
STATUTORY INSTRUMENTS

2010 No. 2231

The Water Use (Temporary Bans) Order 2010

PART 2

Categories of use

Watering a garden using a hosepipe

4.—(1) Using a hosepipe to water a garden for health or safety reasons is not to be treated as falling within the category of use in section 76(2)(a) of the Act.

(2) In that section, “a garden” includes any of the following—

- (a) a park;
- (b) gardens open to the public;
- (c) a lawn;
- (d) a grass verge;
- (e) an area of grass used for sport or recreation;
- (f) an allotment garden, as defined in section 22(1) of the Allotments Act 1922⁽¹⁾;
- (g) any area of an allotment used for non-commercial purposes;
- (h) any other green space.

(3) But “a garden” does not include—

- (a) agricultural land, as defined in section 109(1) of the Agriculture Act 1947⁽²⁾;
- (b) other land used in the course of a business for the purposes of growing, for sale or commercial use, any crops, fruit, vegetables or other plants;
- (c) land used for the purposes of a National Plant Collection;
- (d) a temporary garden or flower display; or
- (e) plants (including plant organs, seeds, crops and trees) which are in an outdoor pot or in the ground, under cover.

Commencement Information

II Art. 4 in force at 1.10.2010, see [art. 1](#)

(1) 1922 c. 51.
(2) 1947 c. 48.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Water Use (Temporary Bans) Order 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- [Order applied \(Isles of Scilly\) by S.I. 2020/214 art. 5\(s\)](#)