

SCHEDULE 1

Articles 3 and 28(2)(c)

SCHEDULE 1 TO THE ANGLIAN WATER AUTHORITY ACT 1977

“SCHEDULE 1

Anglian Recreational Waterways Definition

PART 1

STATUTORY NAVIGATIONS IN RESPECT OF WHICH
THE AUTHORITY ARE THE NAVIGATION AUTHORITY

1. The New River Ancholme from Ferriby Sluice in the Parish of South Ferriby in the District of Glanford and the County of Humberside to Bishops Bridge formerly known as Bishops Briggs in the Parish of Glenthams in the District of West Lindsey in the County of Lincolnshire.
2. The River Nene Navigation from the outfall of the Northampton Arm of the Grand Union Canal at Cotton End in the Parish, District and County of Northampton to Bevis Hall in the Parish of Wisbech St. Mary in the District of Fenland in the County of Cambridgeshire.
3. The River Welland from Fosdyke Bridge in the Parish of Fosdyke in the District of Boston in the County of Lincolnshire to National Grid reference point TF 350345.

PART 2

STATUTORY NAVIGATION TO BE TRANSFERRED TO THE AUTHORITY

4. The River Stour from Brundon Mill in the Parish of Sudbury in the District of Babergh in the County of Suffolk to the Cattawade Barrage partly in the Parish of Brantham in the same District and partly in the Parish of Lawford in the District of Tendring in the County of Essex.

PART 3

OTHER WATERWAYS IN RESPECT OF WHICH THE
AUTHORITY ARE TO BE THE NAVIGATION AUTHORITY
AND WHICH ARE TO BECOME RECREATIONAL WATERWAYS

5. The River Great Ouse system comprising—
 - (a) The River Great Ouse from National Grid reference point TF 6028 0712 to Denver Sluice in the Parish of Denver in the District of West Norfolk in the County of Norfolk:
 - (b) The Old Bedford River from the Old Bedford Sluice in the said Parish of Denver to Welches Dam Lock in the Parish of Manea in the said District of Fenland:
 - (c) The Hundred Foot River, otherwise known as the New Bedford River, from Denver Sluice aforesaid to its confluence with the River Great Ouse in the Parish of Earith in the District of Huntingdon in the County of Cambridgeshire:
 - (d) The River Great Ouse, also known as the Ten Mile River and the Ely Ouse River, from Denver Sluice aforesaid to Popes Corner in the Parish of Thetford in the District of East Cambridgeshire in the County of Cambridgeshire:

Status: This is the original version (as it was originally made).

- (e) The Great Ouse Flood Relief Channel between the Head sluice lock at Denver and the Tail sluice at Saddlebrow:
 - (f) The Old West River from Popes Corner aforesaid to its confluence with the Hundred Foot River in the said Parish of Earith:
 - (g) The River Great Ouse, also known as the Bedford Ouse, from the Hundred Foot River in the said Parish of Earith to Kempston Mill in the Parish of Kempston Urban in the District of Bedford in the County of Bedfordshire:
 - (h) The River Little Ouse from Brandon Bridge in the Parish of Weeting-with-Broomhill in the District of Breckland in the County of Norfolk to its confluence with the River Great Ouse, when it is also known as the Ten Mile River and the Ely Ouse River, at Brandon Creek in the Parish of Southery in the said District of West Norfolk:
 - (i) The River Lark from Judes Ferry in the Parish of Mildenhall in the District of Forest Heath in the County of Suffolk to its confluence with the River Great Ouse, when it is also known as the Ten Mile River and the Ely Ouse River, at Pypers Hill in the Parish of Littleport in the said District of East Cambridgeshire:
 - (j) The River Cam from Bottisham Lock in the Parish of Horningsea in the District of South Cambridgeshire in the County of Cambridgeshire to its confluence with the River Great Ouse, when it is also known as the Ten Mile River and the Ely Ouse River, at Popes Corner aforesaid:
 - (k) Reach Lode from Reach in the Parish of Reach in the said District of East Cambridgeshire to its confluence with the River Cam in the Parish of Wicken in the same district:
 - (l) Burwell Lode from Burwell in the Parish of Burwell in the said District of East Cambridgeshire to its confluence with Reach Lode in the same parish:
 - (m) Wicken Lode from Wicken Fen in the said Parish of Wicken to its confluence with Reach Lode in the Parish of Swaffham Prior in the said District of East Cambridgeshire:
 - (n) The River Wissey from one mile upstream of Stoke Ferry Bridge in the Parish of Stoke Ferry in the said District of West Norfolk to its confluence with the River Great Ouse, when it is also known as the Ten Mile River and the Ely Ouse River, in the Parish of Fordham in the same district.
6. The River Welland from Hudd's Mill in the Parish of Stamford in the District of South Kesteven in the County of Lincolnshire to Fosdyke Bridge in the said Parish of Fosdyke.
7. The River Glen from Tongue End in the Parish of Bourne in the District of South Holland in the County of Lincolnshire to its confluence with the River Welland in the Parish of Surfleet in the same district."

SCHEDULE 2

Article 6

PARTICULARS FOR REGISTRATION

1. The name of the vessel.
2. The name and address of the owner of the vessel.
3. The name and address of the applicant if not the owner.
4. The size and dimensions of the vessel.
5. In which of the categories, designated for the time being by the Agency for the purposes of registration, the vessel falls.

6. Whether the application is for renewal of a registration or for a new registration.
7. The period of registration applied for.
8. In the case of a vessel which is subject to a requirement for insurance under article 11, a copy of a certificate of insurance for the vessel or other evidence that there is in force a policy of insurance in relation to it.
9. In the case of a vessel which is subject to any requirement under article 12—
 - (a) a certificate that the applicant has read the current specification applicable to the vessel under that article and that the vessel complies in every respect with that specification; and
 - (b) such additional information as the Agency may require concerning compliance with that specification.

SCHEDULE 3

Article 11

INSURANCE POLICIES AS TO VESSELS

1. An insurance policy must be issued by an insurer authorised under the Financial Services and Markets Act 2000⁽¹⁾ to carry on in Great Britain or in Northern Ireland insurance business of a relevant class or who has corresponding permission under the law of another member State.
2. Subject to paragraph 3, the policy must insure the owner of the vessel and such other person, persons or classes of persons (if any) as is or as are authorised by the owner to have control of the vessel, in respect of any liability which may be incurred by the owner or any such other person resulting from the presence of the vessel on the waterways in respect of the death of or bodily injury to any person or any damage to property.
3. The policy is not by virtue of this Order required—
 - (a) to cover liability in respect of the death, arising out of and in the course of employment, of a person in the employment of a person insured by the policy or of bodily injury sustained by such a person arising out of and in the course of that person's employment;
 - (b) to cover liability in respect of damage to the vessel to which the policy relates;
 - (c) to cover liability in respect of goods carried on or in the vessel to which the policy relates, or any vessel drawn or propelled by such vessel;
 - (d) to cover any liability of a person in respect of damage to property in that person's custody or under that person's control;
 - (e) to cover any contractual liability; or
 - (f) to provide cover in respect of any one accident for a sum in excess of such sum as may for the time being be determined by the Agency for the purposes of this paragraph.

SCHEDULE 4

Article 13

STANDARDS APPEALS PANEL

1. The standards appeals panel is to consist of not less than two persons appointed by the Agency and not less than three persons appointed by the Maritime and Coastguard Agency⁽²⁾, the

(1) 2000 c. 8.

(2) The Marine and Coastguard Agency is an executive agency of the Department for Transport.

Status: This is the original version (as it was originally made).

appointments in each case to be made at the Agency's expense and from amongst persons having knowledge or experience of relevant construction standards.

2. The Agency must refer any application duly made under article 13(3) to the standards appeals panel and provide the panel with reasonable facilities to determine the question which is the subject of the application.

3. Subject to the other provisions of this Schedule, the standards appeals panel is to determine its own procedure (including the quorum for any meeting).

4. A determination by the standards appeals panel of any question referred to it is final.

5. The costs incurred in convening the standards appeals panel in relation to any question referred to it, including the costs of the Agency in providing facilities for it, must be paid by such party as the panel may direct.

6. The standards appeals panel may cause the amount of the costs so incurred by it to be certified and any amount so certified and directed by it to be paid by a person may be recovered from that person by or on behalf of the standards appeals panel summarily as a civil debt.

7. The standards appeals panel may make orders as to the costs of the parties in relation to any question referred to it and as to the parties by whom the costs are to be paid.

8. Any order under paragraph 7 may be made a rule of the High Court on the application of any party named in the order.

SCHEDULE 5

Article 29

CONSEQUENTIAL AMENDMENTS

Anglian Water Authority Act 1977

1. Section 17 (charges) of the Anglian Water Authority Act 1977(3) is amended by the insertion in subsection (1) after "under this Part of this Act" of "and under the Environment Agency (Inland Waterways) Order 2010".

Southern Water Authority Act 1982

2. The Southern Water Authority Act 1982(4) is amended as follows—

- (a) in the definition of "registration certificate" in section 32 (Interpretation of Part IV), for "subsection (1)(c) of section 34 (Registration of vessels) or subsection (1)(c) of section 38 (Registration of houseboats) of this Act" there is substituted "the Environment Agency (Inland Waterways) Order 2010"; and
- (b) in section 46 (application of charging provisions) after "under this Part of this Act" there is inserted "and under the Environment Agency (Inland Waterways) Order 2010".

(3) 1977 c. i.
(4) 1982 c. xxii.

SCHEDULE 6

Article 30(2)

REPEALS AND REVOCATIONS

PART 1

ENACTMENTS REPEALED

<i>Chapter or Number</i>	<i>Short Title</i>	<i>Extent of repeal or revocation</i>
1932 c. xxxvii.	Thames Conservancy Act 1932	Section 91. In section 92(1) the words “registered under this Act”. Section 97(5).
1950 c. 1.	Thames Conservancy Act 1950	Section 13.
1966 c. xxxii.	Thames Conservancy Act 1966	Sections 3 to 5 and 7 to 16.
1977 c. i.	Anglian Water Authority Act 1977	Section 20.
1982 c. xxii.	Southern Water Authority Act 1982	Sections 33, 34, 36 to 38 , 40, 41 and 45 and Schedule 1.

PART 2

BYELAWS REVOKED

1. Parts 1, 2 and 3 of the Thames Registration Byelaws 1953.
2. The whole of the Anglian Water Authority Recreational Waterways (Registration) Byelaws 1979.
3. In the Thames Navigation Licensing and General Byelaws 1993—
 - Byelaw 77 Requirements as to construction and equipment;
 - Byelaw 78 Licences for vessels;
 - Byelaw 79 Licence plates and production thereof;
 - Byelaw 80 Inspection of vessels;
 - Byelaw 81 Exemption of vessels from licensing;
 - Byelaw 82 Engines generating electricity etc.; and
 - In Byelaw 85 (penalties) the reference to Byelaws 77, 78 and 82 in paragraph (a)(i).

SCHEDULE 7

Article 30(3)

TRANSITIONAL PROVISIONS

1. Paragraphs 2 and 3 apply to any vessel which, immediately before this Order comes into force, was registered with the Agency under—
 - (a) the Thames Conservancy Act 1966⁽⁵⁾;
 - (b) Part 4 of the Southern Water Authority Act 1982⁽⁶⁾;
 - (c) the Anglian Water Authority Recreational Waterways (Registration) Byelaws 1979;
 - (d) the Thames Registration Byelaws 1953; or
 - (e) the Thames Navigation Licensing and General Byelaws 1993.
2. Notwithstanding the repeal and revocation of enactments by article 28, the provisions of the Acts and Byelaws referred to in paragraph 1 continue to apply until the transition date.
3. Article 28(1) has no effect until the transition date.
4. In this Schedule, “the transition date” in relation to any vessel means the earlier of—
 - (a) the date on which a vessel’s registration under an enactment referred to in paragraph 1 would have expired had this Order not come into force; or
 - (b) the date on which that registration is revoked or otherwise ceases by virtue of the Acts and Byelaws referred to in paragraph 1.

(5) 1966 c. xxxii.

(6) 1982 c. xxii.