

Statutory Notice

S.76B Water Industry Act 1991

Temporary ban on water use within the East region of Affinity Water Limited supply area

Prohibited use & definitions	Messages	Statutory exceptions & concessions under the Water Use (Temporary Bans) Order 2010	Non-statutory exceptions
(d) Cleaning a private leisure boat using a hosepipe “Private leisure boat” means a vessel or other thing, other than a seaplane, which is designed, constructed or adapted to move through, in, on or over water. The definition does not refer to such vessels: a) used in the course of a business; or b) made available or accessible to the public. The definition of the activity does not include: a) cleaning of any area of a private leisure boat which, except for doors or windows, is enclosed by a roof and walls; and b) using a hosepipe to clean a private leisure boat for health or safety reasons. Interpretation: Boats in private ownership only are included, whether trailer launched or not The definition extends to small watercraft such as canoes, kayaks, jet skis etc. In naval terms, a boat is small enough to be carried on another vessel (a ship). It is interpreted that ships and other large vessels such as cruise liners are normally used for commercial purposes so are not expected to come under this definition.	Customers may wash such boats and vessels by hand, using a bucket. The use of recycled water or rainwater is encouraged.	The cleaning of private leisure boats in respect of health or safety. This includes: a) removing or minimising any risk to human or animal health or safety; and b) preventing or controlling the spread of causative agents of disease. Biosecurity concerns associated with the reduced washing of boat hulls, such as the introduction of non-native species to the UK, are therefore covered under this exception.	• A hosepipe may be used by customers on the company's Priority Services Register who are physically unable or who cannot make adjustments (due to health reasons) to use a watering can/bucket safely. • A hosepipe can be used for filling a water tank in a boat where the water is to be used for washing, cooking or sanitation purposes. • A hosepipe can be used for commercial cleaning. • A hosepipe can be used to clean vessels that are a primary residence. • A hosepipe can be used in cases where fouling is causing increased fuel consumption. • A hosepipe can be used on engines that are designed to be cleaned with a hosepipe. • A hosepipe can be used to prevent or control the spread of non-native and/or invasive species where other means are not appropriate.
(e) Filling or maintaining a domestic swimming or paddling pool A “domestic swimming or paddling pool” means a swimming or paddling pool, other than a pool that is being used for the purposes of a business, which is: a) in a building or part of a building used principally as a dwelling; or b) on any land or in any building that is used or enjoyed in connection with (a). Interpretation: No formal definition of a swimming or paddling pool is provided but the intention appears to capture all pools that have a primary use that is not personal washing. No minimum size is specified. The restriction includes permanent and temporary facilities and whole or partial filling.	Customers may fill swimming and paddling pools by hand, using a bucket. Customers may choose to use a public swimming pool as an alternative to a private pool. Public pools are not covered by this restriction. Use of alternative water sources, including rainwater, is permitted. Backwashing of swimming pool filters is not covered by these powers; it is the topping up of the pool to replace lost water that is covered.	The definition excludes filling or maintaining a pool: a) where necessary in the course of its construction; b) using a hand-held container filled with water drawn directly from a tap; c) that is designed, constructed or adapted for use in the course of a programme of medical treatment; d) used for the purpose of decontaminating animals from infections or disease; e) used in the course of a programme of veterinary treatment; f) in which fish or other aquatic animals are being reared or kept in captivity.	• A hosepipe may be used by customers on the company's Priority Services Register who are physically unable or who cannot make adjustments (due to health reasons) to use a watering can/bucket safely. • A hosepipe can be used when filling a swimming pool, paddling pool, swim spa or exercise spa that is a fixed structure from empty after construction or significant refurbishment. In this case significant refurbishment should be treated as equivalent to construction. Once it has been refilled then a hosepipe cannot be used for any subsequent filling. • A hosepipe can be used for pools within places of worship or community pools when they are used as part of a religious ceremony.
(f) Drawing water, using a hosepipe, for domestic recreational use “Domestic recreational use” means: a) recreational use in connection with a domestic swimming or paddling pool; or b) recreational use on land that is used or enjoyed in connection with a building, or part of a building, used principally as a dwelling, other than for the purposes of a business. Interpretation: This is interpreted to mean both slides designed to be used with water and any temporary or “ad-hoc” water slides or sprinklers. It is taken to refer to recreational use for both children and adults.	Customers may use a bucket to fill similar recreational equipment, for example to enable children to play. Filling of recreational toys directly from a tap is not included. Many Local Authorities have recreational facilities for children in particular as part of their parks.	None	• A hosepipe may be used by customers on the company's Priority Services Register who are physically unable or who cannot make adjustments (due to health reasons) to use a watering can/bucket safely. • A hosepipe can be used when filling a hot tub that is a fixed structure from empty after construction or significant refurbishment. In this case significant refurbishment should be treated as equivalent to construction. Once it has been refilled then a hosepipe cannot be used for any subsequent filling. All other uses for hot tubs are not permitted. • A hosepipe can be used for filling a water tank in a caravan or motor home where the water is to be used for washing, cooking or sanitation purposes.
(g) Filling or maintaining a domestic pond using a hosepipe “Domestic ponds” are defined as a pond, including a swimming pond, on land that is used in connection with a building, or part of a building, used principally as a dwelling; and is not being used for the purposes of a business. Interpretation: The definition of both domestic and non-domestic ponds is interpreted to include both manmade and natural ponds of any size. It is assumed that the definition of both domestic and non-domestic ponds refer to both outdoor and indoor ponds including ornamental ponds. The activity covers both the filling and the topping up of these ponds.	All ponds can be filled by the use of buckets. The use of rainwater or other alternative (non-potable) sources is permitted.	Ponds in which fish and other aquatic animals are kept are exempt from this activity. The activity does not include filling or maintaining a pond in which fish or other aquatic animals are being reared or kept in captivity.	• A hosepipe may be used by customers on the company's Priority Services Register who are physically unable or who cannot make adjustments (due to health reasons) to use a watering can/bucket safely.
(h) Filling or maintaining an ornamental fountain “Ornamental fountains” are defined by as including a cascade or any other display of moving water. Interpretation: This includes filling by any means including permanent plumbing, and is not limited to use of a hosepipe. The definition includes any water fountain or artificial cascade that serves as a purpose that is primarily decorative. This is interpreted to include sculptures that have a water component. This definition applies to fountains and cascades that are privately and publicly owned and applies to features that recycle water and those that do not.	All fountains can be filled by the use of buckets. The use of rainwater or other alternative (non-potable) sources is permitted.	Filling or maintaining an ornamental fountain which is in or near a fish-pond and whose purpose is to supply sufficient oxygen to the water in the pond in order to keep the fish healthy.	• A hosepipe may be used by customers on the company's Priority Services Register who are physically unable or who cannot make adjustments (due to health reasons) to use a watering can/bucket safely. • Ornamental fountains within places of worship or community ornamental fountains can be filled when they are used as part of a religious ceremony.
(i) Cleaning walls, or windows, of domestic premises using a hosepipe This category as applies only to the cleaning of the external walls or windows of domestic premises. The definition excludes cleaning activities for health or safety reasons. “Domestic premises” under this activity means: a) a building used principally as a dwelling or dwellings; b) a garage, shed, outbuilding or other building or structure used or enjoyed in connection with a building used principally as a dwelling; or c) a wall or other means of enclosure within the curtilage of a building used principally as a dwelling. Interpretation: This is interpreted to relate to all domestic building structures, whether they are permanent or temporary. Roofs are not interpreted as being covered, other than with respect to sky-light or similar windows. Domestic roofs are a specifically covered activity of ‘cleaning other artificial outdoor surfaces using a hosepipe’.	Customers may clean building walls and windows by hand, using a bucket. If a building can be cleaned by permanent plumbing then it is still a permitted activity. Storage tanks - restrictions apply to water drawn from the mains supply after the statutory notice has been given. So, water drawn into a container prior to that date may be used for cleaning the exterior of buildings. Greywater and rainwater may be used to clean walls or windows.	The cleaning of domestic walls or windows in respect of health or safety. This includes: a) removing or minimising any risk to human or animal health or safety; and b) preventing or controlling the spread of causative agents of disease. The grounds for an exception for these purposes are considered to be rare – perhaps linked to accidents and incidents. Washing windows at height by hand should be minimised in order to reduce the risk of falls from height (Work at Height Regulations 2005).	• A hosepipe may be used by customers on the company's Priority Services Register who are physically unable or who cannot make adjustments (due to health reasons) to use a watering can/bucket safely. • A hosepipe can be used where cleaning apparatus is not connected to mains supply. Electric pumps that are connected to water butts filled by rainwater are not covered by the restrictions. • A hosepipe can be used to clean the walls and windows of domestic premises where this is done by a business as a service to customers. NB for clarity: the use of water-fed poles by commercial cleaners for window cleaning at height is permitted under the H&S statutory exception. The domestic use of a water-fed pole is not permitted under the TUB. • A hosepipe can be used as part of the process of removing graffiti from domestic premises when the graffiti is a hate crime, insulting or offensive, as this links to the statutory H&S exception.
(j) Cleaning paths or patios using a hosepipe The definition excludes cleaning paths or patios using a hosepipe for health or safety reasons. Interpretation: It is interpreted to include the cleaning by hosepipe of all paths or patios by domestic and non-domestic customers. It is interpreted that this would include paths and patios made of any material such as concrete, paving slabs, stones, permeable paving etc.	Customers can sweep paths or patios and they may wash them by hand using a bucket.	The cleaning of paths and patios in respect of health or safety. This includes: a) removing or minimising any risk to human or animal health or safety; and b) preventing or controlling the spread of causative agents of disease.	• A hosepipe can be used to clean the paths or patios of domestic premises where this is done by a business as a service to customers. NB for clarity: the use of water-fed poles for cleaning at height is permitted under the H&S statutory exception. The domestic use of a water-fed pole is not permitted under the TUB. • To customers on the company's Priority Services Register who are physically unable or who cannot make adjustments (due to health reasons) to use a watering can/bucket safely. • A hosepipe can be used where cleaning apparatus is not connected to mains supply. Electric pumps that are connected to water butts filled by rainwater are not covered by the restrictions. • A hosepipe can be used as part of the process of removing graffiti from domestic premises when the graffiti is a hate crime, insulting or offensive, as this links to the statutory H&S exception. • A hosepipe can be used as part of the process of preventing or controlling the spread of non-native and/or invasive species, where this cannot reasonably be done using other preferred means.
(k) Cleaning other artificial outdoor surfaces using a hosepipe “Artificial outdoor surface” means any of the following: a) any area outdoors which is paved or laid with hard or artificial material; b) timber decking; c) a quay; d) a trailer designed, constructed or adapted to launch boats or other vessels or craft into water, other than a private motor-vehicle; e) the roof of any domestic premises. “Quay” includes jetty, pontoon, wharf and slipway. Interpretation: It is interpreted to include the cleaning by hosepipe of all exterior surfaces, by domestic customers. This includes driveways (both domestic and non-domestic); and marine infrastructure such as pontoons and slipways, whether fixed permanently in position or floating.	Customers can sweep outdoor surfaces and they may wash them by hand using a bucket.	The cleaning of artificial outdoor surfaces using a hosepipe in respect of health or safety. This includes: a) removing or minimising any risk to human or animal health or safety; and b) preventing or controlling the spread of causative agents of disease.	• A hosepipe can be used to clean artificial outdoor surfaces of domestic premises where this is done by a business as a service to customers. NB for clarity: the use of water-fed poles for cleaning at height is permitted under the H&S statutory exception. The domestic use of a water-fed pole is not permitted under the TUB. • A hosepipe may be used by customers on the company's Priority Services Register who are physically unable or who cannot make adjustments (due to health reasons) to use a watering can/bucket safely. • A hosepipe can be used where cleaning apparatus is not connected to mains supply. Electric pumps that are connected to water butts filled by rainwater are not covered by the restrictions. • A hosepipe can be used as part of the process of removing graffiti from domestic premises when the graffiti is a hate crime, insulting or offensive, as this links to the statutory H&S exception. • A hosepipe can be used as part of the process of preventing or controlling the spread of non-native and/or invasive species, where this cannot reasonably be done using other preferred means.