



Response to ESC Consultation on Licensing the Public Hire of Jet Skis

Introduction

Thank you for inviting us to comment upon the proposed licensing of the public hire of jet skis. While we recognise that the explicit scope of the consultation process is limited to the public hire of jet skis, much of the feedback I have received from our members relates to the operation of jet skis as a whole, not just their public hire. So I have included here a few comments about how jet ski use might be regulated and managed on the Deben, even though that is outside the stated scope of this consultation.

The Deben Estuary is designated under various national and local schemes as a [Site of Special Scientific Interest](#); [Special Protection Area](#); under the [Ramsar](#) International Convention on Wetlands, and as part of the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty ([AONB](#)).

As stated in the [Local Plan](#), “the tourism sector is a substantial and important part of the area’s overall economy ... The area succeeds in attracting visitors for a variety of reasons, but the character and appeal of its landscapes, villages and market towns is of fundamental importance. Visitors ... are attracted by the character, culture, history, festivals, music, art, film, food and drink, clean beaches and spectacular coastline, river valleys, and the outstanding countryside and wildlife.”

There is a wide diversity of opinion among our members, and feelings on this matter run high both for and against. Many of our members will already have sent you their views individually, but here is my personal view, which reflects the varied opinions and views that have been shared with me to date as Chair of the Deben Estuary Partnership.

Whether the Council should licence Jet Skis?

“Jet Ski” is the brand name of a personal water craft made by Kawasaki, but is often used generically to refer to any type of personal watercraft used mainly for recreation, and it is also used as a verb to describe the use of any type of PWC. In this paper we use the term ‘jet ski’ in its generic sense.

Since jet skis and other personal water craft are not covered by existing international maritime legislation, the Secretary of State set new [legislation](#) in March 2023 that gives the Maritime and Coastguard Agency (MCA) powers to prosecute individuals who cause accidents by reckless misuse of watercraft. Among other things, this legislation means that jet skis (because they are ‘water craft’ for the purposes of this legislation) must comply with COLREGs, and the MCA and harbour authorities (not any local authority) is responsible for ensuring that water craft are operated safely and responsibly.

The relevant [legislation](#) says that the “local authority may grant ... licences for pleasure boats and pleasure vessels to be let for hire or to be used for carrying passengers for hire” and that “No person shall let for hire any pleasure boat or pleasure vessel not so licensed.”, so indeed if the Council chooses NOT to issue a licence, then the boats cannot be let for hire.

Jet skis are different from conventional boats such as sailing dinghies, kayaks, canoes, motor boats and yachts. They can travel much faster than other vessels, and because of their small size and shallow draft can enter areas that are otherwise inaccessible, leading to an increased risk of disturbance to wildlife, particularly to over-wintering birds.

Jet skis are marketed as exciting and fun – so people that hire them will want to go fast, even if some do follow the speed limit. The EADT [article](#) that announced the opening of Suffolk Jet Ski in July 2024 says: “Suffolk Jet Ski has launched in the Felixstowe area, offering people the chance to blast around and experience the River Deben and Orwell River in ways they haven't before.”

In commercial terms, jet ski hire and jet ski tours add to the range and diversity of things to do on the river – but while they may generate some additional revenue from water sports tourism, it may reduce revenue from other sources such as bird watchers, environmentalists, and people who come to the Deben for its tranquillity and unspoiled character.

More importantly, jet ski hire and jet ski tours set precedent and expectations – currently, jet skis are rarely seen further upriver than Ramsholt, and if people see jet skis being used in Waldringfield and Woodbridge (even if being used responsibly), they may be encouraged to hire or buy one themselves.

In our opinion, therefore, **we consider that East Suffolk Council should NOT licence the public hire of jet skis.** However, the absence of any such licence from the Council does not prevent private individuals from owning and operating a jet ski if they so wish, and any such activity would fall under the jurisdiction of the MCA.

The remaining comments apply to the use of all jet skis on the river, whether hired or privately owned.

What conditions if any should be imposed?

We recommend that East Suffolk Council does NOT licence jet ski rental.

Any jet skis used in the Deben (whether hired or privately owned) should follow all applicable rules and legislation. Jet ski drivers should be aware of and comply with COLREGs, the 2023 Order, and operate their vessel safely and considerately.

In particular, they should be aware of the local speed limits of 10kts at the mouth of the river, and 8kts above the water ski area, and follow the instructions of relevant authorities such as the Coast Guard, police and local Harbour Masters.

What minimum specification should be required?

We recommend that East Suffolk Council does NOT licence jet ski rental.

As set out in the 2023 Order, jet skis (like all other PWC) must be operated safely and maintained appropriately. Jet ski owners and drivers are liable under the Order for any unsafe operation.

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[illegible]

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Jet skis do not generally have navigation lights, and so under COLREGs they should not operate at night.

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The MCA is responsible for enforcing the 2023 Order.

Although the speed limit byelaw was made by Suffolk Coastal District Council (now East Suffolk Council) and ESC is revising and updating that legislation, ESC does not have the resources or capability to monitor or enforce compliance. The 2023 Order says:

Page 3

- (i) *the loss or destruction of or serious damage to the watercraft or its machinery, navigational equipment or safety equipment, or*
- (ii) *the loss or destruction of or serious damage to any other watercraft or any ship or structure, or*
- (iii) *the death of or serious injury to any person,*

and the act ... was deliberate or amounted to a breach or neglect of duty, then that person is guilty of an offence.

Travelling at excessive speed could be considered likely to cause injury or death and so the MCA has authority and could potentially prosecute the offender, but the offence (or outcome) would have to be egregiously bad for them to get involved. The first caution under the 2023 order was [issued](#) in July 2024

Any other comments?

None

References:

Harwich Haven Authority Leisure Guide 2024: <https://hha.co.uk/wp-content/uploads/2024/01/LEISURE-GUIDE-2024-Low-Res.pdf>

Current (1979) bye-law on speed limits on the Deben: <https://www.riverdeben.org/about-the-river/river-deben-speed-restrictions/>

[Merchant Shipping \(Watercraft\) Order 2023](#) defines “watercraft”, to mean any type of craft which is:

- capable of moving under its own mechanical power
- used, navigated, or situated wholly or partly in or on water
- able to carry one or more persons.

This includes PWC, powerboats and RIBS, tenders and sailing dinghies which are fitted with or carry a motor.

Thomas Yeung, Chair

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Map of the Deben showing the existing speed-limited and Water Ski areas

