Date .....

Further conditions for are provided overleaf.

[https://nbcommunication.sharepoint.com/Shared Documents/3. Clients/ORKISL01 OIC Marine Services/orkneyharbours.com/4 - Ongoing Work/2019-04-04 - Dive Permit/Dive Permit Request \(003\).doc](https://nbcommunication.sharepoint.com/Shared Documents/3. Clients/ORKISL01 OIC Marine Services/orkneyharbours.com/4 - Ongoing Work/2019-04-04 - Dive Permit/Dive Permit Request (003).doc)

## FURTHER DIRECTION

- Orkney Harbour Areas General Bye-Laws 1977, subsequent Bye-Laws and any other Legislation, Rules, Notices, or Orders as shall apply should be complied with at all times.
- In the case of recreational/leisure/sport diving requests for diving on the German Wrecks, the person or persons to whom this permit is granted has 'owners' permission to dive upon the wrecks of the 'BRUMMER', 'DRESDEN' and 'COLN' only, being wrecks in the ownership of Orkney Islands Council. The owner's permission must be obtained before any other individual wrecks are dived upon. They must also bring to the attention of all divers the following information regarding the protected status of the wrecks.
- The wrecks of the 'BRUMMER', 'DRESDEN' and 'COLN' (together with the wrecks of the 'KARLSRUHE', 'MARKGRAF', 'KÖNIG' and 'KRONPRINZ WILHELM') are Scheduled Ancient Monuments, protected under the terms of the Ancient Monuments and Archaeological Areas Act 1979 and are within a proposed Historic Marine Protected Area (HMPA).

For the purposes of this Permission, it should be assumed that the HMPA is in place. This means that they can be visited without a special licence, but they must not be tampered with or touched in any way and nothing may be removed from the site. This includes any part or artefacts on the sea bed within the HMPA which extends well beyond the wrecks and down into Gutter Sound. It is a criminal offence to tamper with the wrecks in any way or remove any artefacts or other material from the wreck sites. Further advice on the scheduled wrecks can be obtained from Historic Scotland.

- The Protection of Military Remains Act 1986 (Designation of Vessels and Controlled Sites) Order 2002 (see Statutory Instrument 2002 No. 1761). This Order designates the vessels known as HMS 'ROYAL OAK', HMS 'VANGUARD' and HMS 'HAMPSHIRE' as vessels to which the Protection of Military Remains Act 1986 applies. In addition, this Order designates the places containing the remains of these vessels as Controlled Sites within the meaning of the Act. The Controlled Sites are areas within a distance of 500 metres from the HMS 'ROYAL OAK' and HMS 'VANGUARD' and 500 metres from the HMS 'HAMPSHIRE'. No diving will be permitted within these sites other than by Royal Navy/Ministry of defence divers. Any other person who interferes with the remains of the vessels in a place which is part of a Controlled Site commits an offence.
- No person or persons shall dive within 500 metres of the Flotta Terminal, the Single Point Moorings and all submarine pipelines associated with the developments on the island of Flotta or the Single Point Moorings (details of which are available from OIC Marine Services).
- Diving on the Prudentia will not be permitted.
- This permission is granted on condition that neither the Orkney Islands Council nor any of its servants or agents shall be liable to any person for any loss or damage of any kind howsoever caused or arising from the use of this Diving Permit or arising by virtue of Orkney Islands Council's ownership of the wrecks of the "BRUMMER", "DRESDEN" and "COLN" and the person or persons to whom the permission is granted shall relieve and indemnify Orkney Islands Council from and against all loss, damage, responsibility, liability, claims and expenses which may be sustained or incurred by or made upon or against them on account of or by or through the said use or the failure to comply with the conditions of this permit.
- Orkney Islands Council reserves the right to grant diving permits to such other persons at such times as it considers appropriate.
- Where allocated diving times are allocated for diving on the German wrecks, they shall be allocated as below. On site co-ordination should be on VHF Ch 8.
  - Midnight -0800                      Soft boats/RIBS
  - 0800-1100                            Hard Boats/local dive boats
  - 1100-1400                            Soft boats/RIBS
  - 1400-1700                            Hard Boats/local dive boats
  - 1700-2000                            Soft boats/RIBS
  - 2000-midnight                        Hard Boats/Local Dive boats

- Where time slots are not allocated, dive vessels are to co-ordinate with each other but on the basis that the first vessel on a dive site has the right to prevent other vessels from diving in its vicinity.