
STATUTORY INSTRUMENTS

2010 No. 699

The Environment Agency (Inland Waterways) Order 2010

PART 5

MISCELLANEOUS

Charging

23. Without prejudice to any other power available to it, the Agency may demand, take and recover or waive such charges for or in connection with the use of the waterways and for any services or facilities provided by it in connection with the waterways as it thinks fit.

Consultation

24.—(1) The Agency must consult with such organisations as appear to the Agency to be representative of users of the waterways in relation to the exercise by it of its functions under this Order.

(2) Matters for consultation pursuant to paragraph (1) include the introduction of or material alteration to—

- (a) registration requirements;
- (b) insurance requirements;
- (c) construction and equipment standards; and
- (d) additional requirements for commercial vessels.

Publication

25. The Agency must take such steps as it considers are reasonably necessary to publicise the existence and to disclose the details of—

- (a) any exception given by the Agency under article 4(2);
- (b) any designation of a category of vessel made by the Agency under article 5(6);
- (c) the imposition of any standards and specifications by the Agency under article 12;
- (d) the imposition of additional requirements by the Agency in relation to commercial vessels under article 15; and
- (e) any agreement entered into by the Agency under article 26.

Agreements with others

26.—(1) The Agency may enter into agreements with any other person for the purpose of—

- (a) facilitating the administration of provisions for the regulation of vessels on the waterways (including the provisions of this Order); and

- (b) integrating such administration with the administration by that person of any powers and controls exercised by that person or other arrangements made by that person for the regulation of vessels.
- (2) In particular, any such agreement may provide—
 - (a) for treating registration or other certificates issued by one of the parties to the agreement as certificates issued by the other;
 - (b) for treating distinguishing marks or numbers assigned to vessels registered or certified by one party to the agreement as having been assigned to that vessel by the other; and
 - (c) for apportioning any registration fees or other charges between the parties to the agreement.
- (3) To the extent provided by any such agreement, any certificate issued by a party to such an agreement is to be deemed for the purposes of this Order to have been issued by the Agency, and any mark, number or other distinguishing sign displayed on a vessel in accordance with the requirements of a person who is a party to such an agreement is to be treated as complying with the requirements of this Order.

Disapplication of requirements of 1907 Act

- 27.** A licence under section 94 of the Public Health Acts Amendment Act 1907(1) is not required—
- (a) in respect of a vessel on the waterways if the vessel is subject to requirements as to its construction and equipment which have been imposed under article 12; or
 - (b) in respect of any person in charge of or navigating that vessel if that person is subject to requirements imposed under article 15.

Enlargement and re-definition of Anglian recreational waterways

- 28.—**(1) The Anglian Water Authority Act 1977(2) is modified to extend the waterways for which the Agency is the navigation authority to include—
- (a) that part of the River Little Ouse between Brandon Stauch and Brandon Bridge; and
 - (b) the Great Ouse Flood Relief Channel between the Head sluice lock at Denver and the Tail sluice at Saddlebrow.
- (2) In consequence of paragraph (1)—
- (a) Breckland District Council is no longer the navigation authority for the part of the River Little Ouse referred to in that paragraph;
 - (b) the Act of 1670(3) intituled “An Act for making navigable the Rivers commonly called Brandon and Waveney” and the Act of 1810(4) intituled “An Act for amending an Act of the twenty second year of His late Majesty King Charles the Second so far as the same relates to the River Brandon otherwise the Lesser Ouse from the White House near Brandon Ferry to Thetford in Norfolk in the Counties of Norfolk and Suffolk and for improving the navigation of the said River” cease to have effect in relation to that part of the River Little Ouse; and
 - (c) for Schedule 1 to the Anglian Water Authority Act 1977 there is substituted the replacement Schedule set out in Schedule 1 to this Order.

(1) 1907 c. 53.

(2) 1977 c. i.

(3) 1670 c. 16. (Original Act No.29).

(4) 1810 c. clxvi.

Consequential amendments

29. Schedule 5 (which makes miscellaneous minor amendments consequential on the other provisions of this Order) has effect.

Repeal and revocation of enactments

30.—(1) The enactments mentioned in the first and second columns of Part 1 of Schedule 6 are repealed to the extent specified in the third column.

(2) The byelaws set out in Part 2 of Schedule 6 (which were made under enactments repealed by this article) are also revoked to the extent specified in that Part.

(3) The transitional provisions set out in Schedule 7 have effect.

Changes to legislation:

There are currently no known outstanding effects for the The Environment Agency (Inland Waterways) Order 2010, PART 5.