



Serial No.

## Draft Waterways Ireland Bye-laws (Northern Ireland) Order Phase 1 Public Consultation Questionnaire

Waterways Ireland invites the views of all waterway user representatives, associated stakeholders, and organisations who could be affected by the proposed Waterways Ireland Bye-laws. Your views are an important part of the Bye-law revision process, so please tell us what you think by completing and returning this questionnaire by **15<sup>th</sup> October 2010**.

Your personal data will be stored electronically and used solely for the purpose of this consultation. It will not be made available to any third parties. Summary data and the results of the consultation programme may be published, but will not be attributable to particular individuals, organisations or groups.

### USE BLOCK CAPITALS

#### SECTION 1 Contact Details

Q1.0 Contact Name .....ROBERT SEWARD...Position within organisation / group...  
Hon Secretary.

Q1.1 Name of organisation / group ANGLING COUNCIL IRELAND

Q1.2 Address ... SPORTS HQ, 13 JOYCE WAY, PARK WEST BUSINESS PARK, DUBLIN 12

Tel...+353 (0)1 - 6251132/3

Email .....info@anglingcouncilireland.ie

Q1.3 Tick the box(es) which best identifies your organisation / group.

Local Government (Town, District, Borough, City, or County Council)

Government Department

Public funded Body / Agency

Commercial Operator

Waterway User Group  *representing* →

Angling

Pleasure Boating

Jet Skiing

Rowing

Canoeing

Kayaking

Houseboats

Seaplanes

Swimming

Walking

Heritage interests

Environmental interests

Other (please specify) .....

## SECTION 2

### Content of existing Bye-laws

Q2.0 Which of the following waterways do you have an interest in?  
(Tick the box(es) applicable)

- |                       |                                     |
|-----------------------|-------------------------------------|
| Lower Bann Navigation | <input checked="" type="checkbox"/> |
| Erne System           | <input checked="" type="checkbox"/> |
| Shannon-Erne Waterway | <input checked="" type="checkbox"/> |
| Shannon Navigation    | <input type="checkbox"/>            |
| Royal Canal           | <input type="checkbox"/>            |
| Grand Canal           | <input type="checkbox"/>            |
| Barrow Navigation     | <input type="checkbox"/>            |

Q2.1 Do you have a knowledge or understanding of any existing Bye-laws for the waterway(s) you hold an interest in?

No  Yes

→ If 'Yes' please **identify** which Bye-laws

Lough Erne (Navigation) Bye-laws (Northern Ireland) 1978 and 1986 in respect of the Erne System

Shannon Navigation Bye-laws, 1992 and 1994 in respect of the Shannon Navigation and Shannon-Erne Waterway

Shannon Navigation (Construction of Vessels) Bye-laws, 1992 and 1994 in respect of the Shannon Navigation and the Shannon-Erne Waterway

Canals Act, 1986 (Bye-laws), 1988 in respect of the Grand Canal, the Royal Canal and the Barrow Navigation

Q2.2 If you answered 'Yes' to Q2.1, how would you rate the overall provisions within the Bye-laws identified, outlining the reason? (Tick one box only) If you answered 'No' to Q2.1, go to Q2.4.

Existing Bye-laws	Comprehensive	Adequate	Inadequate	Do not know	Reasons
Lough Erne (Navigation) Bye-laws (Northern Ireland) 1978 and 1986		✓			They have served quite well over the period
Shannon Navigation Bye-laws, 1992 and 1994					
Shannon Navigation (Construction of Vessels) Bye-laws, 1992 and 1994					
Canals Act, 1986 (Bye-laws), 1988					

Q2.3 If you answered 'Yes' to Q2.1, are there any of the existing Bye-law provisions that you have a difficulty with?

No  Yes  → **If 'Yes' please provide details**

.....Necessity to raise hp threshold for registration (see below)

.....With the large increase in craft use, zoning needs to be considered.

Q2.4 What does your organisation / group see as the main problem(s) for navigational users and or other associated individuals / bodies, and how could these problems be addressed in the planned Waterways Ireland Bye-laws?

Name of Waterway	Problem	Suggested Bye-law provision
Erne and Lower Bann	Day boat use	While registration of craft covers frequent users of either waterway provision should be made for a user who may visit a waterways on a once or very infrequent basis
Erne and Lower Bann	Angling boats horsepower	The original registration limit on the Erne was 10hp. With the introduction of smaller more powerful 4 stroke engines many anglers see the need for this threshold to be raised to < 15hp.
Erne and Lower Bann	Insurance	In the case of high powered craft, consideration should be given to compulsory Third Party Public Liability insurance when vessels are being registered, it is standard at marina's
Lower Bann	Speed	As an enclosed narrow waterway the effects of speed are exacerbated. More attention needs to be paid to speed limits over larger sections of the river not just at locks.
Lower Bann	Zoning	As a linear waterway some high speed craft use the river as a racetrack ignoring the needs of other users who may be significantly distant from the launch points of the craft. Activity zones should be established.

## SECTION 3

### Content of the draft Waterways Ireland Bye-laws (Northern Ireland) Order

3.0 What are your views on each of the following draft Bye-law provisions? BL denotes Bye-law number. See *Explanatory Note and draft Bye-laws enclosed*. (Tick one box only and include comment)

Bye-law provisions extracted from draft Waterways Ireland Bye-laws (Northern Ireland) Order	High Importance	Important	Not Important	Comments
BL 6 Compulsory registration of craft and payment of a fee.	✓			All craft >15hp should be registered <u>and insured</u> subject to infrequent use provision.
BL 7 Compulsory wearing of personal flotation devices for persons under 16 years onboard a craft while underway, for persons operating/controlling a personal watercraft, motor skimmer or fast power craft while underway; and for persons being towed by a pleasure craft. All persons on board a boat of less than 7 metres in length must wear a personal flotation device, while on board an open craft or while on the deck of a decked craft.	✓			The use of PFD;s is essential as a risk control measure in this hazardous environment.
BL16 Length of stay at public moorings increased from 2 days to 3 days.		✓		Prevents moorings becoming semi residential
BL 18 Waterways Ireland's powers to designate speed limits where and when required.	✓			Critical on Lower Bann, there must be significant areas where low maximum navigation speeds must be observed.
BL 19 Waterways Ireland's powers to introduce zoning where and when required, thus restricting or prohibiting craft and/or activities at locations and/or times.	✓			Critical on Lower Bann in conjunction with above. The voluntary zoning areas of the former Lower Bann Committee must be enforced.

<b>BL 23 Houseboats will only be permitted to moor in excess of the 3 day rule at designated houseboat locations, if in possession of a berthing licence and having paid a fee.</b>		✓		<b>Provisions should be made for poor weather conditions and assurances that it will not be extended to small craft</b>
<b>BL 29 Waterways Ireland's powers to remove and store or dispose of craft, objects or substances in the navigation.</b>		✓		<b>Necessary to maintain function of waterway.</b>

Q3.1 Outline any other comments you wish to make about specific Bye-laws and or the overall content of the enclosed draft Waterways Ireland Bye-laws (Northern Ireland) Order.  
*See Explanatory Note and draft Bye-laws enclosed.*

.....

BL 8, Waterways Ireland needs to be aware that in Northern Ireland under the “Railways and Transport Safety Act 2003” it is an offence to steer/control a ship or craft under the influence of alcohol or drugs. Therefore the provisions of BL8 are superfluous.

BL 31, In Northern Ireland the issue of ownership of rights is more complex than in the ROI. On the Erne and Lower Bann the fishing and access rights to fish are invariably held by other public or private bodies and anglers holding events that are shore based seek permission from the fishery owner (usually by licence) and the landowner. This byelaw needs to be clarified to indicate that it is navigational events e.g. regattas or boating events that need WI permission and not all events associated with the waterway.

.....  
 .....  
 .....

Q3.2 How would you rate the overall provisions within the draft Waterways Ireland Bye-laws (Northern Ireland) Order? *(Tick one box only)*

- Comprehensive
- Adequate
- Inadequate
- Do not know

Q3.3 Outline any amendments or additions that should be included in the Waterways Ireland Bye-laws (Northern Ireland) Order?

.....

...We can only at this stage emphasise the importance of the points we have made. The necessity to include compulsory insurance for registered craft over 15hp is needed to protect other water users (BL6).

...It is paramount that BL18 and 19 be closely implemented to ensure that there are significant zones especially on the narrow confined areas of the Erne and especially the Lower Bann where the maximum speed of water craft is restricted to a reasonable navigation speed.

Finally regulations and byelaws are enforced on the Erne system by full time water based wardens. It is **essential** that a similar system be implemented on the Lower Bann. Without enforcement all the provisions of these Bye-laws they will be completely ignored and the work wasted. Experience has shown, especially on the Lower Bann that the voluntary schemes of the former Lower Bann Committee were ignored and brought down by the activities of the unruly. Enforcement of laws and regulations is critical for effective management of these navigations.

Q3.4 Does your organisation / group represent the views of individuals likely to be affected by the proposed Bye-laws, whose interests would be considered under statutory equality regulations?

No  Yes  → **If 'Yes' please state equality interest e.g. Disability, Age, etc.**

.....  
Age, children, vulnerable adults and physically disabled

*Thank you for taking the time to complete this questionnaire.  
Please ensure that the returned questionnaire incorporates the consolidated views of your  
respective members or associates.  
Only one completed questionnaire should be submitted by each organisation or group.*

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**Completed questionnaires, together with any additional comments you wish to make,  
should be posted to Lorraine Nugent, Waterways Ireland, 2 Sligo Road, Enniskillen,  
Co Fermanagh, BT74 7JY or alternatively,  
emailed to: [byelaw.consultation@waterwaysireland.org](mailto:byelaw.consultation@waterwaysireland.org)**

**Questionnaires to be submitted by 15<sup>th</sup> October 2010**