

Serial No.

**Draft Waterways Ireland Bye-laws (Northern Ireland)
 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 **15th 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 ...**Paul Garland**.....Position within organisation / group... **President**.....

Q1.1 Name of organisation / group**INLAND WATERWAYS ASSOCIATION OF IRELAND**

Q1.2 Address**CRUNKIL, ROOSKEY, CO. ROSCOMMON**.....

.....
Tel.....

Email**PRESIDENT@IWAI.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 ✓
- Erne System ✓
- Shannon-Erne Waterway ✓
- Shannon Navigation ✓
- Royal Canal ✓
- Grand Canal ✓
- Barrow Navigation ✓

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**

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

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
Shannon Navigation Bye-laws, 1992 and 1994	✓				National Representative Body
Shannon Navigation (Construction of Vessels) Bye-laws, 1992 and 1994	✓				National Representative Body
Canals Act, 1986 (Bye-laws), 1988	✓				National Representative Body
Lough Erne (Navigation) Bye-laws (Northern Ireland) 1978 and 1986	✓				National Representative Body

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

1. Enforcement of current Byelaws

2. Powers of Authorised Officers

3. No consistency between Shannon and Canals Acts Byelaws

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
All	Harbour Hogging	Enforcement and use of new technologies
All	Navigation at Night	To be allowed for in new Byelaws Sections 20-31 of the Col Regs define lights and their positioning which are boat-size dependent

SECTION 3

Content of the draft Waterways Ireland Bye-laws (Ireland)

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 (Ireland)	High Importance	Important	Not Important	Comments
BL 6 Compulsory registration of craft and payment of a fee.	✓			Please see attached commentary
BL17 Length of stay at public moorings reduced from 5 days to 3 days.	✓			Please see attached commentary
BL 19 Waterways Ireland's powers to designate speed limits where and when required.	✓			Please see attached commentary
BL 20 Waterways Ireland's powers to introduce zoning where and when required, thus restricting or prohibiting craft and/or activities at locations and/or times.	✓			Please see attached commentary
BL 24 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.	✓			Please see attached commentary
BL 30 Waterways Ireland's powers to remove, store or dispose of craft, objects or substances in the navigation.	✓			Please see attached commentary
BL 38(1) Introduction of Fixed Payment Notices for the contravention of certain bye-laws.	✓			Please see attached commentary

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

..... **Please see attached commentary**

The IWAI is of the view that the proposed byelaws lack clarity and at times are inconsistent

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Q3.2 How would you rate the overall provisions within the draft Waterways Ireland Bye-laws (Ireland)? (*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 (Ireland)?

..... **Please see attached commentary**

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**

*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.*

**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**

Questionnaires to be submitted by 15th October 2010