



**MANX UTILITIES AUTHORITY
(the "Authority")**

**Conditions for Sailing by Manx Sailing and Cruising Club on West Baldwin Reservoir
(the "Reservoir")**

1. The Manx Sailing and Cruising Club, through its members shall be responsible for seeing that all these Conditions are observed.
2. In order to enforce these Conditions, an officer of the day (the "Officer of the Day") shall be appointed by Manx Sailing and Cruising Club and all participants and members of other clubs invited to partake with them, must obey his/her instructions. (In these Conditions all references to participants include members of other clubs invited by the Manx Sailing and Cruising Club to use the Reservoir). If the Officer of the Day considers that any participant is failing to observe these Conditions, he/she may require him/her to leave the Reservoir and shall report him to the Committee of the Manx Sailing and Cruising Club.
3. The Officer of the Day shall be responsible for enforcing the observance of the Conditions. If the Authority's Head of Water or his/her representative considers that any of these Conditions are not being observed, he/she will inform the Officer of the Day who must deal with the matter immediately. If the Authority's Head of Water or his/her representative is of the opinion that any individual has disobeyed any of these Conditions he/she may ask the Officer of the Day to require him/her to leave the Reservoir and the surrounding land.
4. The Manx Sailing and Cruising Club and participants shall not obstruct or interrupt any employee of the Authority in the proper execution of their duties.
5. If the Authority thinks it desirable, it may, without giving a reason, refuse to allow any person to act as Officer of the Day, or to have access to the Reservoir.
6. Only sailing as a sport is permitted. Motor-boating, rowing or swimming are not allowed except in an emergency.
7. All participants must do everything possible to prevent any pollution of the water in the Reservoir, or of the surrounding land. Participants must not harm the animal or plant life in, on or around the Reservoir. Strict instructions must be given to participants that no area on or around the Reservoir is to be used for toilet purposes. Toilet facilities may be made available by Ardwhallin Outdoor Education Centre, and this information must be relayed to all participants.
8. All boats must be brought onto the Reservoir only through the access indicated by the Authority's representative and by no other way. Vehicles must not go through the gate. Road trailers carrying boats must not be taken more than twenty feet inside the gate, which must be kept locked when not being used to bring in boats.
9. Vehicles are not to cause an obstruction or create congestion in any way on the highway.

10. Before a launching trolley or boat is put on the Reservoir, it must be sterilised outside by swabbing with one pint of chlorox in two gallons of water mixed in a clean bucket. The inside shall also be cleaned. When launching boats care must be taken not to wade in the water.
11. Only participants of the Manx Sailing and Cruising Club shall go onto the Reservoir or the surrounding land. All boats must be registered with the Manx Sailing and Cruising Club by name or number before use on the Reservoir. No dogs or other pets shall be taken onto the Reservoir or the surrounding land. Participants must not light fires or leave any litter or other material.
12. It is forbidden to take a boat onto the water unless the Officer of the Day and a prepared rescue boat with a crew of at least two are present.
13. The rescue boat to be beached on raised ground, such as a series of logs, to prevent the ground from becoming rutted.
14. The rescue boat must be powered by an outboard motor which can be swung inboard when out of use, so as to prevent any oil or petrol getting onto the water. The tank must be filled ashore and great care taken to prevent oil or petrol getting onto the Reservoir or onto the bank. In the event of a spillage of oil or petrol, appropriate spillage kits must be made immediately available, and the incident reported to the Authority's Head of Water. Any cleanup operation to be at the full and sole expense of the Manx Sailing and Cruising Club.
15. All participants must report to the Officer of the Day before taking a boat onto the Reservoir.
16. All boats must have sufficient buoyancy to prevent the boat sinking when swamped and also to support the weight of the crew.
17. All persons going onto the Reservoir must wear buoyancy aids of sufficient buoyancy to keep them afloat even if unconscious; if of the inflatable type they must be worn inflated. All buoyancy must be in good condition and in accordance with its class regulations.
18. Any marker or mooring bouys shall only be put out with the permission of the Authority's Head of Water and must be anchored with rope made of synthetic material such as nylon, which will float.
19. Not more than 30 boats shall be on the Reservoir at the one time.
20. Sailing will not take place if the Authority's Head of Water or his/her representative considers it undesirable.
21. Certain areas of the Reservoir are prohibited for sailing - boats must not go within 100 feet of the Valve Tower. All participants must acquaint themselves with these areas before sailing. Except in an emergency, boats shall not land anywhere except on the land by the entrance gate. Boats may be left on this land at the Manx Sailing and Cruising Club's risk, if they are taken away they must again be sterilised and cleaned before going on the Reservoir.
22. Fishing from any waterborne craft is not allowed.
23. The Authority shall not be liable for any injury or damage caused to a third party by any act of the Manx Sailing and Cruising Club when using the Reservoir and surrounding land.

Manx Sailing and Cruising Club will be expected to hold a valid and current Public & Products Liability Insurance with a minimum Indemnity Limit of £5 million.

24. Manx Sailing and Cruising Club will be expected to submit a risk assessment, method statements and Certification of Qualifications for each type of activity carried out on the Reservoir and surrounding land to the Authority's Head of Water before commencement of the winter sailing season.

25. Copies of the Conditions will be given to the Officer of the Day, who must ensure that every Manx Sailing and Cruising Club member is provided with a copy and sign a form agreeing to comply with them. The forms must be forwarded to the Authority's Head of Water if he/she so requests. If the Authority's Head of Water thinks it desirable to impose any further Conditions, he/she will communicate with the Committee of Manx Sailing and Cruising Club, so that they may be circulated in the same way.

26. Manx Sailing and Cruising Club shall take all necessary steps to ensure that there are no breaches of the provisions of section 36(1) and 36(5) of the Water Act 1991 while the Reservoir is being used by any participant. Copies of these sections are attached.

27. The Authority reserves the right to vary these Conditions at any time. Manx Sailing and Cruising Club must comply with any varied Conditions.

28. The Authority reserves the right at any time without giving any reason or any notice to withdraw permission for Manx Sailing and Cruising Club to use the Reservoir.

October 2018

Extract from the Water Act 1991

Part VI

Section 36 Pollution of water used for human consumption

36(1) If any person is guilty of an act or neglect whereby any spring, well, borehole, adit or reservoir, the water from which is used or likely to be used for human consumption or domestic purposes, or for manufacturing food or drink for human consumption, is polluted or likely to be polluted, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £5,000, or on conviction on information to a fine.

36(5) Any person who-

- (a) bathes in any reservoir or other waterworks vested in the Authority or in any stream vested in the Authority or which the Authority is authorised to take;
- (b) washes, throws or causes to enter in any such reservoir, waterworks or stream any dog or other animal;
- (c) throws or deposits any rubbish, dirt, filth or other noisome thing into any such reservoir, waterworks or stream;
- (d) washes or cleans in any such reservoir, waterworks or stream any cloth, wool, leather, animal skin, clothes, vehicle or other thing;
- (e) causes the water of any sink, sewer, drain, engine or boiler or any other filthy water under his control to run or be brought into any such reservoir, waterworks or stream;
- (f) does any other act whereby the water of the Authority is fouled;

shall be guilty of an offence and liable on summary conviction to a fine not exceeding £2,500.