

Open Water: Safety Policy.

Environment and Waste

28 February 2025
Version 2

Contents

Page 1	Introduction
Page 3	Purpose
Page 3	Scope
Page 4	Policy background and statement
Page 6	Water Health and Safety process
Page 9	Mitigating unrestricted access
Page 12	Responsibility
Page 13	Appendix

Introduction

The Open Water Safety policy defines the council's approach to the management of open water sites in council control and land adjacent to open water that may be managed by others. The policy aim is to provide a consistent approach to areas of open water by the council leading to improved health and safety outcomes for residents and visitors to Milton Keynes.

The policy and the associated Health and safety management procedure identifies the objectives and approach to risk assessment that is specific to open water sites. A suitably qualified and experienced independent Safety and Health Practitioner has reviewed the policy.

Milton Keynes has a wide variety of water bodies most of which have been modified by humans to some extent or are manmade. The shape and size of these water bodies is diverse as is their purpose and use. The Council recognises the positive contribution that professionally managed water spaces can provide to the area. For example: a series of linear parks were created as part of the Master Plan for the new city, these follow the river and stream corridors providing a host of benefits such as cycle ways (Redways) recreation, wildlife habitats and flood resilience. The linear park network is managed by the Parks Trust who the Council partners within the Water Safety group.

The types of open water within Milton Keynes include:

- Lakes: Includes large areas such as Tongwell and Mount Farm, built as balancing lakes but also providing recreation and wildlife benefits
- Lagoons – Blue Lagoon Local Nature Reserve and Jubilee Lagoon – redundant brick pits
- Canal – approximately seventeen kilometres
- Rivers - Ouzel and Ouse, which have a series of flooded gravel working pits, including Emberton Park
- Ponds – over one thousand across the Borough (including seasonal)
- Streams, brooks, and ditches
- SUDS (Sustainable Urban Drainage Systems)

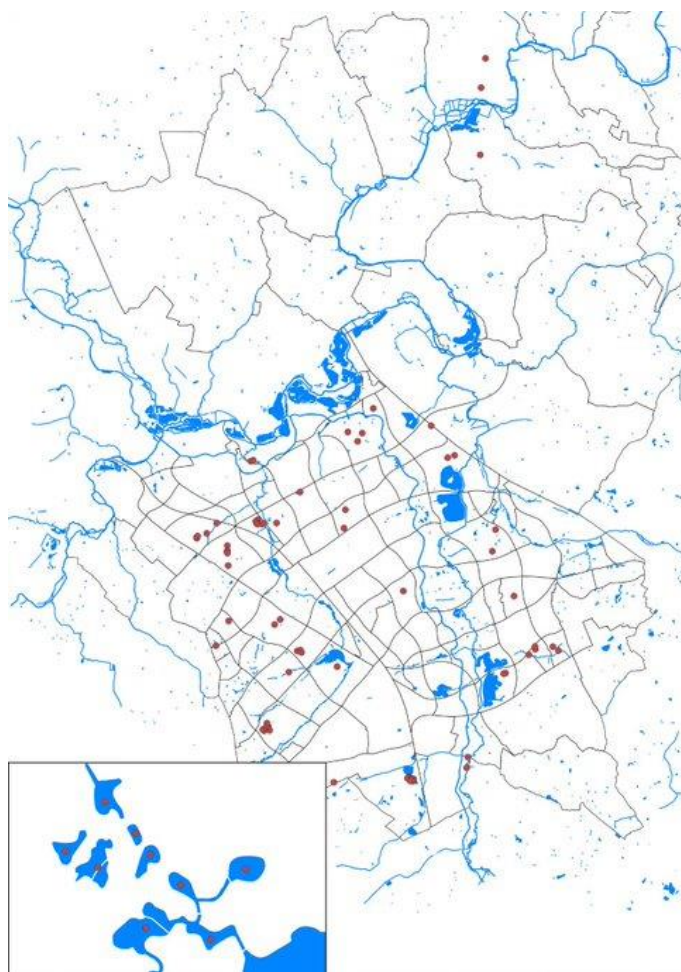


Fig 1. Main water bodies in Milton Keynes and pond locations and detail example

Not all these features are the direct responsibility of the Council however, land associated with Council managed parks or rights of way are often adjacent to these water bodies. The Council also recognises that these bodies are dynamic and therefore risks can change of overtime – from day to night and winter to summer. The Council will work with other landowners to share knowledge and inform the public of the hazards associated with water bodies.

The policy refers to hazards associated with open water sites, but its focus is the potential for people to suffer serious incidents including drowning. Open water can present significant risks that may vary in response to environmental changes, for example, the desire to swim in cold water on a hot day or the attraction to walk or skate on ice in the winter. Behavioural trends such as paddle boarding, or “wild swimming” must be factored in. It is not practical to deny access to all water nor is it necessary to erect barriers at all locations. The Council in its risk assessment of open water will take all ‘reasonable steps’ to protect people from danger.

Within Milton Keynes there are several open water sites under the ownership and management of Milton Keynes City Council. The policy also considers water bodies that, although not owned by the council, do border on council owned land.

Historical data for drownings within Milton Keynes indicates since 2012 there have been eighteen deaths associated with open water across Milton Keynes. Of these deaths: six involved the canal, six in lakes, four in rivers and two in streams / ditches. The coroner's office has recorded that five of the deaths were judged to have been suicide, one as misadventure and one recorded as an open verdict. In five other occasions alcohol may have played a part. The remaining deaths were the result of accidents, one attributed to an unintended slip in a remote location and five where a person intentionally entered the water but unfortunately drowned.

Clearly one death is too many and the distress this brings to families and friends cannot be underestimated. The information on fatalities does not show any obvious trends regarding location however, like the national picture¹ males are much more likely to be victims. Additionally, there are deaths where alcohol was a contributing factor, the promotion of National campaigns such as the Royal Life Saving Society's "Don't Drink and Drown"² which encourages smart decision-making whilst inebriated around water should be promoted.

The total number of open water related incidents that may occur across Milton Keynes is not possible to know (due to the size of the city and that it is not feasible to provide direct supervision of use). Milton Keynes City Council record all reported incidents (by public, staff, volunteers, or contractors).

Purpose

The purpose of this Policy is to outline how Milton Keynes City Council aims to protect employees, residents, and visitors alike; to ensure satisfactory measures for safety in which all can function, work, and use safely the open water aspects of Milton Keynes. This policy recognises the need to collaborate with partners both nationally to highlight the risks, share information and promote a water safety message to the whole community.

Scope

The scope of this policy applies to all staff employed by Milton Keynes City Council. The policy also extends to non-employees including public and partner organisations using or visiting land that include water features either owned or under the management of Milton Keynes City Council.

¹ <https://www.rospa.com/rospaweb/docs/advice-services/leisure-safety/inland-waters-risk-assessment.pdf>

² <https://www.rlss.org.uk/pages/category/dont-drink-and-drown>

Policy background and statement

Milton Keynes City Council will provide appropriate arrangements for the management of areas of open water on or adjacent to sites owned by the council. These measures will ensure, as far as reasonably practicable, that all open water facilities and other water-based facilities for which the council are responsible for, are maintained in a safe condition for the benefit of the users and the safety of employees. Not all areas of open water will be risk assessed but the council will take reasonable steps to assess any identified water bodies that are known to be of significant risk.

Legal responsibilities

Milton Keynes City Council acknowledges the statutory duties placed on the organisation for the management of open water under its control, and for the need to provide for the safety and the wellbeing of employees and non-employees, including visitors. Both statute and common law have a relevance to the operation of inland waters. Milton Keynes City Council must ensure compliance, as far as is reasonably practicable, with relevant legislation. All landowners have a duty of care under the Occupiers Liability Act 1957 & 1984 to take reasonable steps to safeguard those on their land. In line with this duty this water safety policy and risk assessment procedure has been produced.

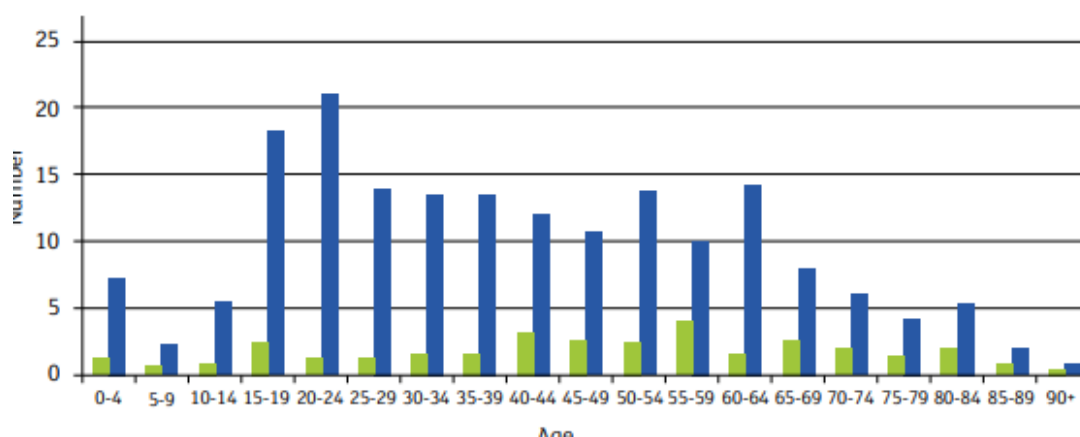


Fig 2. National average annual accidental and natural-cause drowning deaths (2009-2013) – shows clear difference between male (blue) and female (green).

Despite Milton Keynes being some distance from the sea there are many opportunities to access open water. With a growing population and a young demographic, the risks increase, presently this represents between 1 and 2 deaths per 100,000 of the population, represented by green on the map below. Nationally two-thirds of all accidental drownings happen along linear waterways, such as rivers/streams and canals (62%). A quarter (23%) happen at enclosed features, such as lakes, reservoirs, or quarries. Communities with the largest population in proximity to the greatest amount of water have a fatality rate up to three times higher than those communities with the least.

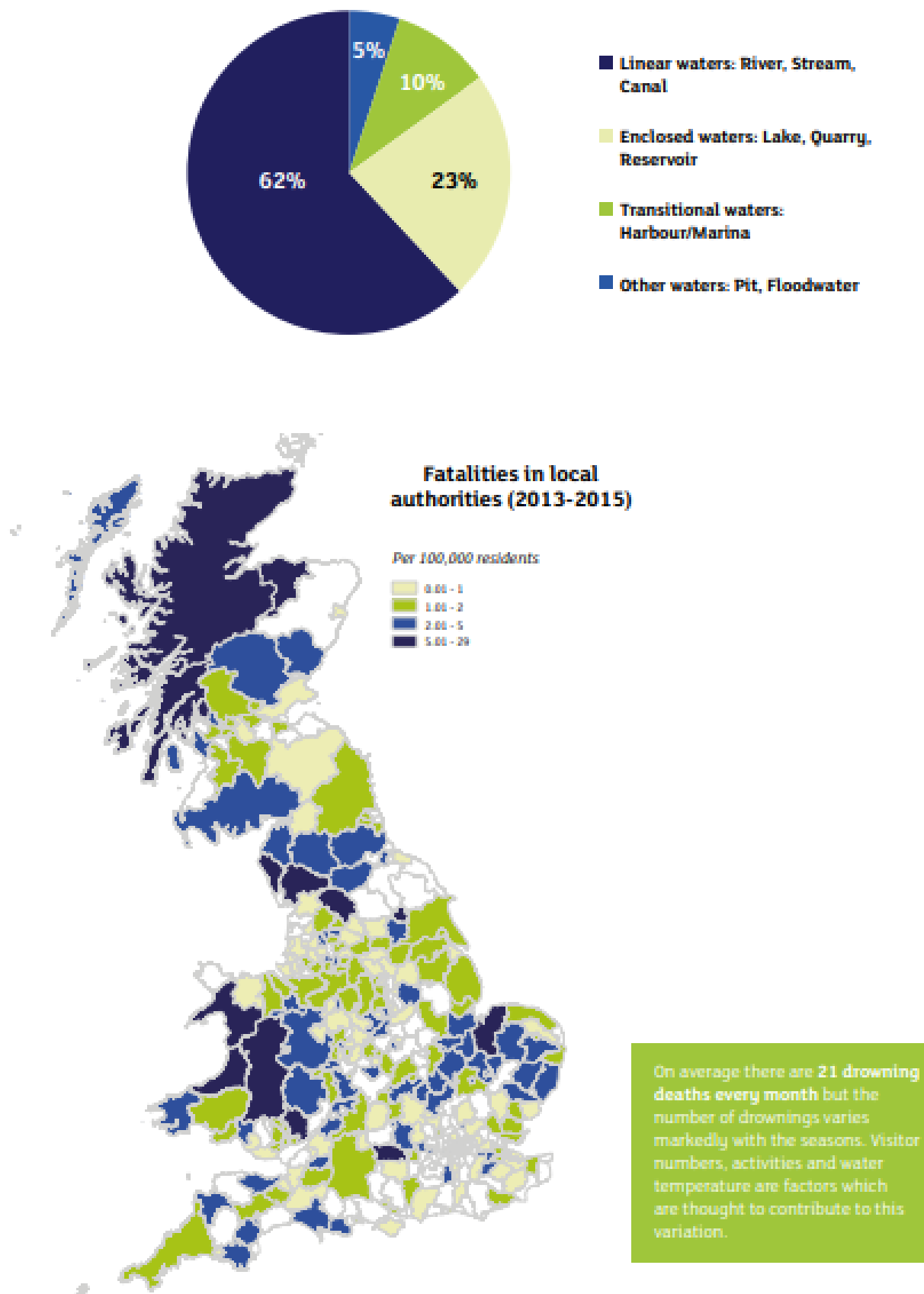


Fig 3. Accidental fatalities (%) by location (2009 – 2013) (Reference: ROSPA - Managing Safety at Inland Water Sites 2018)

Water Health and Safety Process

To assist in achieving the aim of the policy, and help ensure the Council is complying with relevant statutory requirements, the following methodology is to be applied:

Table 1. Water safety process

Identification	Process	Outcome
Where:	Identification of MKCC open water sites or those adjacent to.	All open water sites including rivers, ponds, streams, open drains, drainage ditches and recreational lakes/water features are identified. Identify all sites and owners
What:	Determining where open water hazards exist or may exist	Identify the water hazard, its environment, location, layout, (natural and constructed), existing environmental management, recreational use, and activities. The main hazards include size, depth, temperature and location of the open water, slips, trips & falls, submerged hazards, and water borne diseases. Identified sites for assessment.
Assess:	Undertake open water risk assessments: severity/likelihood and measures to reduce.	Carryout suitable and sufficient assessments. Risks identified will be reduced as far as reasonably practicable. To reduce these risks will ensure that identified control measures will be applied and could include: • Signage and information • Rescue equipment • Health and safety training employees Reduce Risk
Communication	Work with others to disseminate.	Information will be supplied as far as reasonably practicable to employees, users and managers on open water hazards and control measures. Work with the Milton Keynes water Safety partnership to promote water safety to the whole community and share lessons learnt and best practice. Inform and empower.
Monitoring and Review	Share data, progress, review, and revise.	Open water risk assessments will be reviewed if there: • has been a notable change • is reason to suspect the risk assessment is no longer valid • there has been an incident/accident or near miss. Continuous improvement

Risk assessment

Milton Keynes City Council will ensure that risk assessments are completed for identified open water sites that are either owned or managed by the council. There are many probable causes of drowning which form the links in the drowning chain. It is essential to counter these factors and break the link in the chain as soon as possible, preferably before rescue is required. The links are:

- Lack of appreciation or knowledge of risk
- Ignorance, disregard, or misjudgement.
- Unrestricted access to hazards.
- Absence of adequate supervision.
- An inability to save oneself or be rescued.

Raising awareness

The council understands that providing literature/information on water safety to both the public and employees can help in the prevention of accidents and drowning. In conjunction with council partners the development of this information will be ongoing, to fully engage, and keep afresh the safety message to people. The purpose of such information is to heighten people's perceived risk of open water and its surroundings to match that of the real risk.

The council recognises the importance when considering children around open water as often their perceived risk of a hazard is extremely low and will support initiatives to increase awareness of open water safety. The Council will communicate safety concerns with other land managers and encourages the public, landowners, and other stakeholders to inform the Council of concerns they may have regarding Council managed open water.

Off-site information

The council will provide off-site information to the public as follows:

- Water safety internet information – will provide water safety information, guides, alternative options (swimming pools, wild swimming groups and other key water safety information (such as those shared by the RLSS).
- Water Safety Advice and Information provided by the water safety group members and national campaigns.
- Media – timely press releases will feature in local newspapers and relevant council communications and social media.
- Hazard alley - world's first interactive indoor safety education centre with aim introducing children to risks, dangers and hazards in a totally safe environment.³

³ <https://www.safetycentre.co.uk/scenarios-activities/water-safety/>

On-site information

Subject to individual site risk assessments, site signage will be used to improve and to help ensure greater awareness of the potential dangers of water. These signs will provide general safety information and/or warn of specific hazards, such as 'Deep Water.' Where a need has been identified signage will be:

- Placed at major entry points to parks advising of the presence of and potential hazards related to water.
- These provide site names, emergency instructions, maps showing locations of water bodies and what safety equipment if any is provided along with warning symbols to increase awareness.
- Safety points are located alongside any safety equipment and provide general safety advice and organisational information.
- Reminder ("Nag") point signs are located at places where visitors are known or most likely to access the water and there is a history of misuse. These provide site names and warning messages.

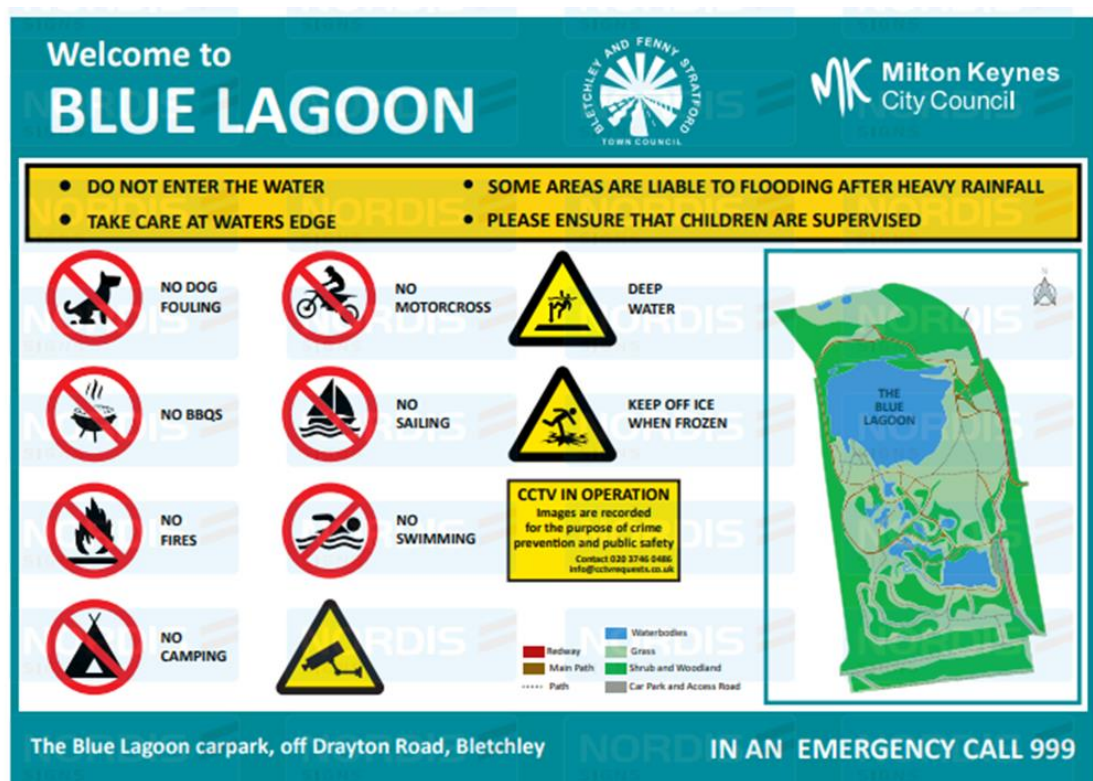


Fig 4. Example water safety sign

Notices and signs will comply with the Safety Signs Regulations Health and Safety and Colours and conform to BS ISO 3864-3:2012 Design of Graphical Symbols for use in Safety Signs Requirements. New signs to incorporate "what three words" to assist emergency services in locating potential incidents.

Rescue Equipment

Rescue equipment will only be provided where the risk assessment shows it would be appropriate:

- An increased risk of drowning has been identified within the normal use of the site.
- It is to accept a prospective rescuer would be in the location.
- Practical to maintain it against misuse and vandalism.

Rescue equipment will only be provided when all these conditions are met, and it will necessitate an inspection process is in place to ensure the equipment is available and fit for purpose.



Fig 5. Secure throw line

Mitigating unrestricted access

Milton Keynes City Council recognises that it is neither reasonable nor practical or desirable, to attempt to prevent drowning by denying access to water, or by providing supervision along every water's edge. However, the council accepts its responsibility to play its part in controlling the risk to a reasonably practicable level. Risk assessment will help to determine if restricting access is practicable or desirable and it will help to identify appropriate risk control measures.

The council recognises that protective measures should always be supplemented by adequate information and warnings, including education of visitors and where appropriate, rescue equipment and supervision. The provision of edge protection, and whether it is required will be decided subject to individual site risk assessments.

The council: in undertaking site improvements or implementing specific projects associated with open water, will consider the following:

- Where the water's edge is open and accessible and is to remain so, consideration will be given to grading the edge profile appropriately to reduce the risk to an acceptable level.
- Where development work is being undertaken and there are opportunities to provide a graded entry into the water for safety reasons, the council will endeavour to ensure that shallow water of a depth of less than 0.65m will extend to a minimum of 2m from the land water edge with a gradient of a maximum of 1 in 3 (33%).
- Where the edge is not steep and the risk of falling into the water is not so serious, the planting of water plants (reeds, willows, etc.) will discourage swimmers. Alternatively, where access to the water's edge is not required but either a steep gradient (risk of falling) or very shallow gradient (swimming temptation) exists, the planting of 'hostile' vegetation or use of fallen trees used as a barrier.

Mitigating absence of supervision

Except for water-based activities organised by the council or partner organisations, supervision at areas of open water will not be provided. It is intended that visitors are encouraged to supervise themselves by virtue of the measures outlined in this policy.

Safety inspections and hazard identification

The council will ensure that routine safety inspections are conducted for all council managed open water sites where the need has been identified by risk assessment. The frequency of the inspections will be specified and reasoned as part of the site-specific risk assessment and will consider known characteristics and issues, for example, swimming locations, signage, vandalism, and local knowledge. Inspection records will be completed, and any issues highlighted, and recommendations implemented following each site inspection.

Environmental management

Environmental hazards can incorporate both natural and human-caused pollutants. Natural pollutants, such as blooms of blue green algae, that form during periods of warm weather and pollutants such as oil or sewage that are discharged into areas of open water present a range of hazards to visitors.

Where wildlife, visitors or domestic animals are at risk because of natural or manufactured pollution, the council will determine appropriate control measures in conjunction with key partner agencies. The council does not routinely evaluate Water quality. Testing will only be conducted in line with specific requirements for water activities or if specific hazards are identified during the risk assessment process.

First aid provision at open water sites

First aid arrangements will be provided when there are employees on site, but outside those times no first aid provision is made at open water sites. All contractors with a formal agreement to use council owned areas of open water must provide sufficient first aid equipment for their employees.

Register of users

The council will make available arrangements for any a group, organisation or individual to notify the council of their intention to use an area of water for an activity. The council will reserve the right to impose restrictions on use of any open waterbody under its own control at any time.

Notification will also apply when use of open water falls outside of the normal arrangements of a club or group using the water by lease, license, or any other formal agreement, i.e., a club requiring use of the water for activities not specified by agreement. For example, a sailing club requiring use of the water for an organised swimming event.

The council will maintain a register of organisations or individuals that notify their intention to use any open waterbody for water-based activities, for example, sailing, diving,

swimming, and fishing. Upon notification, the council will provide all known relevant information, guidance and assessments relating to the respective waterbody so that users can make appropriate arrangements to manage associated health and safety risks. The council will maintain a record of all information provided to respective users but is not able to monitor arrangements or recommendations for use of each waterbody throughout Milton Keynes.

The event organiser will be responsible for organising event activities in line with the site's normal operating procedures. Risk assessments should be available if requested in advance of each new event, including the provision of an emergency action plan and details of the supervision and rescue arrangements. Organisations using council open water should have an appropriate level of public liability insurance in place.

New Water bodies

Where the council is to adopt new water features such as ponds within landscape or Sustainable Urban Drainage a risk assessment will be requested before transfer. The assessment is to be carried out by a suitable qualified person or organisation to ensure the feature has been designed and constructed in accordance with industry standards and there are no inherent safety issues.

MK Water Safety Group

The group meet several times a year to talk about the water safety issues identified by members across Milton Keynes, how these are being managed and how the group can coordinate and support one and other. Members include the Parks Trust, Environment Agency, Thames Valley Police, Canal and Rivers Trust, Bucks Fire and Rescue Service and other user groups.



Fig 6. "Be safe in open water" Example of a national campaign that can be published by and through the group members.

Open water sites not under Council jurisdiction

Although the council holds the land management responsibilities for some sites within Milton Keynes there are many more areas of open water within Milton Keynes that are not owned by the council. In such circumstances the council will encourage riparian landowners (owners of land with water) to adopt a similar open water safety policy where practicable.

Responsibility

It will be the responsibility of the respective manager(s) of the council to implement and monitor all actions that have been identified within the site-specific water safety risk assessment. This open water safety policy will be reviewed on a regular basis and amended in line with notable change by the policy owner. Where appropriate information will be shared with stakeholders and other land managers to improve water safety outcomes for the whole of Milton Keynes.

The council will ensure that suitable and sufficient assessments are completed to evaluate risk against the following factors as to the likelihood and severity of someone accessing the water and will identify any action required to reduce the risk.

- The nature of the water.
- Behavioural factors.
- The proximity of deep water to water's edge.
- The water's edge itself.
- The accessibility of the water.
- Known accident history.
- Activity in the surrounding area (hinterland activity).
- Mitigating ignorance, disregard, or misjudgement.

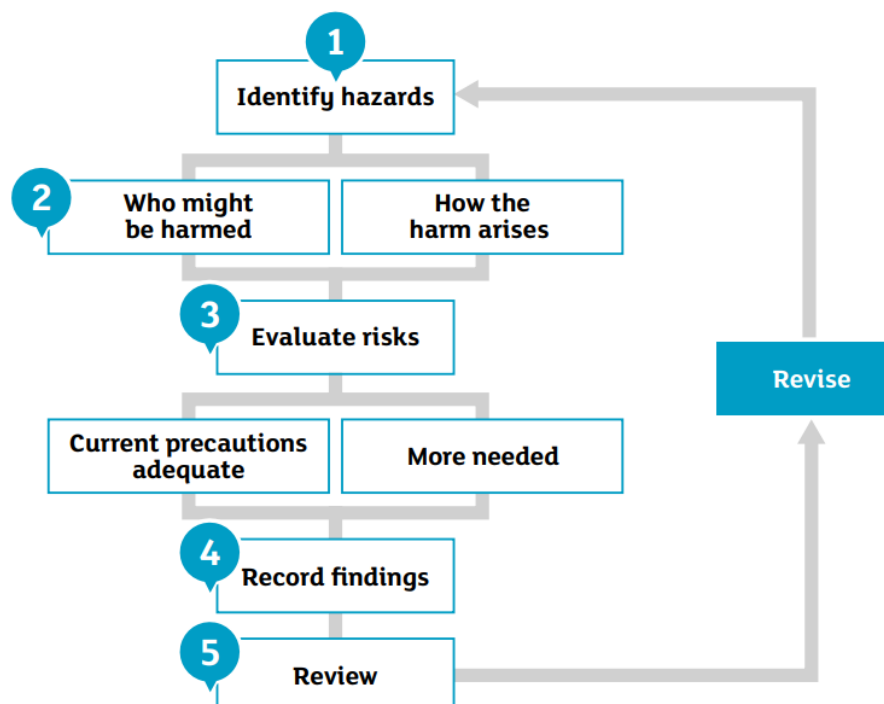


Fig 7. Risk process chart. All assessments should be reviewed on a regular basis to take account of changes in work practice and technological advances.

Appendix 1 Waterbodies and watercourses

Water bodies

Milton Keynes City Council has identified over a one thousand water bodies across the Borough, the Council itself is responsible for 127 at the last count, these vary in size from 47m² to over 45,000m². Some of these are large balancing lakes whilst at the other end of the spectrum there are small seasonal ponds, often remnants of previous agricultural use.

City-scale' balancing lakes/attenuation reservoirs

These comprise large lakes constructed as part of the strategic surface water drainage system for Milton Keynes. As well as providing landscape, amenity and recreational features, its main purpose is to receive and temporarily store surface water drainage from the city's built-up areas during periods of heavy precipitation, thereby reducing flood risk to lower-lying areas. Notably from a water safety perspective, the water level can rise and fall within these lakes/reservoirs, the rise in water level being a consequence of the temporary water storage function. Some of these lakes/reservoirs have large permanent water bodies (e.g., Tongwell) (wet balancing lakes) although some have smaller permanent waterbodies set within a larger basin (wet/dry balancing reservoirs).

All these lakes have retaining embankments/dams and various forms of control, outlet, and overflow structures (e.g., weirs, culverts, and headwalls. Whilst the Milton Keynes City Council is responsible for the landscape on or around the dams and control structures it is not responsible for the structural maintenance and operation of these structures. In most cases these are in the ownership of Anglian Water. Within this category are:

- Tongwell
- Mount Farm
- Parklands Woburn Sands

Local-scale balancing lakes and sustainable urban drainage systems (SUDS)

These comprise a range of either permanent waterbodies (small lakes and ponds) or low-lying areas of land (e.g., ditches, swales, and basins) that are designed to receive surface water run-off from surrounding built-up areas during periods of rainfall. Notably, the water level in the permanent lakes and ponds is designed to increase during periods of rainfall and the 'dry' features will hold water during these periods. Within this category are:

- Oxley Park, Charisse Gardens local Park
- Middleton, Far Holme

Flooded gravel pits / former quarry pits

These comprise a range of permanent water bodies (lakes and ponds) within areas formerly used for the extraction of minerals. In most cases the Council manages these and the surroundings as wildlife habitat, encouraging naturalistic surroundings and, often, forming complexes of waterbodies of varying size depth and bank profile. Within this category are:

- The Blue lagoon Local Nature Reserve Bletchley
- Emberton Country Park

Ornamental ponds and lakes

These comprise of permanent water features within areas of designed landscape. Whilst primarily being designed as ornamental (artificial) features, some are of a naturalistic character and link to natural watercourses. Whilst normally wet (as designed) these features can dry out during periods of seasonal low rainfall. Within the category are:

- The ponds and rill within Grafton Park

Miscellaneous other ponds

These comprise a substantial number of small ponds or lengths of ditch of varying origins. They may be natural features (i.e., areas of low-lying ground and/or zones with impeded ground drainage) or created (e.g., ancient fishponds or moats within scheduled ancient monuments (SAM)). Some may contain year-round water whilst others may be subject to seasonal drying out. Ponds in this feature are too numerous to list here but the larger/more notable ones include:

- Tattenhoe Ancient Fishponds (SAM)
- Grange Farm – old farm pond Dunthorne Way
- Conniburrow – Woodruff

Watercourses and floodplains

The watercourses are statutorily defined as either main rivers or ordinary watercourses and subject to the statutory oversight of either the Environment Agency (main rivers), the Internal Drainage Board (IDB) (ordinary watercourses within the IDB's specified Drainage District) or Milton Keynes City Council (ordinary watercourses outside of the IDB Drainage District). Any larger control structures within these channels (e.g., the weir on the Ouse at Olney will be the responsibility of the relevant statutory authority.

Main Rivers

- River Great Ouse
- River Ouzel (or Lovat)

Water Courses

- Water Eaton Brook (IDB)
- Loughton Brook (IDB)

Canal

The Grand Union is managed by the Canals and Rivers Authority who have some two thousand miles of waterways across the country. The authority provides a range of online safety advice⁴. The Grand Union runs from the north of Milton Keynes, crossing on the iron trunk aqueduct down through the city some eleven miles exiting south of Bletchley. It is a key feature of the city with parks, marinas, and canal side Inns to enjoy.

⁴ <https://canalrivertrust.org.uk/explorers/learning-bundles/water-safety>

Appendix 2 Useful Resources & References

The following publications and tools provide further detailed guidance

Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems.

<https://www.gov.uk/government/publications/sustainable-drainagesystems-non-statutory-technical-standards>

CIRIA C687 – Planning for SuDS: Making it Happen

http://www.ciria.org/Resources/Free_publications/Planning_for_SuDS_ma.aspx

CIRIA C753 – The SuDS Manual

http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx

Susdrain – The Community for Sustainable Drainage www.susdrain.org UK SuDS Tools website – www.uksuds.com

Sustainable Drainage Systems: Maximising Potential for People and Wildlife

http://www.rspb.org.uk/Images/SuDS_report_final_tcm9-338064.pdf

Engineering Nature's Way <http://www.engineeringnaturesway.co.uk/>

Natural England Green Infrastructure Guidance

<http://publications.naturalengland.org.uk/publication/35033>

Landscape Institute Technical Guidance Note: Management and maintenance of Sustainable

Drainage Systems (SuDS) Landscapes

<http://www.landscapeinstitute.org/PDF/Contribute/SUDSmanagementMar2014.pdf> Useful Information

Staffordshire County Council: Sustainable Urban Drainage Handbook

<https://www.staffordshire.gov.uk/environment/Flood-Risk-Management/Documents/SuDS-Handbook.pdf>

Local Government Association: water Safety Toolkit

<https://www.local.gov.uk/topics/community-safety/water-safety-toolkit>

