

Northern Ireland Water

Public Recreation and Access Guidance



Reference:	AD007b
Authors:	Rebecca Allen, Catchment Officer Roy Taylor, Catchment Manager
Issue Date:	Oct 2022
Review Date:	Oct 2024
Screened By:	Dymphna Gallagher, Head of Drinking Water Regulation
Approved By:	Paul Harper, Director of Asset Development
Distribution:	EXTERNAL NI Water Website

Introduction

NI Water is the second largest landowner in Northern Ireland having responsibility for over 11,000 hectares of land across Northern Ireland. We supply 560 million litres of clean water a day for approximately 1.9 million people as well as treating 320 million litres of wastewater a day.

NI Water make access available to many areas of our land for the public to enjoy for recreational purposes where it is safe to do so, whilst also protecting the natural environment and safeguarding the quality of drinking water supplied to our customers.

This Guidance has been developed to set out what NI Water expect from members of the public, organisations and groups who want to use our land and water bodies for recreational activities. Whilst allowing access, it is also essential that NI Water protect our drinking water sources, our assets on our sites and the sensitive habitats, which exist on much of our land holding.

Whilst there are many permitted activities that do not require an application, you will need to apply for an Activities Licence for some activities. This guidance document contains everything you need to know.

1. Activity Frequency

Individuals or small groups (<50) – No limit on frequency of access

Group events – An application will be required as detailed below and will be assessed.

Academic Work – Access for fieldwork and site visits for research or academic studies should be submitted via email to catchment@niwater.com.

Repeat annual events – A post-event assessment will be completed each year by NI Water to assess the on-going environmental impact to the publicly accessible site / reservoirs.

There is no limit on frequency of access, but entry charges do apply at Silent Valley Park. Details can be found at www.niwater.com/silent-valley

2. Protecting the Environment

NI Water are responsible for many sensitive and designated habitats. We aim to protect the environment and enhance biodiversity whenever possible by demonstrating high standards of environmental care. When accessing our sites we ask the public to respect the natural habitats that often provide homes to many rare species and wildlife.

Leave No Trace

NI Water endorse the 'Leave No Trace' ethos that has been developed by Outdoor Recreation NI in partnership with Sport NI. The toolkit can be viewed at www.leavenotraceireland.org. NI Water encourages the use of best practice and guidelines contained in these documents.

Outdoor Recreation

NI Water will continue to engage with Strategic Outdoor Recreation Group accommodate a more active and healthy society appreciating the outdoors. We will work in partnership with a wide range of organisations that have an interest in, or involvement with, outdoor recreation.

Environmental Risk Assessment

Much of the land we own are designated sites e.g. an Area of Special Scientific Interest (ASSI), which means they are afforded special environmental protection by law. An Environmental Risk Assessment is required with each application so that we can be sure that no harm will come to the habitats, animals, birds and surrounding areas as a result of activities or events.

For any activity outside the permitted list in Table 5.1, a specific application will be required to NI Water. This should include an Environmental Risk Assessment of the impacts on the surrounding environment. This needs to be done before any activity is permitted and if it is not completed the activity proposal may be rejected. Activities are only permitted on the sites listed and if a site is not listed then no activities are permitted without the prior consent of NI Water.

An Environmental Risk Assessment template can be found in the R&A Application Pack.

A lack of adherence to these guidelines resulting in environmental damage to NI Water landholdings may result in future denial of access for groups or individuals.

3. Security

The security of each NI Water Publicly accessible site or reservoir (and associated facilities and infrastructure) included within this Document must not be compromised as a result of any permitted recreational activity taking place. NI Water will carry out an assessment of the impacts on facility security before any activity is permitted and may be used as grounds to reject a proposal entirely.

Further, the event organiser will ensure that all persons associated with the event will abide by any instruction provided by NI Water employees and agents, whether given orally, in writing, or by way of signage, whilst on the premises.

4. Health and Safety

The event organisers are responsible for the health and safety of all participants. The applicant should complete a General Risk Assessment prior to any event and appropriate measures must be taken to ensure any risk to participants is minimised. Appropriate insurance cover should be in place as detailed in the application pack below.

A General Risk Assessment template can be found in the R&A Application Pack. Further guidance on health and safety and completing risk assessments can be found at the following link:

<https://www.hseni.gov.uk/topic/risk-assessment>

Please note that NI Water are not responsible for the vetting or approval of any Risk Assessment,

Method Statement, or such other documentation provided in respect of the event. Neither do NI Water warrant the suitability of such documentation in respect of the activity proposed by the Event Organiser by accepting receipt of same. It is the Event Organiser's sole responsibility to ensure that any documentation provided, including Health and Safety documentation, is both lawfully compliant and appropriate. It is the responsibility of the organiser to control, organise and ensure the health and safety of all event participants and onlookers.

5. Recreational Activities Permitted (No licence application required)

Table 5.1 below lists the activities which are permitted on NI Water owned land and bodies of water by any individual person or small group (<50 people), recreational group or other non-profit making group, without a formal licence application being required. An information sign is also provided at each publicly accessible site or reservoir to enable members of the public to know what activities are permitted.

Table 5.1

Name	Purpose	Existing Agreements or Club / Org licences	Permitted Public Activities
Altnaheglish (Banagher)	Impounding Reservoir, in service	None	A B D H R W
Altnahinch	Impounding Reservoir, in service	None	A B D H R W
Clay Lake	Impounding Reservoir, in service	SLA* with DAERA	A B D H R W
Copeland	Impounding Reservoir	SLA with DAERA	A B D H R W
Dungonnell	Impounding Reservoir, in service	SLA with DAERA	A B D H R W
Killylane	Impounding Reservoir, in service	SLA with DAERA	A B D E H R W
Lough Bradan	Impounding Reservoir, in service	SLA with DAERA	A B D H R W
Lough Cowey	Impounding Reservoir	SLA with DAERA	A B D H R W
Lough Lee	Abstraction Facility	SLA with DAERA	A B D H R W
Lough Money	Impounding Reservoir	None	A B D H R W
Lough Mourne	Impounding Reservoir	SLA with DAERA	A B D H R W
Loughmacrory	Abstraction Facility	SLA with DAERA	A B D H R W
Silent Valley	Impounding Reservoir, in service	None	B C D H R W
Ben Crom	Impounding Reservoir, in service	None	B D H R W
Blue Lough	Natural waterbody	None	B D H R W
Binnian Lough	Natural waterbody	None	B D H R W
Lough Shannagh	Impounding Reservoir	None	B H R W
Spelga	Impounding Reservoir, in service	SLA with DAERA	A B D H R W
Stoneyford	Impounding Reservoir	SLA with DAERA	A B D H R W
Woodburn North	Impounding Reservoir, in service	SLA with DAERA	A B D H R W
Upper Woodburn South	Impounding Reservoir, in service	SLA with DAERA	A B D H R W
Middle Woodburn South	Impounding Reservoir, in service	SLA with DAERA	A B D H R W
Lower Woodburn South	Impounding Reservoir, in service	SLA with DAERA	A B D H R W
Fofanny	Impounding Reservoir, in service	None	B D H R W
Ballysallagh Lower	Impounding Reservoir, out of service	SLA with DAERA	A
Ballysallagh Upper	Impounding Reservoir, out of service	SLA with DAERA	A
Boomers	Impounding Reservoir, out of service	SLA with DAERA	A
Church Road Upper	Impounding Reservoir, out of service	SLA with DAERA	A

Conlig Lower	Impounding Reservoir, out of service	SLA with DAERA	A
Conlig Upper	Impounding Reservoir, out of service	SLA with DAERA	A
Craigahulliar	Impounding Reservoir, out of service	None	B D H R W
Creightons Green	Impounding Reservoir, out of service	SLA with DAERA	A
Lough Fea	Impounding Reservoir, in service	SLA with DAERA	A
Lough Island Reavy	Impounding Reservoir, in service	SLA with DAERA	A
Quolie (Lower)	Impounding Reservoir, in service	SLA with DAERA	A
Quolie (Upper)	Impounding Reservoir, in service	SLA with DAERA	A
Seagahan	Impounding Reservoir, in service	SLA with DAERA	A

*Service Level Agreement

Key:

- A - Angling
- B - Bird Watching
- C – Cycling
- D - Dog Walking
- E - Equestrian
- H – Hiking
- R – Running
- W - Walking

Please note:

- Fishing should be via an affiliated club only and/or with relevant DAERA permit, as appropriate.
- When dog walking please keep your dog on a lead and take all dog waste home.
- Swimming activity by members of the public is strictly **not** permitted at any NI Water owned publicly accessible site / reservoir. This includes all reservoirs, whether currently in use or out of use. For more Guidance, refer to the following NI Water site: <https://www.niwater.com/ni-water-reservoirs/>.
- Cycling is permitted in the Silent Valley Park only on designated cycle paths and surfaced areas. Cycling elsewhere, without permission, is strictly **not** permitted.
- Activities involving motorbikes, scramblers or quad bikes are strictly **not** permitted on any NI Water landholding.
- No motorized boats of any kind are allowed onto NI Water waterways. No vehicles are allowed onto NI Water lands unless there is safe means to allow access.

6. Other Activities (Licence application required)

A formal licence application will be required by:

- Any profit making event planned on NI Water owned land or body of water.
- Any activity by a large group (>50 people),
- Any individual, organisation or group proposing to do an activity that is not listed as a permitted activity above.

Applicants should submit their proposal via the activity licence application pack (See Below).

7. Rules governing the use of NI Water lands and waters

Recreational activities must not:

- Put water quality at risk in any watercourse, whether owned by NI Water or not.
- Involve the setting of any fires, excluding the use of BBQs at designated BBQ spots.
- Increase the risk of wildfires, e.g. extinguish all cigarettes, BBQs, etc. fully and dispose of safely via a correct disposal route.
- Cause annoyance to the surrounding public.
- Present danger to the public or NI Water Staff.
- Damage sensitive habitats or the environment.
- Damage NI Water property.
- Result in additional operating or maintenance costs to NI Water.
- Expose NI Water to public liability claims.
- Leave litter or items that do not naturally belong on publicly accessible site / reservoirs.
- Conflict with conservation and environmental issues.

Recreational activities must be:

- Quiet and non-offensive.
- Non-intrusive to the surrounding dwellings.
- Practised responsibility and safely.

8. Activity Licence Application Pack

Application Instructions:

1. Complete the Activity Licence Application Pack (See Below) and return it via email to: R&A.Application@niwater.com
2. Completed packs must be received by NI Water **SIX WEEKS PRIOR** to event/activity. A commitment to provide proof of insurance will also be required at this stage before approval will be granted.
3. NI Water must receive proof of insurance no later than **FOUR WEEKS PRIOR** to the proposed event or activity. Failure to provide verification of insurance within this timescale will result in approval for the activity or event being withdrawn.
4. Retain this application for your records. This Guidance is also your copy of the rules for your event. Please follow these rules and requirements.
5. NI Water will review your application pack and either approve or reject in accordance with our Policy. Submission of a completed Activity Licence Application Pack does not guarantee approval. NI Water will contact you to notify you of the decision via the email you included in your submission.

9. Requirements and Rules

1. All appropriate parts of the following pack must be filled out. If this pack is not filled out your application will not be considered.
2. If the event is at Silent Valley, the entrance fees should be paid on the day of the event.
3. Agreement person(s) shall be responsible for penalties/damages caused by participants.
4. Arrangements for access and keys must be made in advance with the NI Water via the R&A.Application@niwater.com
5. All keys must be returned as per the agreement with NI Water and all buildings and bathrooms must be locked.
6. ALL activities must be concluded by 10:00pm in ALL facilities, unless prior approval has been given.
7. All participants participating in recreational activities on NI Water owned lands and waters must be made aware of the rules and requirements contained in this document. These rules must be made aware to everyone
8. The Contact Persons for the event are responsible for ensuring requirements and rules are followed.
9. Failure to abide by these rules may result in forfeiture of further usage by individuals or the organisation/club as a whole.

Activity Licence Application Pack

The following application serves as my request to use NI Water facilities. I have read and understand the rules governing the usage of these facilities and acknowledge that submission of this application serves as agreement to abide by these rules. I understand that submission of this request and agreement does not constitute approval of facility usage for the proposed activity.

Applicant Information

Full Name of
Person in
Charge:

Last

First

Phone:

Email:

Address:

Street Address

County

Postcode

Alternative
Contact
Person:

Email:

Phone:

Name of
Event/Activity:

Organisation Name:

Adult/Youth/Both:

Date/s of Event:

Start Time:

End Time:

Estimated Number of
Participants:

Location (NI Water
Publicly accessible
site / reservoir):

Description of Event
or Activity:

Impact on Drinking Water Quality

If boats/canoes are being used, will they be
sterilised before entering the water?

YES

NO

If yes give
details:

Will any machinery or motors be used on the
water or surrounding land?

YES

NO

If yes give
details:

Insurance

Insurance required:

- Cover of at least £10,000,000 (ten million pounds sterling)
- From an insurance company with a Credit Rating of atleast A- from A M Best or equivalent
- That lists the name of the organiser / organisation
- That includes indemnity to NI Water
- Lists NI Water as an event partner only
- **The Organisers must be named within the Insurance Certificate/Schedule. In addition, the Insurance Certificate/Schedule must provide indemnity to NI Water and waiver of subrogation against NI Water.**

Do you give a commitment to provide proof of insurance within the pre-stated timescales?

YES

NO

Signature of Person in Charge: _____

Date: _____

Standard Form of Indemnity

Where an application for the use of NI Water land or body of water for recreation has been approved it is subject to acceptance of the standard agreement below. Where the standard agreement proves unacceptable to the club, a more detailed agreement may be used for more complex activities or events.

Please read and sign:

Name of Organising Group hereafter referred to as 'the Organisers'.

In consideration of Northern Ireland Water ("NIW") permitting the Organisers to enter NIW property at:

_____ on _____ from _____ hrs to _____ hrs

The Organisers hereby indemnify NIW from all claims, demands, cost, actions and proceedings in respect of loss of life or personal injury unless caused by NIW's negligence or damage to property which may arise by reason of or in consequence of the said entry onto NIW property.

The Organisers also agree to pay the cost of making good all damage done or occasioned by reason of the exercise by the Organisers of the said right of entry onto NIW property.

The question of assessment of the damage is to be in NIW's sole discretion.

Without prejudice to the above the Organisers hereby accepts that supervision of the group shall at all times remain the responsibility of the Organisers.

Signed: _____

Print Name: _____

Date: _____

Reservoir Access Form (only for applications to access water at reservoirs)

Please read and sign:

I _____ of _____ (hereafter referred to as 'the Organisers') agree that, in consideration of Northern Ireland Water Ltd (NIW) granting the Organisers permission to access NIW's land or water at _____ Reservoir for the purposes outlined in the application, the Organisers will keep NIW fully and effectually indemnified in respect of all damage, losses claims proceedings and legal costs incurred as a result of:

- a) The death of or personal injury to any person unless caused by NIW's negligence.
- b) loss of or damage to any property which may arise out of or in consequence of the said access on to NIW's land.

The Organisers also undertake to maintain, and produce, on demand, evidence of public liability insurance from a reputable insurance company in respect of the risks covered by this indemnity, the minimum amount of cover at all times being at least £10,000,000 (ten million pounds sterling), unless otherwise agreed in writing, in respect of each and every claim.

The Organisers must be named within the Insurance Certificate/Schedule. In addition, the Insurance Certificate/Schedule must provide indemnity to NIW and waiver of subrogation against NIW. In the event of a claim being made because of the event the Organisers' Insurers will be expected to respond to any claims against NIW.

The Organisers also undertake to provide method statements and risk assessments in respect of the planned activities.

Signed: _____

Print Name: _____

Date: _____

NI WATER USE ONLY

Risk to drinking water quality:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Health and Safety Risk Identified:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Requiring Payment:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	_____ £	

Visit Approved: _____

Date: _____

Approved By: _____

General Risk Assessment

Risk Overview		Name of Event:			Date of Event:					
<u>RISK RATING:</u> Low risk - where minimal hazard is present and therefore risk is acceptable Medium risk - where hazard is present but acceptable with adequate control measures High risk - where hazard is unacceptable and should be avoided, or requires action to be taken to reduce risk to an acceptable level		Nature of event and Location:								
		Who might be at Risk? (staff, volunteers, participants, spectators and third parties)			Who is at risk after control measures have been put in place?			When is the action needed by?	Has this action been completed ?	Who carried out the action and when?
Event Activity (e.g. trail running)	Hazard Identification	Risk Rating			Existing and Additional Control Measures	Risk Rating				
		Low	Med	High		Low	Med	High		
Overview Completed By:					Date of Completion:					
Overview Reviewed By:					Date of Review:					

Environmental Risk Assessment

Risk Overview		Name of Event:			Date of Event:						
<p>RISK RATING: Low risk - where minimal hazard is present and therefore risk is acceptable Medium risk - where hazard is present but acceptable with adequate control measures High risk - where hazard is unacceptable and should be avoided, or requires action to be taken to reduce risk to an acceptable level</p>		Nature of event and Location:									
		What might be at risk? (wildlife, plant life (flora & fauna) and structures)			What is at risk after control measures have been put in place?			When is the action needed by?	Has this action been completed?	Who carried out the action and when?	
Event Activity (e.g. trail running)	Environmental Hazard Identification	Risk Rating			Existing and Additional Control Measures	Risk Rating					
		Low	Med	High		Low	Med	High			
e.g. Walking along designated forest path	e.g. Bogland parallel to path	e.g. mosses			e.g. Make users aware of unstable surfaces and ensure appropriate footwear is worn. Participants to stay on designated path with supervision. Participants made aware of protected species and walking route.	e.g. Participants aware of risk to mosses			e.g. 26/08/2021	e.g. Yes	e.g. JB 25/8/21
Overview Completed By:					Date of Completion:						
Overview Reviewed By:					Date of Review:						