

# Boating the right way



## Recreational Byelaws

Anglian Waterways

We are the Environment Agency. It's our job to look after your environment and make it a **better place** – for you, and for future generations.

Your environment is the air you breathe, the water you drink and the ground you walk on. Working with business, Government and society as a whole, we are making your environment cleaner and healthier.

The Environment Agency. Out there, making your environment a better place.

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# Recreational Waterways (Registration) Byelaws 1979 (as amended)

The Anglian Water Authority under and by virtue of the powers and authority vested in them by Section 18 of the Anglian Water Authority Act 1977 hereby make the following Byelaws:

## 1 Citation

These Byelaws may be cited as ‘the Anglian Water Authority Recreational Waterways, (Registration) Byelaws 1979’.

## 2 Application

These Byelaws shall apply to the navigations and waterways set out in Parts I, II and III of Schedule 1 to the Anglian Water Authority Act 1977.

## 3 Interpretation

In these Byelaws, unless the context or subject otherwise requires, expressions to which meanings are assigned by the Anglian Water Authority Act 1977 shall have the same respective meanings, and ‘registration certificate’ means a certificate issued in accordance with these Byelaws and includes a renewal of any such certificate, and

‘registered pleasure boat’ means a pleasure boat registered with the Agency under the Byelaws.

## 4 Safety Requirements

- (i) Every vessel used or navigated on a recreational waterway must be constructed and equipped in accordance with the reasonable specification or specifications to be prescribed by the Agency from time to time.
- (ii) Any question as to the reasonableness of any specification prescribed by the Agency, or any part of it, shall be determined by an arbitrator appointed by the Department for the Environment, Transport and Regions upon the joint application of six registered owners of vessels used on the recreational waterways.
- (iii) This byelaw also applies to any engines used or installed permanently or temporarily on or in any pleasure boat for generating electricity or for any other purpose.

## 5 Registration

- (i) To register a pleasure boat for any year ending on 31 March, or such other date as the Agency shall prescribe, an applicant shall submit to the Agency:
  - (a) A registration fee as prescribed by the Agency from time to time.
  - (b) The name and address of the owner of the pleasure boat and any particulars relating to the boat that the Agency may reasonably require;
  - (c) Certification to the Agency's satisfaction that the pleasure boat to be registered complies with the Agency's current specification for construction and equipment. The applicant shall provide such information as the Agency may require to demonstrate compliance.
- (ii) Upon receipt of a valid application the Agency will:
  - (a) assign a registration number to the boat or authorise the use of a crest, badge or device (with or without the registration number) on it;
  - (b) enter the particulars of the pleasure boat, the name and address of the owner and the registration number or authorised crest, badge or device in the register maintained for that purpose;
  - (c) issue a registration certificate to the owner incorporating the registered number or authorised crest, badge or device of the pleasure boat or boats in respect of which the owner is registered.
- (iii) The owner of a registered pleasure boat shall:
  - (a) attach the then current registration certificate to the boat in a prominent place;
  - (b) write or display the registration number or authorised crest, badge or device on the hull of the pleasure boat, above the water line and of sufficient size so as to be clearly legible on both sides of the boat from a distance of 15 metres.
- (iv) The Agency may attach a condition to the registration of a pleasure boat prohibiting it being taken through a lock pen if the Agency considers it necessary to do so in the interests of:-
  - (a) the safety of the occupants of the pleasure boat; or
  - (b) the conservation of water.

## **6 Refusal Revocation Appeal**

- (i) The Agency shall register any pleasure boat in respect of which an application has been submitted which complies with the requirements of these byelaws.
- (ii) The Agency may refuse to register or may revoke the registration of any pleasure boat which fails to comply with the requirements of these byelaws to the reasonable satisfaction of the Agency.
- (iii) Any question as to the reasonableness of any refusal or revocation shall, on the written application of the owner of the pleasure boat to the Agency, be referred to an arbitrator to be agreed by the applicant and the Agency or, in default of agreement, to be appointed by the Chairman of the Sports Council.

## **7 Pleasure Boats to be Registered**

Subject as it is hereinafter provided, no owner of a pleasure boat shall use, or permit his pleasure boat to be used on any recreational waterway unless it is registered with the Agency and the registration certificate issued in respect thereof is in force and it is used or navigated in accordance with any condition attached to the registration thereof. Provided that it shall not be an offence under this Byelaw for a person to carry out a

testing, trial or demonstration of a pleasure boat for which a registration certificate has not been issued if he has obtained the written consent of the Agency for such a trial, testing or demonstration to take place.

## **8 Inspection of Registers**

Any person shall be entitled during office hours to inspect the register, book or books at the place or places where they may be kept.

## **9 Transfers**

Upon every transfer of the ownership of a pleasure boat in respect of which a registration certificate is in force the owner shall within 14 days thereof give notice of such transfer to the Agency.

## **10 Certificate to be Produced**

The owner, or the person in charge of a pleasure boat, shall on being so required by an officer of the Agency (who may be required to produce his authorisation) produce the registration certificate relating thereto to that officer. Provided that it shall not be an offence under this Byelaw if within fourteen days a registration certificate in force at the time of that requirement is produced at, or forwarded by post to, an office of the Agency as may be directed.

## 11 Exemption

The Agency may issue a certificate to the registered owner of any pleasure boat exempting that pleasure boat from any or all of the provisions of these Byelaws subject to such terms and conditions as the Agency considers appropriate.

## 12 Penalty

- (i) Any person who contravenes or fails to comply with any of these Byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (ii) In any proceedings for an offence under these Byelaws, it shall be a defence for the person charged to prove:
  - (a) that they took reasonable precautions and exercised all due diligence to avoid the commission of the offence; or
  - (b) that they had reasonable excuse for their act or failure to act.

*The Common Seal of the Anglian Water Authority was affixed to the Byelaws (of which the above is a true copy with the modifications made by the Secretary of State for the Environment on confirming the same) on the 17th November 1978 in the presence of G L Sturgess, Director of Administration.*

*The foregoing Byelaws were confirmed by the Secretary of State for the Environment subject to certain modifications which he made thereto (such modifications having been incorporated therewith) and as so modified came into operation on 1st April 1980. Signed by the authority of the Secretary of State, R A Stead, an Assistant Secretary in the Department of the Environment.*

*The amendments effected by the Environment Agency Recreational Waterways, Anglian Registration (Amendment) Byelaws 1997 were confirmed by the Secretary of State for the Environment on 24th March 1997 and came into force on 1st April 1997. Signed by the authority of the Secretary of State, N W Summerton (Director of WLD, Department of the Environment) on 24th March 1997.*

# Recreational Waterways (General) Byelaws 1980 (as amended)

The Anglian Water Authority under and by virtue of the powers and authority vested in them by Section 18 of the Anglian Water Authority Act 1977 and of all other powers them enabling hereby make the following Byelaws.

## 1 Citation

These byelaws may be cited as the 'Anglian Water Authority, Recreational Waterways (General) Byelaws 1980'.

## 2 Interpretation and Application

- (i) In these byelaws, unless the context or subject otherwise requires, expressions to which meanings are assigned by the Anglian Water Authority Act 1977 have the same respective meanings, and

'the Act' means the Anglian Water Authority Act 1977

'authorised officer' includes any warden or bailiff duly authorised in writing by the Authority

'consent of the Authority' means a consent in writing signed on behalf of the Authority by an officer duly authorised in that behalf

'a registered pleasure boat' means a pleasure boat registered with the Authority under the provisions of the Anglian Water Authority Recreational Byelaws - Recreational Waterways (Registration) 1979

- (ii) Subject as is herein otherwise expressly provided these byelaws shall apply to the navigations and waterways set out in Schedule 1 of the Act.

## 3 Damage, etc.

No person shall interfere with or deface

- (i) any notice, placard or notice board erected or exhibited by the Authority on a recreational waterway or a bank thereof.
- (ii) any lock, sluice, flood gate, weir, or any other structure in a recreational waterway.
- (iii) any life saving equipment on a recreational waterway or a bank thereof.
- (iv) any water point, sanitary or refuse disposal station, or other facility relating to a recreational waterway.



(v) any fence, wall, hedge or gateway on the bank of a recreational waterway.

#### **4 Fauna**

No person shall, without consent of the Authority, whether in, on or above; in a recreational waterway or on a bank thereof take, molest, wilfully disturb injure or destroy any living creature or the eggs of any living creature, or use any nets, snare instrument, lamp, lure or other means for taking or destruction of any such living creature or its eggs.

#### **5 Electric Generators, etc**

No person shall on a recreational waterway or on a bank thereof cause or permit an electric generator or other engine to be operated in connection with any vessel when the same is moored so as to cause disturbance or annoyance to other persons enjoying the amenities of the recreational waterway.

#### **6 Vehicles Parking**

No person shall cause a vehicle (whether attended or unattended) to obstruct the bank, towing path or halingway of a recreational waterway.

#### **7 Gates to be Closed**

Where it is indicated by a notice exhibited on or alongside any gate on any bank, halingway or towing path of a recreational waterway that it is prohibited to leave the gate open, no

person having opened that gate, or caused it to be opened, shall leave it open.

#### **8 Camping**

No person without lawful authority and whether in a tent, vehicle or not, shall camp or sleep out on the bank of any recreational waterway.

#### **9 Animals to be Controlled**

No person shall cause or permit any dog or other animal in his charge to enter or remain on the bank of a recreational waterway unless such dog or other animal is under proper control and is effectively restrained from causing annoyance to any person, or worrying or disturbing any bird or animal.

#### **10 Bills, Affixing of**

No person shall without lawful authority affix any bill, placard or notice to or upon any wall or fence, or to any tree or upon any building, railing, lock, sluice or other structure on the bank of a recreational waterway.

### 11 Obstruction in Locks

No person shall obstruct access to or egress from any working lock or hinder or obstruct persons in boats approaching, passing through, or leaving any working lock on a recreational waterway.

### 12 Dangerous Litter

No person shall leave on the bank of a recreational waterway, otherwise than in a receptacle provided for litter, any glass, plastic material, metal, fishing line, fishing hook or other material likely to cause injury to any person, animal or bird.

### 13 Harassment

- (i) No person shall on a recreational waterway or on a bank thereof throw or propel any stone, missile or any other object in a manner likely to endanger any other person.
- (ii) No person shall do any act or thing with intent to harass any other person, or prevent him exercising the rights or enjoying the facilities which he may be entitled to exercise or enjoy on a recreational waterway or a bank thereof.

### 14 Guns

No person shall shoot or discharge a gun, firearm or air weapon over or in the direction of a recreational waterway, or on or over a bank thereof so as to endanger or harass persons exercising their lawful rights thereon.

### 15 Diving

- (i) No person shall dive or jump into a recreational waterway from any bridge, lock or land drainage structure thereover unless a device has been provided for that purpose.
- (ii) No person shall bathe or swim within 100 metres as herein provided of the following locks, sluices, weirs or water intakes:-

#### **On the River Nene -**

- (i) Dog-in-a-Doublet Lock and Sluice in the Parish of Whittlesey in the County of Cambridge upstream or downstream thereof.
- (ii) Wansford Pumping Station in the Parish of Wansford in the County of Cambridge upstream or downstream thereof.
- (iii) Bedford Road Sluice in the Parish of Northampton in the County of Northampton upstream or downstream thereof.

**On the River Great Ouse -**

- (i) Denver Sluice in the Parish of Denver in the County of Norfolk upstream or downstream thereof.
- (i) A.G. Wright Sluice in the Parish of Denver in the County of Norfolk upstream thereof.

**On the River Welland -**

Cowbit Road Sluice in the Parish of Spalding in the County of Lincoln upstream thereof.

**On the River Glen -**

Surfleet sluice in the Parish of Surfleet in the County of Lincoln upstream and downstream thereof.

**On the River Ancholme -**

South Ferriby Lock in the Parish of South Ferriby in the County of Humberside upstream and downstream thereof.

**On the River Stour -**

Cattawade Barrage in the Parish of Brantham in the County of Suffolk upstream thereof.

or within 36 metres upstream or downstream of any other lock, sluice, weir or water intake, or in any lock pen.

**16 Navigation**

- (i) Subject as is otherwise herein expressly provided, no person navigating a vessel on a recreational waterway shall do so

- (a) without due care and attention, or without at all times keeping a proper lookout
- (b) without reasonable consideration for other persons exercising their rights on the waterway or enjoying the facilities thereof
- (c) at a speed such as to be likely to endanger other persons, or contrary to any lawful and reasonable direction given by an authorised officer on the occasion of any emergency, or in contravention of any temporary restriction, prohibition or regulation of the use of a recreational waterway imposed or made pursuant to Section 15 of the Act.

- (ii) no person shall use or navigate a vessel
  - (a) so as to prevent for an unreasonable time any other person exercising his rights on a recreational waterway, or enjoying the facilities thereof, or so as to harass him
  - (b) so as to cause unnecessary injury or damage to any flora or fauna, or to the banks of a recreational waterway.

## 17 Speed Limits

- (i) Except when it is necessary for safe navigation in conditions of flood or in an emergency, no person shall navigate a powered boat (as defined in Section 18 of the Act) over the waters or parts thereof as are specified in column 1 of the following table at speeds to be measured over the bed of the waterway exceeding those specified in relation thereto in column 2 thereof
- (ii) It shall not be an offence under paragraph (i) of this byelaw for a powered boat to exceed such speed limits if, for the purpose of any regatta, training, demonstration, test or other similar event there is in force in respect of that powered boat or in respect of powered boats generally taking part in the event a special permit in writing from the Authority authorising a higher speed, nor shall it be an offence for a powered boat in use for byelaw or law enforcement purposes to exceed such limits.
- (iii) This byelaw shall not apply to that reach of the River Nene as lies between the Fitzwilliam Bridge in the Parishes of Thorney and Whittlesey in the District of Peterborough and a point one mile downstream thereof.
- (iv) No person shall use water skis on any recreational waterway in respect of which a speed limit is imposed by this byelaw.

| Waterways or parts thereof   | Speed Limit |         |
|--|-------------|---------|
|  | Miles/hour  | Km/hour |
| <b>River Great Ouse</b>  | 4           | 6.4     |
| Between Ely High Bridge and Carmichael Railway Bridge, Ely   |             |         |
| Old West River between Hermitage Lock, Earith, and the Confluence with the River Cam at Pope's Corner  | 4           | 6.4     |
| Between St Ives Lock and Houghton Lock   | 4           | 6.4     |
| Between Huntingdon Old Bridge and Godmanchester Lock   | 4           | 6.4     |
| Between Portholme Meadow Railway Bridge 0.85 miles (1.4 km) upstream from Godmanchester Lock and Brampton Lock   | 4           | 6.4     |
| Between entrance to Buckden Marina 0.4 miles (0.6 km) downstream from Offord Lock and Grafham Water Intake 0.75 miles (1.2 km) upstream from Offord Lock | 4           | 6.4     |
| Between Papermill Lock at St Neots and Eaton Socon Lock  | 4           | 6.4     |
| Between Tempsford Road Bridge (A1) and Roxton Lock   | 4           | 6.4     |
| Between Bedford (Goldington) Power Station and Kempston Mill   | 4           | 6.4     |
| <b>River Little Ouse</b>   |             |         |
| Between the confluence with the River Great Ouse at the Ship Inn and the village of Little Ouse  | 4           | 6.4     |
| Between Road Bridge (B1112) at Hockwold-cum-Wilton and Brandon Sluice  | 4           | 6.4     |

| Waterways or parts thereof   | Speed Limit |         |
|--|-------------|---------|
|  | Miles/hour  | Km/hour |
| <b>River Lark</b>  |             |         |
| Between Prickwillow Railway Bridge and Prickwillow Road Bridge (B1382)   | 4           | 6.4     |
| Between Isleham Lock and West Row Road Bridge at Judes Ferry Inn   | 4           | 6.4     |
| <b>River Wissey</b>  |             |         |
| between its confluence with River Great Ouse in the Parish of Fordham and one mile (1.6 km) upstream of Stoke Ferry Road Bridge (A134) | 4           | 6.4     |
| <b>Reach Lode</b>  |             |         |
| between Upware Lock at its confluence with the River Cam and the village of Reach  | 4           | 6.4     |
| <b>Burwell Lode</b>  |             |         |
| between its confluence with Reach Lode and the village of Burwell  | 4           | 6.4     |
| <b>Wicken Lode</b>   |             |         |
| between its confluence with Reach Lode and its confluence with Monks Lode  | 4           | 6.4     |
| <b>River Stour</b>   |             |         |
| between Cattawade Barrage and Brundon Mill in the Parish of Sudbury  | 4           | 6.4     |
| <b>River Ancholme</b>  |             |         |
| between Coal Dyke End, Brigg, in the Parish of Brigg, and Bishops Bridge in the Parish of Glentham                                     | 4           | 6.4     |
| <b>River Great Ouse (including New Bedford River)</b>  |             |         |
| downstream of Earith Bridge  | 15          | 24.1    |
| <b>Any recreational waterway other than those specified above</b>  | 7           | 11.2    |

## 18 Moorings, Method of

- (i) No person shall put out or affix any mooring for or from any vessel to a bank of a recreational waterway, or erect any landing plank or structure from any vessel in such a manner as to impede or interfere with the free passage of persons or vehicles over and along the bank.
- (ii) No person in charge of any vessel shall cause or permit such vessel to be moored at any wharf or any mooring place on a recreational waterway unless such vessel shall be securely moored head and stern, shall be laid as close to and along the side or front of such wharf or mooring place as may be convenient, and shall be so moored as not to cause any obstruction to the navigation of other vessels.
- (iii) No person shall moor or place any vessel to or upon the bank of a recreational waterway, or otherwise in such manner or by such a method as to cause damage to any sea defences, bank or drainage works, injury to the said bank, or to any wall, groyne, outfall or other works.
- (iv) No person shall moor any vessel in such manner as unreasonably or unnecessarily to obstruct or impede the free flow of water in, into or out of the recreational waterway, or so as to prevent or impede the proper control or regulation of water levels by the Authority, or so as to obstruct or unduly restrict the passage of other vessels in navigating a recreational waterway.
- (v) Where any vessel is moored or lying in such a position as is likely to interfere with any dredging, repairs, maintenance works, water control and regulation or any other operation of the Authority, the owner of such vessel shall within 48 hours after receipt of notice to that effect from the Authority remove the vessel for such time as the Authority may reasonably require for the completion of such operations, and if the owners fails to do so then the Authority shall be entitled to remove the vessel as may be necessary.
- (vi) No person shall without the consent of the Authority (which consent may be given either absolutely or subject to conditions) on any bank of a recreational waterway construct or provide a berth or mooring post, gangway, landing stage or any other erections or installations for any vessel provided that this byelaw shall not prevent the construction or provision of a berth for a vessel in any boat yard so long as the boat yard is used for boat building or boat repairing, and provided that the construction or provision of such berth does not extend to or involve the deposit of any structure in the bed of the recreational waterway.

(vii) No person in charge of a vessel shall moor it without the consent of the Authority for any period or aggregate periods longer than 48 hours in any three consecutive days at any mooring place provided by the Authority on which a notice is exhibited intimating that vessels may not be moored thereat for any period in excess of 48 hours.

(viii) No person shall without the consent of the Authority cause or knowingly permit any vessel to be beached or to lie aground upon the bank or a recreational waterway above low water mark, and to remain there unattended, provided that this byelaw shall not apply to a vessel which lies aground for a reasonable length of time as a normal incident of navigation or which is lawfully lying at a commercial, public or private wharf.

### **19 Moorings in proximity to locks**

No person in charge of a vessel shall moor it without the consent of the Authority within 100 metres as herein provided of the following locks, sluices, weirs or water intakes:

#### **On the River Nene -**

- (i) Dog-in-a-Doublet Lock and Sluice in the Parish of Whittlesey.
- (ii) Bedford Road Sluice in the Parish of Northampton.

#### **On the River Great Ouse -**

- (i) Denver Sluice in the Parish of Denver.
- (ii) A.G. Wright Sluice in the Parish of Denver.

#### **On the River Welland -**

Cowbit Road Sluice in the Parish of Spalding.

#### **On the River Ancholme -**

South Ferriby Lock in the Parish of South Ferriby.

#### **On the River Glen -**

Surfleet Sluice in the Parish of Surfleet.

#### **On the River Stour -**

Cattawade Barrage in the Parish of Brantham.

or within 36 metres of any other lock, sluice weir or water intake or in any lock pen, provided that this byelaw shall not apply to any mooring in the course of navigation if the vessel is about to be taken through a lock.

### **20 Moorings, interference with**

No person shall intentionally loosen or cast off any vessel and leave the same adrift upon a recreational waterway.

### **21 Moorings, houseboats**

No person shall without the consent of the Authority moor a houseboat in a recreational waterway, or to a bank thereof, provided that this byelaw shall not apply to any houseboat which is



in the course of being moved from one place of anchorage to another place of anchorage, or which is lawfully lying at a commercial, public or private wharf. For the purpose of this byelaw the expression 'houseboat' means a vessel which is decked or otherwise structurally covered in and which is primarily intended not as a means of transport but as a place of habitation (whether by day and night or the one or the other) or as a place for accommodation or receiving persons for the purpose of shelter, recreation, entertainment, or of witnessing regattas or other events, or as club premises, or as an office or as a kitchen, pantry or store place.

## 22 Locks

- (i) No person shall open or close any lock gate otherwise than for the purpose of passing a registered pleasure boat (as may be permitted by the terms of the registration) through the same, nor shall he operate such gate improperly.
- (ii) No person shall interfere with the gates of any lock, or with the mechanism thereof without lawful authority.
- (iii) No person shall operate or attempt to operate any lock or lock gate, or to open or fasten any mechanism thereon, otherwise than with a proper key or winding handle for the purpose, and in the case of any padlock, mortise lock or other

device for securing a lock or sluice gate a proper key or implement shall mean a key or implement supplied by the Authority for the particular purpose of opening and fastening the same, and in any other case a proper key or winding handle shall mean a key or winding handle which will not damage or be likely to damage any mechanism.

## 23 Locks

No person employed in, upon or about any vessel shall wind or coil any rope, chain or other fastening around, or fix or fasten the same to any lock gate or other work except to the bollards, irons and chain provided for the purpose of bringing up and stopping vessels.

## 24 No vessel to remain in lock

- (i) No person in charge of a vessel passing through any lock upon a recreational waterway, or any channel out of the same, shall cause such vessel to remain in the lock or channel longer than to pen and navigate the same.
- (ii) A person in charge of a vessel proceeding through any lock shall ensure that the lock gates are properly closed prior to the raising of any slacker to admit water into or to discharge water from the lock pen.

### **25 Fuel tanks**

No person in charge of a vessel shall cause or permit the cap of a fuel tank thereon to be removed while the vessel is in a lock pen.

### **26 Wicken Lode**

No person other than a resident of Wicken village or a duly authorised servant of the National Trust shall use or navigate a powered boat in Wicken Lode upstream of its confluence with Monks Lode in the Parish of Wicken in the District of East Cambridgeshire.

### **27 River Stour**

No person on the River Stour between Henny Sluice in the Parish of Great Henny in the County of Essex and Cattawade Barrage in the Parish of Brantham in the County of Suffolk and between Brundon Mill Sluice in the Parish of Sudbury in the County of Suffolk and Ballingdon Bridge in the said parish and county shall use or navigate any vessel other than one that is propelled manually or by sail. Provided that this byelaw shall not apply to such use or navigation by the River Stour Trust or by a person who is a riparian owner of a part of the River Stour and provided that such exemption shall apply only to that number and type of vessels in such use on 25 October 1982.

### **28 River Great Ouse**

No person in charge of a powered boat shall cause or permit it to enter without the prior consent of the Authority that part of the River Great Ouse in the District of Bedford as lies to the east of the footbridge between Mill Meadow and the Promenade to the east of the Town Lock.

### **29 Obstruction of officers**

- (i) No person shall intentionally obstruct any person employed or appointed by the Authority in the exercise of any powers or functions conferred on him under or in respect of these byelaws.
- (ii) No person not duly authorised by the Authority shall purport to exercise any powers of the Authority in relation to a recreational waterway, or the banks thereof.

### **30 Enforcement**

An Officer of the Authority on production of evidence of his authority may require any person on a recreational waterway or on a bank thereof who is doing an act which without the consent of the Authority is prohibited by these byelaws to produce evidence of such consent, and if the person is unable to do so then the officer may require him to furnish his name and address, and it shall be an offence to fail to do so.

### 31 Penalty

- (i) Any person who contravenes or fails to comply with any of these Byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (ii) In any proceedings for an offence under these Byelaws, it shall be a defence for the person charged to prove:
  - (a) that they took reasonable precautions and exercised all due diligence to avoid the commission of the offence; or
  - (b) that they had reasonable excuse for their act or failure to act.

*The Common Seal of the Anglian Water Authority was affixed to the Byelaws (of which the above is a true copy with the modifications made by the Secretary of State for the Environment on confirming the same) on the 30th April 1980 in the presence of G L Sturgess, Director of Administration.*

*The foregoing Byelaws were confirmed by the Secretary of State for the Environment subject to certain modifications which he made thereto (such modifications having been incorporated therewith) and as so modified came into operation on 7th February 1983. Signed by the authority of the Secretary of State, R A Stead, an Assistant Secretary in the Department of the Environment.*

*The amendments effected by the Environment Agency Recreational Waterways, Anglian Registration (Amendment) Byelaws 1997 were confirmed by the Secretary of State for the Environment on 24th March 1997 and came into force on 1st April 1997. Signed by the authority of the Secretary of State, N W Summerton (Director of WLD, Department of the Environment) on 24th March 1997.*

# Anglian Water Authority Countryside Act 1968 Water Act 1973 Recreational (Water Parks) Byelaws 1981 (as amended)

The Anglian Water Authority under and by virtue of the powers and authority vested in them by Section 22 of the Countryside Act 1968, and of all other powers them enabling hereby make the following byelaws.

## 1 Citation

These byelaws may be cited as the Anglian Water Authority Recreational (Water Parks) Byelaws 1981

## 2 Interpretation

(i) In these byelaws, unless the context or subject otherwise requires, the following expressions shall have the meanings hereby assigned to them:

‘the Authority’ means the Anglian Water Authority.

‘authorised officer’ includes any warden or bailiff duly authorised in writing by the Authority.

‘boat’ includes any boat, vessel, raft, hovercraft, hydrofoil and craft of any

kind howsoever navigated, propelled or moved, and whether inflated or not.

‘consent of the Authority’ means a consent in writing signed by an officer authorised in that behalf.

‘vehicle’ means any cart, carriage, motor car, motor bicycle or other wheeled vehicle, including any trailer or caravan, but excluding a pedal cycle, invalid carriage, perambulator or push chair.

‘water park’ means the several reservoirs, lakes, ponds, enclosed waters, rivers, drains, artificial watercourses and inland waters, referred to in byelaw 3 hereof and includes the land, banks and premises thereof which are owned or held by the Authority.

(ii) References in these byelaws to groups of two letters and six figures respectively are references to National Grid Reference points.

### 3 Application

Subject as is herein otherwise expressly provided, these byelaws shall apply to the water parks known by the names and situate on the National Grid Reference points and in the parishes and districts respectively as follows:

**Alton Water** being a reservoir at RM 155357 in the Parish of Stutton in the District of Babergh

**Ardleigh Reservoir** at TM 034285 in the Parish of Ardleigh in the District of Tendring

**Cadney Carr Reservoir** at TA 014046 in the Parish of Cadney in the District of Glanford

**Costessey Pits** being three connected gravel pits at TG 163130 in the Parish of Costessey in the District of South Norfolk

**Covenham Reservoir** at TF 345960 in the Parish of Covenham St Bartholomew in the District of East Lindsey

**Cransley Reservoir** at SP 830781 in the Parish of Cransley in the District of Kettering

**Foxcote Reservoir** at SP 714363 in the Parish of Foscott in the District of Aylesbury Vale

**Grafham Water** being a reservoir (formerly known as Diddington Reservoir) at TL 150680 in the Parish of Great Staughton in the District of Huntingdon

**Hollowell Reservoir** at SP 688728 in the Parish of Hollowell in the District of Daventry

**Hyde Lane Gravel Pit** at SP 725352 in the Parish of Foscott in the District of Aylesbury Vale

**Manea Borrow Pit** at TL 482872 in the Parish of Downham in the District of East Cambridge

**Mepal Borrow Pit** at TL 435814 in the Parish of Mepal in the District of East Cambridge

**Pitsford Reservoir** at SP 758687 in the Parish of Pitsford in the District of Daventry

**Raventhorpe Reservoir** at SP 678708 in the Parish of Hollowell in the District of Daventry

**Roswell Borrow Pit** at TL 555807 in the Parish of Ely in the District of East Cambridge

**Rutland Water** being a reservoir (formerly know as Empingham Reservoir) at SK 942078 in the Parish of Empingham in the District of Rutland

**Sywell Reservoir** at SP 831655 in the Parish of Sywell in the District of Wellingborough

**The Pringles Borrow Pit** at TL 443826 in the Parish of Mepal in the District of East Cambridge

**Thorpe Malsor Reservoir** at SP 825794 in the Parish of Thorpe Malsor in the District of Kettering

**Toft Newton Reservoir** at TF 035874 in the Parish of Toft Newton in the District of West Lindsey

**The Coronation Flood Relief Channel of the River Welland** from TF 260241 to TF 246217 in the Parish of Spalding in the District of South Holland

**The Great Ouse Cut-off Channel** from TF 591012 to TL 731738 in the Parishes of Denver, Fordham, Ryston, West Dereham, Wereham, Wretton, Stoke Ferry, Northwold, Methwold, Feltwell and Hockwold-cum-Wilton in the District of West Norfolk and in the Parishes of Brandon, Lakenheath, Eriswell, Mildenhall and Barton Mills in the District of Forest Heath

**The Great Ouse Flood Relief Channel** from TF 605173 to TF 590012 in the Parishes of King's Lynn and Denver in the District of West Norfolk

## Boats and Boating

### 4 Buoyancy aids and life jackets

No person shall use or sail a boat unless the boat contains sufficient buoyancy aids or life jackets to support the number of occupants therein.

### 5 Reasonable consideration, etc to be shown

No person shall use or sail any boat without reasonable consideration for other persons enjoying the amenities of the water park, or in such a manner or at such a speed as to cause annoyance, undue inconvenience or danger to any other person boating on or fishing on or in the water, or as to prevent for an unreasonable time any other person on the water exercising such rights as he may be entitled to exercise.

### 6 Launching or sailing of boats etc

No person shall, without the consent of the Authority, launch, use or sail on any water in the water park any boat, and otherwise than in accordance with such terms and conditions as may be prescribed by any such consent.

### 7 Consent

No person shall fish in a water park without the consent of the Authority, and otherwise than in accordance with such terms and conditions as may be prescribed by any such consent.

### 8 Lines and hooks, disposal of

No person shall deposit or leave anywhere in a water park, other than in a receptacle provided for litter, any fishing line or fishing hook likely to cause injury to any person, animal or bird.

### 9 Bait

Except as may be expressly permitted by the Authority, no person shall for the purpose of taking fish throw or discharge into any water in a water park any matter edible by fish, or any live or dead bait.

### 10 Unauthorised release of fish

No person shall, without the consent of the Authority, introduce any fish or spawn of fish into water in a water park, or have in his possession any fish or spawn of fish intending to introduce it into such water.

## Vehicles

### 11 Parking of Vehicles

No person shall park a vehicle or cause the same to stand (whether attended or not) on any roadway or in any part of a water park which is not set aside or designated for that purpose.

## 12 Prohibition of vehicles

No person shall take or drive a vehicle into a water park if prohibited from doing so by the Authority, or if a notice to that effect is exhibited at the entrance, or if a barrier is erected across the entrance, or if any gate thereon is fastened.

## 13 Dangerous driving

- (i) No person shall drive or tow a vehicle in a reckless manner, or without due care and consideration for others in a water park.
- (ii) A person driving a vehicle or pedal cycle shall comply with all traffic signs and with all reasonable directions given by any authorised officer.

## 14 Access

No person shall ride or drive a mechanically propelled vehicle in any part of a water park which is not laid out as a roadway for motor vehicles or provided for the parking of vehicles.

# General

## 15 Flora and Fauna

- (i) No person shall, without the consent of the Authority, take, molest, wilfully disturb, injure or destroy any living creature or the eggs of any living creature, or use any net, snare, instrument, lamp, lure or other means for the taking or destruction of any such living creature, or its eggs.

- ii) No person shall, without the consent of the Authority, wilfully remove, cut or damage any tree, shrub, plant or other vegetation, whether living or dead.

## 16 Posts and fences, tents, booths and camping

- (i) No person shall, without the consent of the Authority, pitch, erect or permit to remain in a water park any caravan, tent, booth, windbreak, pole, clothes line, building, shed, post, fence, railing or other erection or construction whatsoever.
- (ii) No person shall, without the consent of the Authority and whether in a tent or vehicle or not, camp or sleep out in any part of a water park.

## 17 Public gatherings

No person shall take part in any public gathering, procession or exhibition unless such public gathering, procession or exhibition has been authorised in writing by the Authority.

## 18 Radios etc

- (i) No person, shall without the consent of the Authority, operate or cause or permit to be operated any wireless or television receiver, gramophone, tape recorder (except for making recordings), amplifier or other similar instrument, provided that it shall not be an offence to operate a wireless or television receiver inside a vehicle if no



nuisance or annoyance is caused thereby.

- (ii) No person shall, without the consent of the Authority, play or cause or permit to be played any musical instrument or other instrument.

### **19 Animals to be controlled**

No person shall cause or permit any dog or other animal in his charge to enter or remain in a water park unless such a dog or other animal is under proper control and is effectively restrained from causing annoyance to any person, or from worrying or disturbing any other animal or water fowl, or from entering the water.

### **20 Unauthorised entry**

- (i) No person who, without the consent of the Authority;
  - (a) is in a water park at an hour when it is closed to the public, or
  - (b) is in any part of a water park to which entry to the public is prohibited, or
  - (c) has entered a water park other than through a point of entry provided for that purpose

shall remain in there for a longer time than is necessary to enable him to leave by the nearest exit after being required to do so by an authorised officer who produces his authority.

- (ii) No person shall remain in a water park for a longer time than is necessary to enable him to leave by the nearest exit after being required to do so by an authorised officer who has reasonable grounds for believing that the person has committed an offence against these byelaws and who produces his authority.

### **21 Prohibited entry**

No person shall, without the consent of the Authority, enter or remain in any part of a water park where a notice is exhibited in a conspicuous position prohibiting entry thereto by the public because of danger or potential danger to any person or property.

### **22 Removal of structures**

No person shall remove or displace any barrier, railing, post or seat, or any part of any erection or structure, any boat or any life saving equipment, or any machine or implement used in the laying out or maintenance of the park.

### **23 Fire**

- (i) No person shall, without the consent of the Authority, light any fire or discharge any firework in a water park.
- (ii) No person shall abandon, throw, or let fall any lighted match, lighted cigarette or any other article containing any inflammable gas or spirit or any

inflammable substance, or any bottle or broken glass so as to cause or to be likely to cause damage by fire.

#### **24 Animals not to graze**

- (i) Except in pursuance of a lawful agreement with the Authority or otherwise in exercise of any lawful rights or privileges, no person shall turn out or permit to remain in a water park any cattle, sheep or other animal.
- (ii) No person shall ride on horseback in part of a water park which is not designated as a path or place for horse riding and the way marked as such.

#### **25 Swimming etc**

No person shall bathe, swim, waterski or iceskate in any water park except with the consent of the Authority.

#### **26 Bills not to be affixed**

No person shall, without the consent of the Authority, affix any bill, placard, advertisement or notice to or upon any tree or any other natural thing, or to or upon any part of any building, seat or other erection.

#### **27 Obstruction and harassment**

No person shall intentionally disturb or interrupt or annoy any other person in the proper enjoyment of a water park, or engage in any game, sport or other activity which may endanger such person or intentionally obstruct, disturb or interrupt any authorised officer in the proper execution of his duty.

#### **28 Gates to be closed**

Where the Authority indicate by a notice conspicuously exhibited on or alongside any gate in the water park that leaving that gate open is prohibited, no person having opened that gate, or caused it to be opened, shall leave it open.

#### **29 Goods, etc sale of**

No person shall, without the consent of the Authority, sell or offer or expose for sale, or let to hire or offer or exposed for letting to hire any commodity or article or any food or refreshment of any kind, or offer any service for reward.

#### **30 Drains and watercourses, flow of**

No person shall obstruct the flow of any drain or watercourse, or open or shut or otherwise interfere with any valve, sluice, gate, plant (whether mobile or fixed), or machinery or similar apparatus in any water park.

### 31 Unauthorised assumption of powers

No person not duly authorised by the Authority shall purport to exercise any powers of the Authority in relation to the water park.

### 32 Penalties and defences

Any person doing an act which if done without the consent of the Authority would constitute an offence under these byelaws shall, if so required by an authorised officer on production of evidence of his authority, produce to such officer evidence of such consent, or, if he is unable to do so, to give such officer his name and address.

- (i) Any person who contravenes or fails to comply with any of these Byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (ii) In any proceedings for an offence under these Byelaws, it shall be a defence for the person charged to prove
  - (a) that they took reasonable precautions and exercised all due diligence to avoid the commission of the offence; or
  - (b) that they had reasonable excuse for their act or failure to act.

*The Common Seal of the Anglian Water Authority was affixed to the Byelaws (of which the above is a true copy with the modifications made by the Secretary of State for the Environment on confirming the same) on the 30th April 1980 in the presence of G L Sturgess, Director of Administration.*

*The foregoing Byelaws were confirmed by the Secretary of State for the Environment subject to certain modifications which he made thereto (such modifications having been incorporated therewith) and as so modified came into operation on 28th May 1981. Signed by the authority of the Secretary of State, RA Stead, an Assistant Secretary in the Department of the Environment.*

*The amendments effected by the Environment Agency Recreational Waterways, Anglian Registration (Amendment) Byelaws 1997 were confirmed by the Secretary of State for the Environment on 24th March 1997 and came into force on 1st April 1997. Signed by the authority of the Secretary of State, N W Summerton (Director of WLD, Department of the Environment) on 24th March 1997.*

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