

**Managing Recreation on Inland Waters in
Wales: a Review of Approaches**

**Countryside and Community Research Unit,
University of Gloucestershire**

CCW Policy Research Report No. 07/4

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Report Number: 07/4

Publication Date: March 2007

Contract Number: FC 73-04-239

Project Officer: Sue Williams

Title: 'Managing Recreation on Inland Waters in Wales: a Review of Approaches'

Authors: Countryside and Community Research Unit,
University of Gloucestershire

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Executive summary

1. The aim of the research was to explore a range of alternative approaches for managing recreation on inland waterways in Wales. In particular the research sought to:

- a. Identify the range of approaches for the provision of opportunities for access to recreation on inland water, and provide case studies and best practice examples that illustrate each approach identified.
- b. Evaluate each approach identified, for its effectiveness in maximising opportunities, minimising conflict, and reducing environmental impacts.
- c. Assess the effectiveness and practicality of applying each approach in Wales, and make recommendations as to the most appropriate way forward.

2. The project undertook a survey of different approaches in a range of European, North American and other countries. A short list of management approaches was drawn for detailed discussion with a range of interested parties in Wales. Selected options include the following:

- a. Statutory rights of access
- b. Voluntary agreements
- c. Zoning of activities
- d. Management plans
- e. Designated trails/recreation areas
- f. Permits. Licenses and fees
- g. Financial incentives

3. The different approaches were divided into those that address issues of access to water and those that manage use in relation to water based recreational activities. The strong potential to confuse issues of access with management of recreational participants was noted. Options were evaluated for their potential applicability in Wales. Evaluative criteria were based on the ability of an approach to improve environmental conditions, minimise conflict, control users and encourage participation. The evaluation indicated that many of the options examined could potentially provide benefits if applied in Wales.

4. Representatives from thirty-five organisations across Wales were interviewed. Qualitative data were collected concerning the respondent's perceptions of the potential applicability in Wales of the options selected. Respondent perceptions were explored for potential strengths and weaknesses of each approach. Opportunities for the application of the different approaches in Wales were also examined. Analysis revealed widespread belief that the management approaches under examination could be utilised for resolving conflicts of interest where they occurred on inland waters. Respondents identified some strengths and weaknesses of the approaches, and clearly indicated that different parts of Wales would require a range of solutions.

5. Analysis revealed potential for application of a number of management techniques in Wales. It became clear from discussions with interested organisations that a single management approach will not suit all circumstances. Inland waters vary widely in physical characteristics, and in suitability for different recreational activities. A management approach that might work in one location

will not be applicable to another situation. Each area will have to adapt the techniques or approaches to its unique situation.

6. A framework for managing recreation is required. Some management techniques or approaches may operate more effectively at catchment or national scale, rather than at the local level. Further exploration of the range of approaches is required, particularly in terms of combining different approaches at different scales to arrive at effective management.

CRYNODEB GWEITHREDOL

1. Nod yr ymchwil oedd archwilio ystod o ymdriniaethau amgen ar gyfer rheoli adloniant ar ddyfrffyrdd mewndirol yng Nghymru. Yn benodol, ceisiodd yr ymchwil:

- a. Nodi'r ystod o ymdriniaethau ar gyfer darparu cyfleoedd i gael mynediad at adloniant ar ddŵr mewndirol, a darparu astudiaethau achos ac esiamplau o arfer gorau sy'n dangos pob ymdriniaeth a nodir.
- b. Gwerthuso pob ymdriniaeth a nodwyd, am ei heffeithiolrwydd o ran gwneud y gorau o gyfleoedd, lleihau gwrthdaro i'r eithaf, a lleihau'r effeithiau ar yr amgylchedd.
- c. Asesu effeithiolrwydd ac ymarferoldeb cyflwyno pob ymdriniaeth yng Nghymru, a chynnig argymhellion ynglŷn â'r ffordd fwyaf addas ymlaen.

2. Ymgwymerodd y prosiect ag arolwg o ymdriniaethau gwahanol mewn ystod o wledydd yn Ewrop, Gogledd America a gweddill y byd. Lluniwyd rhestr fer o ymdriniaethau rheoli i'w trafod yn fanwl gydag ystod o bartïon â diddordeb yng Nghymru. Mae'r dewisiadau a ddewiswyd yn cynnwys y canlynol:

- a. Hawliau mynediad statudol
- b. Cytundebau gwirfoddol
- c. Gosod gweithgareddau mewn parthau
- d. Cynlluniau rheoli
- e. Llwybrau/ardaloedd adloniant dynodedig
- f. Hawlebau. Trwyddedau a ffioedd.
- g. Cymhellion ariannol

3. Rhannwyd yr ymdriniaethau gwahanol i'r rheini sy'n mynd i'r afael â materion mynediad i ddŵr a'r rheini sy'n rheoli'r defnydd mewn perthynas â gweithgareddau adloniant sy'n seiliedig ar ddŵr. Nodwyd y potensial cryf i ddrysu materion mynediad gyda rheoli'r rhai sy'n cymryd rhan mewn gweithgareddau adloniant. Gwerthuswyd dewisiadau o ran eu cymhwysedd posibl yng Nghymru. Seiliwyd meini prawf gwerthusol ar allu ymdriniaeth i wella amodau amgylcheddol, lleihau gwrthdaro i'r eithaf, rheoli defnyddwyr ac annog cyfranogiad. Dangosodd y gwerthusiad y gallai llawer o'r dewisiadau a archwiliwyd darparu manteision pe'i cymhwysid hwy yng Nghymru.

4. Cyfwelwyd â chynrychiolwyr o bymtheg ar hugain o sefydliadau ledled Cymru. Casglwyd data ansoddol ynghylch amgyffred yr ymatebwyr o gymhwysedd posibl y dewisiadau a ddetholwyd yng Nghymru. Archwiliwyd amgyffred yr ymatebwyr am gryfderau a gwendidau posibl pob ymdriniaeth. Yn ogystal, archwiliwyd y cyfleoedd i gymhwyso ymdriniaethau gwahanol yng Nghymru. Datgelodd dadansoddiadau fod cred gyffredinol y gellid defnyddio'r ymdriniaethau rheoli a oedd o dan archwiliad ar gyfer datrys gwrthdaro buddiannau lle roeddent yn digwydd ar ddyfroedd mewndirol. Nododd yr ymatebwyr rai o gryfderau a gwendidau'r ymdriniaethau, a dangos yn glir y byddai angen ystod o atebion ar rannau gwahanol o Gymru.

5. Datgelodd dadansoddiadau y potensial i gymhwyso nifer o dechnegau rheoli yng Nghymru. Roedd yn amlwg o'r trafodaethau â'r sefydliadau â diddordeb na fyddai un ymdriniaeth reoli yn addas i bob amgylchiad. Mae dyfroedd mewndirol yn amrywio'n fawr o ran nodweddion ffisegol, ac o ran eu haddasrwydd ar gyfer gwahanol weithgareddau adloniant. Ni fydd ymdriniaeth

reoli a allai weithio mewn un lleoliad yn gymwys i sefyllfa arall. Bydd yn rhaid i bob ardal addasu'r technegau neu ymdriniaethau ar gyfer ei sefyllfa unigryw.

6. Mae angen fframwaith ar gyfer rheoli adloniant. Gall rhai technegau neu ymdriniaethau rheoli weithredu'n fwy effeithiol ar raddfa dalgylch neu raddfa genedlaethol, yn hytrach nac ar lefel leol. Mae angen archwilio'r ystod o ymdriniaethau yn fwy trylwyr, yn enwedig o ran cyfuno gwahanol ymdriniaethau ar raddfeydd gwahanol er mwyn sicrhau rheolaeth effeithiol.

Aims and Objectives

Increased leisure time and technological developments have both made water based recreational activities accessible to a wider population. The development of fibreglass and more recently, plastic canoes and kayaks, have created more durable craft capable of undertaking more punishment without breaking up. Fewer skills are needed to canoe down white-water rivers that in previous generations would require a significant amount of training if the canoe was to survive intact. Plastic boats have also extended the range of what is possible to paddle and numbers of persons engaged in some form of water based recreation has increased since the 1970s.

In a similar fashion, angling has benefited from large lightweight rods made from carbon fibres which extend the reach of anglers, from more information about fish habits, stocking of streams and lakes, and even electronic detection devices to locate fish. All water based activities benefit from the internet through increased access to information about where and when to recreate.

Increased numbers, new activities, and extended range of existing activities brings with it conflict over a limited resource. The aim of this research is to help inform CCW, WAG and other key strategic partners about potential long-term solutions for the provision of opportunities for, and management of, recreation on inland water in Wales.

Key objectives of the project are:

- Identify the range of approaches for the provision of opportunities for access to recreation on inland water, and provide case studies and best practice examples that illustrate each approach identified.
- Evaluate each approach identified, for its effectiveness in maximising opportunities, minimising conflict, and reducing environmental impacts.
- Assess the effectiveness and practicality of applying each approach in Wales, and make recommendations as to the most appropriate way forward.

Methodology

1.1 Identification of management approaches

A literature search identified management approaches utilised in a range of other countries around the world. The research focused on management of inland water ways in North America, Europe, Australia and New Zealand. Data were collected from government agency reports, web sites, and from discussions with relevant personnel where appropriate.

A range of management techniques for inland water recreation

Ownership and use rights

- Extend statutory rights of navigation over more waters/over all waters
- Tolerant use of water
- All waters in public domain
- Clarify landowner rights
- Reduce landowner's liability
- Compulsory purchase of land
- Creation of statutory 'navigable rights of way' (navigation ways – or rights of 'passage')
- Land/river designations
 - o canoe trail designation
 - o river corridor designation (e.g. wild and scenic river; recreational river)
 - o protected rivers
 - o minimum streamflow water rights
- Land reform (as in Scotland) (with code of conduct)
- Dedication of land (general dedication or under s.16 and Schedule 2 of CRow Act)

Area based management

- Access agreements: voluntary/statutory
- Time zoning/area zoning
- Dam/reservoir zoning (for managing use on reservoirs)
- Limits/controls on specific activities
- Permits
 - for limiting use (maximum number issued)
 - for visiting special areas
- Management plans (specific part of an inland water)
 - integrated river corridor management plans (e.g. Brisbane)
 - site development
 - overt management presence
 - badging/logos/information/signage
- public education
- River recreation plans
- River 'contract'
- Designation of canoe trails
- 'Heritage' rivers designation

Fees and licences

- Registration fees
- special taxes for boats/canoes/kayaks
- Licence fees
 - Fees for specific rivers/stretches of rivers
 - annual payment for all waters
 - variable scale of fees over a calendar year
- User fees (e.g. for boat launch/take-out)
- Taxes: boat fuel, mooring, sports equipment (fishing/canoe)
- Tax incentives for providing access for recreation
- tied into existing grant programmes (e.g. woodland, HLS, Tyr Gofal)
- new programme to maintain land for 'low impact use'
- Special car licence plate fee to support river recreation
- Special boat 'decal' to help pay for conservation/management

Grants and funding

- Grants for boating facilities (grants may be monetary or in form of materials)
 - o access (funds for access sites)
 - o docks/jetties
 - o car parks/toilets
 - o canoe access/input at locks
 - o portage paths
- Acquisition of key properties
 - o Grants to purchase rights
 - o Grants to purchase easements/leases
- Grants for educational programmes
 - o fishing
 - o canoeing
- Funding from part of fuel tax from boat use

Other ideas

- Using National Park/FC personnel to assist local communities in developing management plans to assist local communities.

In many cases the same basic management approaches were taken in many countries with some variation on implementation. A summary of information collated can be found in Appendices 1, 2 and 3. The approaches examined in this study are listed below.

The items in this list were combined into a more limited number of overarching management approaches covering:

- Ownership and use rights
- Area-based management techniques
- Permits
- Fees and Licences
- Financial Incentives

These were then integrated into a stakeholder questionnaire, which can be found in Appendix 4.

1.2 Stakeholder analysis

All organisations with some connection to inland waters were identified. These ranged from bodies representing water based recreational activities to those involved with management of inland waters, in countryside management, or in management of outdoor recreation. In addition the major water utility in Wales (Welsh Water) and other large public land managers (e.g. Forestry commission) were included.

The list of stakeholders was analysed to determine those bodies with a high level of interest, and those most influential in management of inland waters. Stakeholders were prioritised and a short list (see below) of organisations was derived for interviewing.

Organisations selected for interview

- Environment Agency (Wales)
- Welsh Assembly Government
- Countryside Council for Wales
- The Waterways Trust
- Sports Council for Wales
- Forestry Commission (Wales)
- CLA Wales
- Welsh Canoe Association
- Llandysul Paddlers
- WCA local access officer
- Defra
- National Trust
- Salmon and Trout Association
- Federation of Welsh Anglers
- Snowdonia Active
- Farmers Union of Wales
- NFU – Wales
- Welsh Water
- FWAG Wales
- JJs Canoes, Llangollen
- Llangollen Anglers
- Welsh Yachting Association
- River and Lake Swimming Association
- Welsh Wild Swimmers
- Ramblers Association
- Wye and Usk Foundation

In addition the research team attended a meeting of the National Access Forum in Prestatyn (November 2006) and a special workshop organised by the Welsh Salmon and Trout Angling Association to discuss angling and the 'right to row', held in Rhayader in January 2007.

1.3 Interviewing stakeholders

A total of 35 interviews were carried out. The majority of stakeholders were interviewed face-to-face although a small number were conducted by telephone due to time constraints. Interviews lasted on average from one to one-and-a-half hours.

1.4 Additional data collection

In addition to the interviews the current situation with regard to access to water in Scotland and Wales was summarised from existing policy and other documents. These summaries can be found in appendices 5 and 6.

Many other outdoor recreational activities face similar issues to canoeing with regard to access and conflict with landowners and other users. Appendix 7 summarises the approaches taken by some other national representative bodies in managing access to the countryside.

1.5 Analysis of data

Identified management approaches have been divided into two broad categories: those that provide access to the water resource, and those that manage activities on the water. In many countries there are statutory rights of navigation on the majority of waterways, in some there are traditional rights of access for fishing as well as navigation, in others the picture is a more complex mix of traditional rights, custom, statute and local permits. It is important, for the purposes of this study, to identify and separate the aspects of statute or customary law that give permission and rights for recreational activities, from those aspects that manage recreational activities on inland waters. In England and Wales the law in relation to navigation is different from many other countries and there is no right of access to the majority of inland waters. Part of the management problem is the exploration of alternative approaches to provision of access. Only when some form of permissive access has been provided can recreation occur, and then consideration must be given to management of those activities.

Access to water can be provided in a number of ways which are explored in Section 3 of this report. These include customary and traditional approaches such as 'everyman's right' in Finland, to more constrained approaches that might be provided through dedication of land under the Countryside and Rights of Way Act in England and Wales, or provision of statutory rights under the 1949 National Parks Act. 'Voluntary' access agreements fall into the middle ground between provision of access and control of activities. The aim of such agreements is to provide 'access' to the water for specific activities or groups of people, but they also determine the conditions under which activities take place and place constraints on what can and cannot be done. Voluntary agreements often integrate a range of other management techniques such as time zoning in order to achieve their aims.

Management approaches for controlling activities are described in the Sections 4 to 7, along with some case study examples of the approaches in practice. These approaches are based on the assumption that there is some form of permissive

access. Each approach is evaluated for its potential to improve the current situation in Wales. Approaches are initially evaluated on four criteria: impact on the environment, potential for reducing conflict, impact on numbers participating in recreational activities, and potential to encourage more participation.

A range of management approaches were summarised and discussed with a wide range of stakeholders in face-to-face interviews. In some cases interviewees were unfamiliar with the approach described, or had not considered their application in Wales. The interview data therefore represents an initial reaction to a range of potential management approaches in Wales. Nevertheless, some interesting insights were provided by interviewees highlighting some of the potential strengths and weaknesses of using the management approaches in the Welsh situation. Interview transcripts were analysed to identify strengths and weaknesses of each management approach and the results are briefly summarised.

Providing access to water: ownership and use rights

1.6 Traditional or Statutory Rights of Access

In many countries citizens have customary or statutory rights of access to inland waters for boating, fishing and other activities. This section describes some different examples and the source of authority for access.

Examples

In most European countries there is a right to travel by boat on inland waterways, although in some cases local water authorities have powers to apply restrictions. Examples are Canton in Switzerland, and drainage boards in the Netherlands.

In Bulgaria all inland waters and water bodies, including wetlands are state property under the Water Act of 1999, and Bulgarians can 'boat freely'. The State reserves the right to require permits for undertaking certain activities, including recreation. Currently no permits are required for canoeing on public waters, but in some places licenses have been granted to commercial operations that manage man-made white-water centres for which a fee can be charged. (Valchovska, 2007)

In France there is a right of passage for boats on waterways classified as 'state domain'. Other rivers are private but 'common sense' rules apply. Recreational fishing is managed as an 'open access' resource and resulted in congested river stretches and over-fishing. Fishing rights belong to the central government on public waters. Although anglers must pay an annual fishing fee and belong to an authorized angling association, they are given unlimited access to fish throughout the year. Reciprocal agreements also exist between fishing authorities and allow anglers to fish in reciprocal territories for a small additional fee. (Le Goffe and Salanie, 2005)

In Germany there are lists of 'permitted waterways', including most streams 'that lend themselves to canoeing' and riparian owners required to tolerate use by un-powered craft.

Sweden, like many Scandinavian countries has a 'right of public access' to all land and waters. The right of public access to land also applies to Swedish waters. It is permitted to travel by boat along coastlines, and on lakes and watercourses. The requirement to show consideration for the surroundings applies equally on water as on land. Consideration of sensitive animal life on islands and along shorelines is required.

Case Study: Norway

Everyone in Norway has a wide-ranging right of access to the countryside, originally a traditional right but now set out in the legislation. This right is based on respect for the countryside and that visitors must always show consideration for farmers, landowners, other users and for the environment. One of Norway's national targets is to ensure easy access to recreation areas near their homes and in harmony with the environment.

There is current concern over development of outdoor recreation areas, especially in and around towns and built-up areas. Three-quarters of all Norwegians live in these areas, so that it is very important to safeguard existing green spaces and nearby countryside. There is concern over loss of access to the beaches and the coast due to privatization of the shoreline and developments along the seashore. Public access to the countryside is being threatened by commercial developments and privatization. In some places, fences and other barriers are put up even where they are not permitted under the Outdoor Recreation Act. Piecemeal developments along the coast, particularly in the Oslofjord and in popular areas of Southern Norway have gradually reduced public access to the shoreline.

In practice the right of access means that any person may go anywhere on foot, by boat, or on skis and picnic. Persons may also put up a tent for the night - or sleep under the stars - but must keep at least 150 m away from the nearest house or cabin. If someone wants to stay for more than two nights in the same place, they must obtain the landowner's permission, except in the mountains or very remote areas.

In rivers and lakes, sports fishing is not included in the right of free access: the fishing rights belong to the landowner. In Norway, there is a distinction between government property, state common land and private property, but regardless of who owns the land, you may only fish if you have permission from the landowner or have bought a fishing licence. All anglers over the age of 16 who wish to fish for salmon, sea trout and sea char (anadromous salmonids) in fresh water must pay the National Fishing Licence, an annual fee payable to the Norwegian Government.

Sea-base sport fishing is allowed, and is an important part of the right of free access. As a general rule, the landowner's permission to use a rod and handline or fixed gear is not required. However, the landowner has exclusive rights to fishing for anadromous salmonids (salmon, sea trout and sea char) with fixed gear on his own property and adjacent areas. Norway has a comprehensive set of rules governing fishing in salt water, for example on the types of gear that may be used, marking of gear and fishing seasons. However, there are relatively few restrictions on fishing with a rod and handline.

Case study: Finland

Everyone has a general right of free access to open waters in Finland, including frozen waterways in the wintertime. Boats may also anchor temporarily without special permission. These rights are based on the Water Act, which is itself controlled by the Water Traffic Act. Regional Environment Centres may limit or prohibit the use of boats or other vehicles where this is necessary to prevent accidents, to protect the environment, fish stocks or local livelihoods, to preserve the recreational amenity value of the waterway, or for other reasons related to overall public benefit.

Everyone on waterways is obliged to show due care and attention. Other people must not be endangered, and their livelihoods and recreational activities should not be disturbed or hindered without good reason. Wildlife, fish stocks and the environment in general must not be harmed.

'Everyman's right' includes the right to fish with a rod and line, or fish through a hole in the ice in the wintertime, in most inland waters and the sea, free of charge. Fishing is prohibited, however, in some rapids and channels in salmon and whitefish rivers, and in certain other protected waters. Swimming is also allowed in all inland waterways and the sea.

Evaluation of traditional or statutory rights of access

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> • Customary rights of access do not offer protection to environmentally sensitive or other areas. An additional code of conduct and/or management techniques are required. • Statutory rights of access usually do not address environmental considerations.
Managing conflict	<ul style="list-style-type: none"> • Customary or statutory rights of access for recreational activities may create conflict by granting rights to conflicting uses. • Primary or secondary legislation may be required to manage conflicts.
Use levels	<ul style="list-style-type: none"> • Customary or statutory rights of access can create conflict among or within uses, through creation of open access resources. • In general, participation levels in outdoor activities in other European countries is higher than in Wales, although data on specific water-based activities is not available. • However, use levels may decline due to degradation of the resource. • Primary legislation is usually required to bring about changes in use of the resource.
Encouraging	<ul style="list-style-type: none"> • If resource quality remains high people may

participation	<p>continue to exercise their rights.</p> <ul style="list-style-type: none"> • A single clear right to use of water for recreation can lead to increased use.
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Overview of stakeholder responses on a statutory right of navigation

Stakeholders in Wales were asked for their views on a statutory right of navigation for all inland waters in Wales. The responses are summarised below in the form of identified strengths and weaknesses of this approach to increasing access to inland waterways for recreational purposes.

<p>Strengths</p> <ul style="list-style-type: none"> • Avoids having to ask hundreds of people for permission to canoe. • Clarifies the legal position of those engaging in canoeing/kayaking 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Uncertainty over conflict this might cause with other interests • Investments by landowners/fisheries interests are very large and may require compensation • Many stretches of river already being used by canoeists. • On some public land exclusive fishing rights been leased. • Does not provide physical access to water • Potential damage to spawning areas • Potential loss of income for riparian owners
<p>Opportunities</p> <ul style="list-style-type: none"> • Possibly on land in public ownership (e.g. Forestry Commission). • Potential to renegotiate fishing leases in future to provide wider access. • Might work on a time limited basis – e.g. provision of statutory access during closed fishing season • Sharing of natural resources more equitably • Could benefit nation's health and economy • Potential for WAG to create legislation and go its own way 	<p>Threats</p> <ul style="list-style-type: none"> • Might result in more government bureaucracy • Might not deliver what canoeists want • Opposition likely from landowning and angling interests • Commercial canoeing interests would oppose as creates a threat to sustainability of business • View of anglers that canoes disturb the fish and interrupt the sport. • Concern over decreased value of investment in fisheries

Strengths and Opportunities

A broad range of opportunities has been identified for some form of statutory access agreement in Wales. It was noted that statutory access agreements might be possible on land in public ownership. This could be significant in Wales where the Forestry Commission own or lease large land areas (some of it managed on behalf of Welsh Water). The FC indicated it is already looking at

potential sites to develop canoeing, in particular at Coed y Brenin in north-west Wales.

Others suggested that some form of statutory access might work on a time-limited basis on certain waterways, for example during the closed fishing season when anglers do not have the right to fish. It was also suggested that in future, fishing leases could be renegotiated to provide wider access. There were indications from angling interests as well as from canoeists that the recreational water resource could be shared in a more equitable manner.

Weaknesses and Threats

An extensive range of weaknesses and threats was identified for this approach. These can be divided into five broad categories:

- Uncertainty
- Conflict
- Access
- Income/investment
- Conservation

Uncertainty: there was widespread uncertainty among respondents about the potential affects of a statutory right of navigation. Respondents expressed concern over the potential for increased government bureaucracy if new statutory rights were granted. Canoeists were concerned that a statutory right might not actually deliver what was wanted, and access might actually become constrained or limited in some way (e.g. through being limited to specific areas, types of activity, or time periods). There was a high level of concern that primary legislation might actually reduce the currently tolerated use of many rivers.

Conflict: recognition that granting of a statutory right of navigation would conflict with existing interests (principally fishing and ownership). This would require significant inputs of legislative time to develop and the outcome would remain unclear. Attempts to increase access to inland waters through statutory means would create conflict. For example, opposition to any attempt at altering the status quo in relation to water rights could be expected from landowning and angling interests.

Access: it was pointed out by canoeing interests that a statutory right of navigation may still limit legal access to water. Access to water was regarded as the key issue by canoeing interests which would allow people to get on and off the river where they needed to. Canoe interests also noted that statutory rights would not create the facilities required by canoeists (e.g. parking, launch sites).

Income/Investment:

Landowning, angling and some canoeing interests all see statutory rights of navigation as a threat to income and/or investments in waterways. Landowning interests are concerned at potential income loss from prime game fishing rivers if canoeing is allowed. Angling associations/clubs (and some landowners) argue that the loss in value on fishing beats would be so severe that compensation would be required to recover the reduced value of investments and reduced future income streams. Commercial canoeing interests noted a potential threat to long-term business survival if statutory rights of access were granted. Some business interests have invested heavily in buying-up fishing rights, and in some cases land and water ways, to allow canoeing.

Conservation: A range of concerns related potential for increased impacts on ecological processes and quality. Some anglers suggested that canoeing disturbed the fish and made fishing more difficult but there was by no means unanimous agreement on this. Others suggested that a little disturbance of the water could even improve the fishing. A long-standing issue is the impact of canoes/kayaks on spawning beds, although a technical report commissioned by the Environment Agency found that canoeing did not on the whole have a negative impact on spawning beds. Other issues identified related to transfer of invasive species between river basins, and potential impacts on bird nesting and otter breeding. None of the issues raised were supported by evidence and in general there was disagreement over the potential effects of canoeing on ecological quality.

Summary

Potential

- Provision of statutory rights to waters on public land
- Statutory rights on specific waters during closed fishing season

Barriers

- Potential for reduction in current level of tolerated access
- Primary legislation might not deliver desired outcomes
- Opposition from landowners and angling interests
- Potential loss in income/reduction in value of fishing rights

1.7 Land Reform and code of conduct

Land reform is not an approach taken in most countries to address recreation management or rights of access to water. The exception are the countries of central Europe which have been undergoing a process of privatisation of formerly state-owned property since 1990. In many Central European countries land ownership and rights to resources have been modified over the past decade. The situation with regard to water is more complex, and even where new water laws have been passed there is often a lack of clarity over the legal position with regard to recreational rights. Legislation tends to primarily address issues of water supply and quality, recreational activities are often of secondary importance or left out.

Land reform is of interest in this study because of the increased access for walkers to upland and common land in England and Wales under the recent Countryside and Rights of Way Act 2000, and the recent Land Reform Act in Scotland which has altered the access to water for recreational purposes.

Case Study: Scotland

The Act came into force on 9th February 2005 and essentially provides a right for every person to be on or to cross land and inland waters, unless specifically excluded. The Act provides rights of access to land and inland waters for specific purposes i.e. for outdoor recreation, for crossing land and water, and for some educational and commercial purposes. The central theme of the act and the access code is for each party to exercise access rights and manage access land responsibly.

Under the Act every landowner has a duty to use and manage land in accordance with and conduct ownership in a way which respects access rights. For the protection of landowners and access users, an application can be made to the Sheriff for Judicial determination of such issues as access rights, exemptions, landowners land management responsibilities, and rights of way. Existing public rights of way continue to exist and are unaffected by the Act.

The Scottish Outdoor Access Code 2004

The Act is accompanied by a statutory code of conduct which gives detailed guidance on the responsibilities to land owners and access users when exercising access rights and on managing land and water. Whereas the Act sets out where and when access rights apply, the Code defines how access rights should be exercised. The three key principles for responsible access apply to both the public and land managers:

Respect the interests of other people: be considerate, respect privacy and livelihoods, and the needs of those enjoying the outdoors.

Care for the Environment: look after the places you visit and enjoy. Care for wildlife and historic sites.

Take responsibility for your own actions: the outdoors cannot be made risk-free for people exercising access rights; land managers should act with care for people's safety.

The main responsibilities for Land Managers are to: respect access rights in managing land and water; act reasonably when asking people to avoid land management operations; work with the local authority and other bodies to help integrate access and land management.

The main responsibilities of Countryside Users are to:

- Take responsibility for your own actions;
 - Respect people's privacy and peace of mind.
 - When close to a house or garden, keep a sensible distance from the house,
 - use a path or track if there is one, and take extra care at night;
 - Help land managers and others to work safely and effectively . Do not hinder land management operations and follow advice from land managers.
- Respect requests for reasonable limitations on when and where you can go;
- Care for your environment. Do not disturb wildlife, leave the environment as you find it and follow a path or track if there is one;
 - Keep your dog under proper control. Do not take it through fields of calves and lambs, and dispose of dog dirt;

- Take extra care if you are organising an event or running a business and ask the land owner's advice.

Evaluation of Land Reform and Code of Conduct

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> • The Scottish Outdoor Access Code contains information on environmental protection and appropriate behaviour • Education and Codes of Conduct have been found to be significant in ensuring that people's actions do not damage the environment • The code depends on increased awareness among users of the resource and voluntary action.
Managing conflict	<ul style="list-style-type: none"> • The Code contains general information on avoiding conflict and respecting the rights of other users. More specific information has been provided in a dedicated 'Paddlers Code' produced by the Scottish Canoe Association. • The code does not avoid the need for management of the resource and in some cases more formal negotiated agreements between different users.
Use levels	<ul style="list-style-type: none"> • The Land Reform (Scotland) Act only came into force in 2005 and it is therefore too soon to evaluate the impact that this has had on levels of use. • There is anecdotal evidence of canoeists travelling to Scotland because of easier access to a wide range of inland waters.
Encouraging participation	<ul style="list-style-type: none"> • There is a general perception that water-based users are welcome in Scotland. • Research has found the people are more likely to participate in outdoor activities if they feel that they are welcome.

Overview of stakeholder responses to a proposal for land reform similar to Scotland

<p>Strengths</p> <ul style="list-style-type: none"> • Improves current situation for landowners as those with the right to be on the river would self-police and abide by the code of conduct. • Would influence behaviour in respecting the land – could enhance the countryside • Makes clear people’s responsibilities 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Requires legislative change • Still need to negotiate access, does not solve all problems. • Needs a code of conduct. • Greater population pressures in Wales compared to Scotland
<p>Opportunities</p> <ul style="list-style-type: none"> • Contribute to ‘Climbing Higher’ aims • Incorporate code of conduct and responsible behaviour into education system 	<p>Threats</p> <ul style="list-style-type: none"> • Would be opposed by landowners. Might get more fencing of rivers. • Would need some kind of limiting/restrictions at certain times of the year • Responsible behaviour is critical • Damage to fishing could occur in Wales • Infringe on property rights • Potentially expensive

This approach presented to respondents is based on the land reform undertaken in Scotland, (i.e. a right of access with a legally enforceable code of conduct). Many respondents perceived a similarity between this approach and the provision of a statutory right of access and thus indicated that many of the issues raised previously would apply here, and that similar problems would occur.

Strengths and opportunities

Canoeing interests suggested that there were opportunities for using this approach to deal with larger numbers of people that are now canoeing. Other respondents suggested it might also help deal with walkers who wanted to access inland waters. But there is no clear indication of the level of demand for this form of activity.

Weaknesses and Threats

Several respondents (anglers, policy makers and canoe interests) noted that the approach suggested would not solve problems that exist in Wales. Access to water would still have to be negotiated, and management agreements created to deal with conflicts between different activities. A number of potential threats to using this approach were identified. Respondents suggested there might be an increase in fencing along rivers to keep people off the land. Angling interests indicated there would need to be temporal restrictions on canoeing and rafting to protect spawning beds and limit the potential conflict between game fishing and canoeing.

Summary

Potential

- Clarifies rights of landowners and recreationalists

Barriers

- Does not resolve conflicts between activities, management agreements are still required
- Nature of land ownership in Wales (i.e. large numbers of landowners)
- Difficult to enforce any code of conduct
- Potential increase in fencing to prevent access

1.8 Dedication of Land

This approach is based on the scope for general dedication of land or dedication of land under s.16 and Schedule 2 of the Countryside and Rights of Way 2000 (CROW) Act. No similar approach was found in other countries although scope for granting easements exists in the USA.

The Countryside and Rights of Way Act 2000 provides landowners and long leaseholders with a new option to dedicate their land permanently for public access – if they wish to do so. Making a dedication allows the following:

- gives a legal public right of access to land that would not otherwise be covered by the CROW Act, such as woodland;
- offers landowners the opportunity to share public access to their land forever, should they wish to do so, and also offers public landowners the opportunity to demonstrate their commitment to public access;
- ensures that the right of access to such land remains in force if the land changes hands (unless it becomes 'excepted' as defined by Schedule 2 of the CROW Act);
- ensures that the right of access to dedicated land that has been mapped by the Countryside Agency as open country or registered common land continues, even if the land loses those characteristics at some point in the future; and
- can create a higher right of access, for example for horse riding or canoeing.

Dedication gives a permanent right of access over the land, but does not prevent the owner from selling, letting or developing the land and allows restrictions on public access to the land for up to 28 days per year for any reason.

The Environment Agency have suggested that dedication of land might be appropriate action for local authorities and golf clubs, where they own land alongside inland waters.

Case Study: River Mersey, England

Three local authorities and a number of golf courses dedicated stretches of the river under Section 16 of the Countryside and Rights of Way Act 2000. Other landowners provided access by agreement although ownership varied and riverbed ownership could not be established through the land registry in all cases. Four golf clubs that between them owned 6.5 km of riverbed dedicated the land for canoeing (amounting to one quarter of the length of the trail). In total 24km of River Mersey will have access.

Evaluation of dedication of land

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> • Can provide protection for limited periods of time through restrictions on access. • Only likely to apply to small areas of inland water • No control over which land becomes dedicated, may not be most desirable areas for protection.
Managing conflict	<ul style="list-style-type: none"> • Enables clarification of access for specific uses. • Can help to minimise conflict where land ownership and rights unclear. • Can be used to separate different activities • May increase use levels and affect users of adjacent land and/or water. • Provides a potential role for local authorities to manage activities on their land.
Use levels	<ul style="list-style-type: none"> • Likely to increase use as awareness of access increases. • Relies on raising awareness of potential users, clear signage, and provision of access and egress points.
Encouraging participation	<ul style="list-style-type: none"> • Will encourage participation where people have clear rights of access

Overview of stakeholder responses to land dedication

<p>Strengths</p> <ul style="list-style-type: none"> Landowner to have some control over what goes on & absolved of liability 	<p>Weaknesses</p> <ul style="list-style-type: none"> Costs to landowner of public land. Very few benefits to landowner. Potentially expensive based on CROW experience
<p>Opportunities</p> <ul style="list-style-type: none"> Some potential on public land Could be used to target non-sensitive bodies such as reservoirs Useful on honey pot sites Some indirect multiplier benefits for local businesses 	<p>Threats</p> <ul style="list-style-type: none"> May be conflict where fishing rights sold/leased to other users Provides only a 'patchwork' approach

Strengths and Opportunities

Landowning interests pointed out that it does give the landowner some control over what happens on their land and does absolve him of liability if accidents occur. Some respondents suggested it was an approach that might be used on public lands, (e.g. on Ministry of Defence (MoD) holdings, National Trust property, Forestry Commission land), or that it could be useful on water bodies such as reservoirs where a small dedication of land could give access to the resource. Respondents suggested access impacts could then be more localised and controllable and it might make this approach attractive for 'honeypot' sites. Some respondents could see the potential for local economic benefits through targeting specific popular sites for land dedication.

Weaknesses and Threats

The major weakness of the proposed approach is the lack of incentives for landowners to dedicate land. A wide range of respondents could see few benefits for landowners. A related problem is that those wanting to dedicate land might not be in suitable locations, and such dedication may not solve the problems of access to water, and provision of access and egress facilities. One might end up with a patchwork of dedicated land but not in suitable locations. Policy makers also noted a lack of funding to support the approach.

Summary

Potential

- Application to public land, local authority land and certain large landowners (e.g. golf clubs) and reservoirs
- Management of 'honeypot' sites

Barriers

- No incentives for landowners to dedicate land
- Land unlikely to be in suitable locations and may not solve access problems
- Potential to generate conflict

1.9 Statutory access agreements

There is some potential for using statutory access agreements to provide access to water. The 1949 National Parks Act as amended by the Countryside Act 1968 allows local authorities to create access agreements in relation to inland waters. A potential drawback is the need to determine and pay compensation for any damage caused.

Evaluation of statutory access agreements

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> Statutory rights of access could enhance or increase protection of protected areas through provision of alternative areas of access.
Managing conflict	<ul style="list-style-type: none"> Areas could be identified for specific types of activity (e.g. swimming, kayaking) to avoid conflict.
Use levels	<ul style="list-style-type: none"> May increase local use by providing specific areas where activity can be carried out. There is a role for local authorities to become involved in providing access to water and recreational provision close to centres of population.
Encouraging participation	<ul style="list-style-type: none"> Might encourage more participation locally through provision of areas close to where people live, and if conflicts between different users are resolved.

Overview of stakeholder responses to access agreements

<p>Strengths</p> <ul style="list-style-type: none"> Allows for dealing with enforcement issue – if code of conduct not followed access could be removed. Local authorities could designate some areas 	<p>Weaknesses</p> <ul style="list-style-type: none"> 1949 Act access agreements need compensation. Resource intensive, only capable of addressing one river at a time. Local authorities are not good at passing legislation – few resources
<p>Opportunities</p> <ul style="list-style-type: none"> WCA already has large group of people with local information and skills capable of developing agreements. 	<p>Threats</p> <ul style="list-style-type: none"> Bureaucratic approach With legislation people easily become opposed and resentful

Strengths and Opportunities

Swimming interests suggested that it might be helpful in providing some designated swimming areas. Conservation interests noted this approach might be appropriate where land or water has been designated as SSSIs – it could help prevent damage by requiring consent for particular activities. Others suggested that enforcement of a code of conduct might be easier under a statutory agreement. Potential opportunities were seen by some who felt that the approach could be used to protect some sensitive areas by giving access to other areas.

Weaknesses and Threats

Policy makers were concerned over the level of resources required to draw up agreements and that each agreement would only deal with one river, or even only one stretch of river. It was also noted that compensation to landowners would be required under the terms of the agreement with resource implications for determination of compensation levels (e.g. level of use, measurement of damage, valuation of damage).

Summary

Potential

- Protection of sensitive areas

Barriers

- Lack of effective enforcement mechanisms
- Compensation requirements
- Bureaucratic approach

1.10 Water Access Agreements

Voluntary water access agreements have been proposed for Wales as a means of resolving conflicts over use of inland waters and providing for a wider range of recreational activities to take place in identified geographic areas. During the study access agreements were not found in other countries (although they may exist in some form) and this approach appears unique to England and Wales. A number of access agreements exist in England and Wales providing a means of managing canoeing in identified locations and under specific conditions. Most agreements tend to be renewed on an annual basis.

Case Study: River Greta and Middle Derwent, Cumbria, England

The River Derwent and its tributaries consist of high quality wildlife habitats protected through designation as a Special Area of Conservation (SAC) and as a Site of Special Scientific Interest (SSSI). Salmon and Sea Trout are in decline on the Greta and Derwent and the tributaries are key spawning and nursery areas essential to their survival. The Greta is also a high quality descent for kayakers or open canoeists providing a river journey of 8 km.

During November and December paddling on the Greta is restricted, based on water level. 'Spate conditions' are required and these are defined as being indicated by a white painted line as river level marker situated at Threlkeld Bridge on central bridge pillar downstream side. If the water is below the white line, paddlers are asked to keep off the river so that the environmental impact is limited. This prevents damage to the spawning fish and spawning beds. On the Middle Derwent there is a white painted river level marker at Portinscale footbridge on the E foundation under bridge (GR NY253238).

The agreement states that canoeing can take place on the Greta 365 days a year with some minor restrictions. Three tributaries will have a 2 months restriction (November and December) when no paddling should take place. These are the St John's Beck, the Glenderamackin and the Glenderaterra.

From 1st January to and including 31st October access is agreed subject to general conditions of use that include access and egress at permitted places, the canoeists' code of conduct, disinfecting boats (crayfish plague), and an annual review of the agreement.

From 1st November to and including 31st December - Canoeing may take place on the River Greta and Middle River Derwent in spate conditions as defined in by the water levels.

Car Parking is allowed on the road over Threlkeld Bridge and in Keswick at several locations where the river meets the road, including the minor road from the suspension bridge to Portinscale. Finish in the town at the Pencil Mill industrial estate, or at the road bridge on A5271. where a ramp and public footpath lead to the water.

Evaluation of water access agreements

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> • Agreements can be tailored to protect local sensitive sites • Agreements can be combined with other approaches to protect wildlife and aquatic ecosystems
Managing conflict	<ul style="list-style-type: none"> • Can be written to prevent conflict between users • May require strong enforcement initially • Require high level of publicity to raise awareness among potential users • Should decrease conflict between competing uses
Use levels	<ul style="list-style-type: none"> • Terms and conditions can be written into agreements to control numbers • Use levels are likely to increase in areas where agreement reached due to agreements over what is allowed
Encouraging participation	<ul style="list-style-type: none"> • Participation is likely to increase where agreements are reached and uncertainty removed • Removal of conflict likely to wider range of groups to participate in water based activities

Overview of stakeholder responses to water access agreements

<p>Strengths</p> <ul style="list-style-type: none"> • Can be tailored to specific areas / rivers / catchments • The approach with regard to wildlife considerations works well in the mountaineering community • Can be negotiated at a local level 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Requires well respected local person to negotiate agreements • Short term agreements do not encourage investment or certainty. • Massive task to negotiate agreements on all rivers where canoeing currently takes place. • Too many riparian owners (especially where rivers go through villages).
<p>Opportunities</p> <ul style="list-style-type: none"> • Longer term agreements have the potential to deliver more stable results for owners and recreational users • May be more accepted if negotiated by neutral body (e.g. EA rather than canoe clubs) • CCW could create series of principles to guide agreements • Potential use of internet to broadcast nature of agreements 	<p>Threats</p> <ul style="list-style-type: none"> • Difficulty of creating agreements with non-constituted bodies. • Lack of trust between different interests at local level. • Costs could escalate and begin to exclude some people • Need to negotiate with landowners as well as fishing interests, otherwise they will become less willing to engage • Size of the river is critical – will be harder to negotiate access on small rivers

Strengths and Opportunities

The main strengths relate to ability to tailor the agreements to local conditions and characteristics. The ability to negotiate such agreements at the local level was seen as a major strength. Those with experience of such agreements (both anglers and canoeists) stated that they can be very effective in dealing with local situations and flexible enough to be altered easily when conditions changed. Mountaineering interests noted that such agreements had been used effectively for several years now to protect wildlife on cliffs and crags.

Several respondents noted that although the process was difficult and time consuming it would still be easier than obtaining statutory access. Some respondents noted that if the enforcement issue could be solved then voluntary agreements might give canoeists “most of what they want”. It was recognised that voluntary agreements might not work everywhere and might work best on short stretches of water where landowners and holders of fishing and other rights would be fewer in number.

The issue of ‘who should negotiate agreements’ was raised by a number of different respondents. Some respondents suggested local bodies rather than the national representative bodies should be involved in negotiating *local* agreements. Some respondents suggested agreements might be more effective if negotiated at catchment level, perhaps by river trusts. Others stated a neutral body trusted by all parties (such as the Environment Agency) might be more effective in negotiating an agreement, rather than a local canoe club. This might be particularly important where levels of trust are low due to past negative experiences. Once an agreement is created respondents noted the need to raise awareness among all recreational users of the affected area, the internet was suggested as a potential means of reaching users. A final issue related to ‘time’. Respondents noted that agreements needed to be developed with a long-term perspective as short-term agreements create an air of uncertainty.

Weaknesses and threats

Several weaknesses were identified for access agreements - falling into four broad categories:

- Engagement
- Enforcement
- Investment/payments
- Time period of agreement

Engagement

There are two sets of issues here. The first relates to the sheer numbers of landowners or other interests that might have to be part of the negotiation process and the need to get unanimous support from all rights holders (e.g. land owners, fishing rights holders). In some situations (e.g. rivers running through towns/villages) the sheer numbers of land owners will make the task impossible.

The second set of issues relates to lack of effective engagement with the issues on the part of certain interests. Concern was expressed that some angling bodies are not interested in considering access agreements. On the other hand, several representatives of angling interests expressed a willingness to negotiate agreements. Representatives of landowning interests suggested that for

landowners benefiting from leasing of fishing rights there is little incentive to discuss access with canoeists, or to engage with the issue.

Enforcement

A general concern expressed by many respondents is the ability to enforce local access agreements. Some form of bailiff system was felt necessary to ensure those engaging in activities are doing so within the terms of an agreement. Representatives of angling interests suggested a need for a registration and licensing system for all boats so that those breaking the rules can be identified. The general view of angling interests was that voluntary agreements with canoeists could not be enforced, which tended to act as a disincentive for making agreements.

Investment/payments

A major stumbling block for some respondents was the desire of canoeing interests for free access to inland waters. It was pointed out that anglers pay significant sums of money to participate in their activity while canoeists expected to have free access to the resource. A requirement for engaging in access agreements would therefore be for some form of payment by canoeists.

Time period of agreement

The time period of an agreement concerned both angling and canoeing interests. Canoeing interests were concerned over the short time period (often annual) that agreements are made, it results in agreements that are subject to constant change and which may be terminated at any time.

A number of threats to the voluntary agreement process were identified by all respondents. Anglers noted the problems associated with creating and enforcing agreements with non-constituted groups or bodies of canoeists. Angling interests were divided on this issue with some suggesting that they would only make agreements with a national representative body, and others arguing that agreements were more effective if drawn up between *local* fishing and canoeing interests. Lack of trust was mentioned by all sides as a major threat to creating access agreements. Angling interests do not trust canoeists to stick to the terms of any agreement; canoeists perceive that anglers can terminate an agreement at any time and walk away.

Summary

Potential

- Agreements flexible and can be tailored to local circumstances
- Opportunities for local negotiation of agreements
- Long-term agreements can deliver certainty and stability

Barriers

- Lack of engagement by some angling interests, landowners and national canoeing body
- Lack of trust between anglers and canoeists
- Lack of enforcement mechanisms
- Short-term agreements do not encourage trust

Management techniques: area based

The management techniques in this section are focused on controlling water based activities through establishing general conditions or constraints on use of the resource. The techniques are widely used with some local adaptations to fit physical and cultural characteristics of different countries. Some form of management is required wherever recreational activities take place on inland waters. These techniques can be used to limit the types of activities allowed, control the manner in which activities are undertaken, restrict access or encourage to the resource, and control conflict between different users of the resource.

1.11 Time zoning

Time zoning is used in many countries to separate potentially conflicting activities by limiting certain activities to specific times of the day. Zoning may be seasonal, such as restrictions on fishing in Wales and England through a closed fishing season, or diurnal, such as limiting canoeing to specific times during the day. A variety of approaches has been taken including a complete ban on activities during certain periods, restricting activity to a weekend, or only allowing short periods of access to protect sensitive areas.

Examples

On many rivers in France (for example the Allier River) canoeing is only allowed during the hours of 10 am and 5 pm, to avoid conflict with angling.

Evaluation of time zoning

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> • Can be used to protect sensitive areas (e.g. fish spawning periods, bird nesting, otter breeding)
Managing conflict	<ul style="list-style-type: none"> • Effective in preventing conflict between users • Can be difficult to enforce
Use levels	<ul style="list-style-type: none"> • No restrictions on numbers of participants • Might limit distance that can be travelled by boats during any one day • May increase density of use through concentrating activity into shorter time periods
Encouraging participation	<ul style="list-style-type: none"> • Removal of conflict likely to encourage families and youth groups to participate in the activities • Improved certainty likely to increase participation

Overview of stakeholder responses on time zoning

<p>Strengths</p> <ul style="list-style-type: none"> • Currently works in many places in Wales where canoeing allowed, e.g. during closed fishing season – approach has advantage of familiarity • People are receptive to this approach • If you know you can get on the river at a certain time it makes it easier for everyone • Can help avoid conflict (e.g. during last few weeks of fishing season when you get more anglers out) 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Requires strong enforcement - policing is an issue • Can limit trip length and distance you can travel in one day • Canoeists tend to ignore time zones and other rules of good conduct
<p>Opportunities</p> <ul style="list-style-type: none"> • Potential for extending canoeing periods through agreements based on water conditions rather than on fishing season. • In some cases access could be allowed throughout the year – not all anglers object to canoeists • Can be tailored to suit local conditions • Useful to protect environmentally sensitive areas, such as spawning areas – particularly in upper streams 	<p>Threats</p> <ul style="list-style-type: none"> • Winter fishing for Grayling on some rivers – will limit canoeing. • More difficult to implement in Wales, rivers smaller and timing of fishing activity (i.e. all day and at weekends) conflicts with main canoeing activity. • Risk of alienation if don't involve landowners early • Lack of trust between canoeists and angling interests

Strengths and Opportunities

Respondents noted that this approach is already used in many places and works well. The approach is familiar to angling and canoeing interests who were aware of the way in which it is applied in Europe and respondents noted that recreationalists were generally receptive to this approach. It was viewed as something that could be included to make local agreements workable. Canoeing interests indicated that such an approach could help to avoid conflicts between different activities and the approach increases the level of certainty over when a river could be utilised. Canoeists tend to drive long distances to paddle specific rivers and knowledge of availability for paddling would help.

Respondents representing canoeing interests perceived opportunities to utilise the approach. Seasonal zoning was suggested as many rivers in Wales are not canoeable during the summer months (April – September) due to low flows. Angling interests suggested that zoning was a valuable approach but need not be imposed in a uniform manner; some angling interests stated that not all anglers were averse to canoes during the game fishing season, some felt that disturbance of the water enhanced the fishing. Overall, respondents noted that the approach could be adapted to suit specific local circumstances and conditions.

Weaknesses and Threats

A significant number of concerns related to enforcement of any form of time zoning. Representatives of angling interests noted it would require strong enforcement and concerns were expressed over canoeists that would ignore time zoning and other rules. Canoe interests felt the approach was helpful for some canoeing activities (e.g. white water kayaking) but not for others (e.g. touring canoes). Touring is an activity that tends to occur during the warmer months, over longer distances which would make management of any zoning approach more difficult. Some canoe interests also felt a zoning approach could restrict the opportunities for paddling by preventing the activity during summer spate periods (i.e. short periods of high water following heavy rainfall), or limit the amount of paddling that could be accomplished during one day if some form of daytime zoning was applied.

Angling interests suggested that a time zoning approach might be more difficult to implement in Wales than in other European countries because the nature of the activity differed. In Wales fishermen tend to go out all day (rather than dawn and dusk) and also at weekends, which is also prime time for canoeing. As a result diurnal zoning is less likely to work effectively. Angling interests also pointed out that some rivers were important for Grayling, fished during the winter period, which could limit the applicability of any seasonal form of zoning for canoeing.

Summary

Potential

- Lot of support from wide range of interests
- Flexible approach – can be adapted to suit local conditions
- Seasonal zoning more applicable than diurnal zoning
- Diurnal zoning might be applicable on some rivers (e.g. where Grayling important)

Barriers

- Lack of trust regarding enforcement
- Some concerns over decrease in paddling opportunities

1.12 Area zoning

Area zoning manages potential conflict through physical separation of activities. This is often applied to lakes or reservoirs where activities can be assigned to designated areas. For example, on a lake water skiing may be allowed in one part of a lake, sailing in another, and other powered craft in a different area. Rivers may also be zoned with certain stretches limited to specific activities, such as angling or canoeing. On larger rivers an activity such as angling might be allowed on one shoreline, but not on the opposite bank to allow safe passage of boats.

Examples

The Loch Lomond Registration and Navigation Byelaws 1995, made jointly by Dumbarton and Stirling District Councils under Section 121 of the Civic Government (Scotland) Act 1982, create restrictions on where specific activities may take place, and speed restrictions in certain areas.

A more specialised area zoning approach has been used in South Africa, termed 'dam' or 'reservoir' zoning (for managing use on reservoirs). No activities are allowed in areas around water supply infrastructure, other parts of a reservoir can be designated for jet skiing, fishing, canoeing, sailing, and swimming.

The Minnesota Department of Natural Resources uses local surface use zoning to manage potential conflicts between water-based activities. Each year the Department of Natural Resources (DNR) receives a number of questions regarding the placement of restrictions on lakes and rivers. With over 860,000 boats registered in the state, some conflicts can be expected. "Water surface use zoning" aims to enhance the recreational use, safety, and enjoyment of lakes and rivers.

Proposals for water surface use management originate with the local unit of government - town, city or county, depending upon where the lake or river is located. Any ordinances proposed by the local unit of government must have a hearing and be approved by the DNR before they can go into effect. The DNR also provides assistance in finding technical information as well as in drafting ordinance language.

Important factors which influence the type of controls selected depend upon: the type of water body (lake or river), size, depth and shape of a lake, current and future shoreland development, relationship to other water bodies, environmental factors, accident and safety data, and recreational use patterns. A range of management options is then considered including:

Time zoning

Used in conjunction with other zoning methods to define times, days of the week or periods during the year when restrictions are effective. Choices suggested are:

- 24 hours a day
- sunrise to sunset
- 9am to 6pm
- noon to 6pm
- Memorial Weekend through Labor Day Weekend (either on all days or only on weekends and holidays) or all year.

Directions of travel

Useful for controlling conflict from high speed activities on a lake, where speed zones may also be established.

Motor type and size

Restrictions on boat type and size are found mostly on smaller lakes, especially where there has been minimal motorboat use on the lake and future development may be planned. It controls speed by controlling horsepower.

Speed limits

Useful for controlling watercraft speeds for safety or resource concerns. Requires more enforcement than other types of controls. Choices:

- slow/no wake (5mph)
- 15 mph
- 40 mph

Area zoning

Also used in conjunction with other zoning methods to identify specific restrictions a lake or river. As an example, speed restrictions may be in place (near marinas or in narrow channels). These areas are normally marked with buoys or signs placed by the local unit of government.

Other restrictions

Restrictions, such as type and size of watercraft and other surface uses (swimming, restrictions on motor vehicle use on the ice, etc.) are also possible. It is also possible to petition the DNR for a variance from any of the listed standards.

Case study: St. Croix river, Minnesota

Regulations have been adopted by the Minnesota Department of Natural resources. Regulations create one slow speed zone where no wake is allowed and another eight 'slow - no wake zones' where motorboat operation is restricted to 'the slowest possible speed necessary to maintain steerage'. In addition when water levels rise above a certain point 'no wake' restrictions are applied to the whole of the lower St Croix river. Area zoning is also tied in with time zoning for certain activities such as waterskiing.

Wake Zones:

No wake allowed within 100 feet of shore, including islands

No wake allowed within 100 feet of swimmers

No wake allowed in marked areas

Restrictions on Waterskiing:

No waterskiing is allowed on any part of the river between sunset and sunrise.

No waterskiing is allowed at any time in any of the slow speed or slow - no wake zones.

Between May 15th and September 15th, inclusive, no waterskiing is allowed after noon on Saturdays, Sundays, and legal holidays in the area between the Arcola Sandbar and the north end of Stillwater (the Coast Guard channel buoy marking the north end of the nine-foot navigation channel).

Environmental restrictions

In addition certain restrictions are imposed on boat traffic to prevent the spread of the Zebra Mussel. Zebra mussels are a small, non-native clam that has now invaded many areas of the Mississippi River south of St. Paul. Zebra mussels infest new areas by attaching themselves to boat hulls and motors. Transporting them into the St. Croix River is made a finable offence. Due to the possible spread of zebra mussels into the upper reaches of the St. Croix, the National Park Service has restricted most boat traffic originating downstream from passing the check-point near the Arcola Railroad Bridge.

Evaluation of area zoning

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> • Provides protection for sensitive sites (fish spawning area, otter breeding, bird nesting). • Prevent or restrict access to protected sites
Managing conflict	<ul style="list-style-type: none"> • Works well on large open bodies of water • Reduces potential for accidents • Separates powered from non-powered craft, and can be used to separate other forms of conflicting activity • Requires active enforcement • More difficult to implement on small water bodies and rivers
Use levels	<ul style="list-style-type: none"> • Can restrict numbers on small water bodies • Might result in prevention/reduction of some activities in areas where they are currently undertaken • May prevent some users from accessing desirable sites
Encouraging participation	<ul style="list-style-type: none"> • Clarifies where activities can and cannot take place, encourages people to use specific areas for their chosen activity. • Requires wide dissemination of information and raising awareness of where to undertake activities.

Overview of stakeholder responses on area zoning

<p>Strengths</p> <ul style="list-style-type: none"> • Works on the Dee at Llangollen – where commercial interests bought land and fishing rights. Provides somewhere for canoeists to go where no interference from fishermen. • Works well on lakes where it is relatively easy to limit places canoes can go. • Can be used in nature protection - data for conservation sites is available 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Few rivers not fished – it would be difficult to limit fishing. • Areas with gentle gradient (pool and riffle) favoured for game fishing – tend to be stretches most favoured by majority of intermediate/beginner canoeists. • Wouldn't work on smaller rivers • Canoeists like the 'journey' aspect of the sport – this could be inhibitive • Will be difficult to decide who gets which rivers and may fuel conflict if either side does not get the water it wants
<p>Opportunities</p> <ul style="list-style-type: none"> • Might work where numbers limited • Some areas of high technical canoeing difficulty of no interest to anglers. 	<p>Threats</p> <ul style="list-style-type: none"> • Those who have paid for fishing rights in an area that becomes zoned for canoeing may demand compensation.

<ul style="list-style-type: none"> • Could work for competitions. • Huge opportunities on reservoirs and other still water bodies • Would work well with time zoning (and vice versa) • Could be particularly beneficial for wildlife protection • Useful in hot-spot areas 	<ul style="list-style-type: none"> • Could restrict the 'quieter' user
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Strengths and Opportunities

Respondents noted that this approach is already in use in certain places such as the River Dee at Llangollen, where commercial interests have purchased land and fishing rights. This effectively creates a place for canoeists to aim for where they know they will always have access and no conflict with angling interests.

Although a limited number of strengths were identified, respondents noted a significant number of opportunities for this management tool. Opportunities for applying this approach were indicated for lakes and reservoirs, especially as so few reservoirs in Wales currently permit canoeing. Representatives of canoeing bodies suggested there were areas of high technical difficulty that were not of interest to anglers, and these could be zoned specifically for certain types of canoeing activity. It was also suggested that the approach might work well if combined with time zoning, for example, in delineating areas used for kayak or fishing competitions.

Weaknesses and Threats

Some respondents were not enthusiastic about area zoning as a management tool, particularly on smaller rivers as there is not enough space to separate out different activities. Angling interests noted that few rivers were not fished in some way and that it would be difficult to limit fishing. They also noted that similar types of river seemed to be favoured by both game fishermen and certain types of canoeist (beginner and intermediate touring). This would make it extremely difficult to apply as there would be conflict and disappointment at whichever way a river was divided up for different activities. Representatives of angling interests noted that such an approach would be likely to increase rather than reduce conflict between different sets of users, as it would be impossible to implement in a manner that would be considered fair and equitable. Both canoeing and angling interests felt that an area based zoning approach would end up restricting opportunities for their chosen activity.

Summary

Potential

- Adaptable to local conditions
- Use in conjunction with time zoning/spate agreements
- Improve management of 'hot spots'
- Manage specific activities (e.g. technical kayaking; competitions)

Barriers

- Canoeists and anglers seek the same stretches of river
- Enforcement
- Increased conflict

1.13 Management planning

A wide range of management plans have been developed and applied in different parts of the world. These range from localised plans pertaining to a single lake or stretch of river, to approaches encompassing entire rivers and their catchment areas. In some cases management plans focus specifically on recreation, in other cases plans integrate recreation into a broader view of water quality, its uses and landscape impacts. Some examples are presented below.

Examples

Mid-Brisbane River Recreation Management Plan, Australia

The Brisbane River is important as a source of potable water, for valued vine forest ecosystems, and for recreation. The five-year plan is based on a number of agreed principles which result in a focus on 'nature-based' recreational activities. The area is recognised as a prime canoeing destination in Australia and the plan allows for creation of new camping areas, new canoe trails, 4-day 'use nodes' which are also suitable for day visitors, and 'low profile' sites where very low use is the objective. The plan includes awareness and educational campaigns, badging and signage, creation of a management structure including liaison with state government agencies, water quality monitoring, regular monitoring and staff to enforce new rules and regulations, and liaison with local police forces for assistance in enforcement.

River Contracts

River contracts are used in several European countries including Belgium, France, Spain and Italy. In France, 'Le contrat de rivière' is a five-year programme of activities designed to restore and improve a river and its watershed. First instituted in 1981 there are now 66 'contrats' in France and a further 62 are currently being negotiated (2006 data, Ministère de l'Écologie et du Développement Durable, Direction de l'eau) with a focus in the river basins of the Rhone and the Garonne in south-western France. The contracts are partnership agreements between the prefects (central government representatives), water agencies, and local communities. They do not have the force of law but are more like an agreement to undertake a plan of activities between the consenting parties.

Le contrat de rivière Attert in Belgium is an example of an agreement between the local authorities in the Attert valley. The agreement has permitted better coordination of programmes of works (e.g. flood protection) and catchment management.

Case study: Pemigewasset River Corridor Management Plan, New Hampshire

The Pemigewasset River and its corridor comprise the river and the land surrounding the river. The width of the corridor is in accord with the New Hampshire Department of Environmental Services (DES) standard of 1,320 feet from the normal high water mark of the river, modified where practicable by roads or geographical features. The Pemigewasset watershed drains approximately 1,000 square miles, flows through three counties: Grafton, Belknap, and Merrimack. The Pemi River's headwaters are in Profile Lake in Franconia Notch State Park, and the East Branch starts in the Pemi Wilderness Area. Leaving the Notch, the river eventually widens as it moves southerly along its approximately 70-mile route to its confluence in Franklin with the Winnepesaukee River, thereby forming the Merrimack River. All of the, river except a ten-mile segment through Lincoln and Woodstock is protected under the New Hampshire Rivers Management and Protection Program, as of June 1991.

The Pemigewasset River Local Advisory Committee (PRLAC) was established under the New Hampshire Rivers Management and Protection Programme in 1992, which is designed to help communities accommodate a wide range of uses for a river without adversely affecting the valued resources and qualities. The Act divides responsibility into two jurisdictions: the state protects in-stream resources; and local residents develop and implement river corridor management plans to further protect shorelines and adjacent lands.

The PRLAC committee is made up of volunteers representing diverse interests as well as each of the towns within the designated section of the river. Each member of the committee is nominated by his or her town officials and is appointed to a three-year term by the Commissioner of the Department of Environmental Services.

The plan is the culmination of several years of work, including landowner and non-landowner attitude surveys. The committee's objective was to balance environmental and economic goals while respecting the rights and desires of riparian property owners and of the region as a whole. The plan provides town officials with a common thread that they can use in preparing their master plans, or may adopt as an adjunct to their master plan.

Consultation revealed there was broad support among communities for the protection of water quality, scenic value, fishing, open space, public access and wetlands. Better flood control management and erosion control also received wide support. Uses which communities would like to see decrease included the use of jet skis, large water craft, and off-road vehicles. The problems identified in the consultation fell broadly into six categories: water quality, development & growth, trash disposal, flow-related issues, public use, and recreation. The committee came up with a wide range of recommendations, many of which will require cooperative action between various state and local agencies, private groups and individual landowners. This will require further negotiation and active management.

Evaluation of management planning

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> • Enables local authorities, NGOs and government agencies to work in partnership to achieve commonly agreed goals. • Improves communication between stakeholders • Can be used to identify and enhance protection of specific areas or species.
Managing conflict	<ul style="list-style-type: none"> • Recreation becomes only one aspect of management. • Capacity to incorporate recreation issues into wider and more holistic catchment management. • Can be used to deal with conflict between recreation uses, at a range of levels from the local to catchment-wide. • Enables all stakeholders to become involved in negotiating the most appropriate management techniques.
Use levels	<ul style="list-style-type: none"> • Potential to influence number and type of activities permitted. • Improved management may encourage use through clarity of what activities may take place and where.
Encouraging participation	<ul style="list-style-type: none"> • No direct effect • May increase participation in a range of activities if conflict or environmental problems are reduced.

Overview of stakeholder responses to management planning

<p>Strengths</p> <ul style="list-style-type: none"> • Deals with conflicting interests • Establishes communication channels • Holistic • Could help with nature conservation – e.g. SAC designated rivers 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Strategic level water management plans - interests will vary among stakeholders on different stretches of the river. • Specific activities may not be effectively represented • Needs up front funding – expensive • Current administration boundaries could cause problems
<p>Opportunities</p> <ul style="list-style-type: none"> • River trusts are an example – could be brokers of deals, tend to have landowner support. • Requires local level recreational 	<p>Threats</p> <ul style="list-style-type: none"> • River management needs a ‘tiered’ approach as there are different sets of issues at different levels. • Must involve landowner –

<p>input.</p> <ul style="list-style-type: none"> • Could be used to improve recreational facilities/access • Useful in high pressure areas • Need for a broader panel of people to look at the issues • Might work if looking at complete rivers, rather than just segments 	<p>otherwise it will alienate them</p> <ul style="list-style-type: none"> • Involving lots of people could cause organisational problems • Potential for arguments about rights as numerous leases exist. • Groups fear under-representation
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Strengths and Opportunities

Respondents noted that management plans could assist in developing communications between different interests and deal with conflicting activities. Catchment level management plans also had the potential to be more holistic, taking in views of a wide range of interests in inland waters within an area.

Some respondents saw opportunities for river trusts (three currently exist in Wales) to act as brokers between different activities and interests. Policy makers noted that river trusts tended to be driven by angling interests though there was scope for developing trusts with a broader interest base. Interestingly not all respondents (including angling and land management interests) were aware of the existence of river trusts suggesting that their influence so far may be limited to the local areas in which they are established.

Several respondents saw opportunities for management plans to improve management of recreational activities but noted the need for inclusiveness in terms of representation from a broad range of interests. It was suggested that management plans could be helpful in managing problems in areas of high pressure, or in managing activities on entire rivers, rather than focusing in on particular stretches of river.

Weaknesses and Threats

Respondents noted that current administrative and political boundaries might cause problems when developing catchment scale management plans, and that a high level of co-ordination would be required to ensure adequate representation of all interests. A key issue was that stakeholders would have different concerns on different stretches of river, and that representation of an activity by one person might not adequately capture the variability in interests. Respondents suggested that a 'tiered' approach to river management was required to deal with the variable issues at catchment and local scales.

Summary

Potential

- Application to high use rivers
- Catchment level plans can be inclusive and holistic

Barriers

- Expensive and administratively difficult
- Possible domination by specific interests
- Loss of local influence

1.14 Designation of canoe trails

Designation of rivers to encourage use and/or management for specific activities occurs in several countries (e.g. USA, Ireland). Designations can range from statutory arrangements requiring primary legislation (e.g. the Wild and Scenic River system in the USA) to rivers 'badged' or signposted as canoe trails for tourism purposes (e.g. Lough Erne in Northern Ireland).

In Wales designation of a river or other inland water as a canoe trail may imply some form of permitted access. The approach will require negotiation and access agreements on waters where there is no right of navigation. It may be a suitable approach for use on public land where there is already management of recreational access.

Examples

USA

The Ohio Water Trails team works with local partners to promote the awareness of public boating access by developing designated water trails on Ohio streams. Two trails have been designated: the Kokosing River Water Trail was the first designated trail in Ohio, dedicated in 2005. The Kokosing State Scenic River has a diverse ecosystem with riverine plant communities and more than 70 species of fish. The Muskingum River Water Trail was designated as the second water trail in Ohio in 2006. The Muskingum River has historically served as a transportation corridor to and from the Ohio River. Towns along the river provide amenities for through-boaters and day-trippers.

Water trails are a bottom-up process requiring a partnership approach including owners of access sites. Access points every ten miles are recommended. Advertised public meetings are required to gain support to create local partnerships and a steering group consisting of key local stakeholders and local authorities is advised. Local partnerships are required to survey the entire length of the proposed trail in order to produce accurate maps and guides, and also commit to long-term stewardship. Designation requires a partnership agreement to be signed with the Ohio Department of Natural Resources (ODNR), the relevant state agency. Partnership agreements last for five years. ODNR provides assistance with mapping, access to the water trails logo, and inclusion in state publications about water trails; funding may also be available to assist in the development process from a range of sources (e.g. the Recreational Trails Programme; the Cooperative Boating Facility Grant Programme for boating access open to the public; and from the wildlife division for rivers with high quality game fisheries). Partnerships have a responsibility to provide safety information and warnings about hazards.

England

Canoe trails are starting to appear in England although these would not qualify as officially sanctioned trails with legislative support, they are more a means of identifying places where people can paddle for extended trips. 'Canoe safaris' are advertised on one website for the Norfolk Broads. [<http://www.norfolkbroads.com/guides/carfree/canoe>] and the Mersey is being identified as a canoe trail following the successful access agreement negotiated.

Case Study: Northern Ireland

The Lough Erne canoe trail is the first to be designated in Northern Ireland, stretching for over 50Km. The trail was launched in 2005 through a partnership approach for a total cost of £49,000. Ten interpretation panels are dotted along the shoreline providing canoeists with information on campsites, nearby facilities, safety, the environment and local history. Information is also provided through an interactive map on the internet.

There are some restrictions on access between March and August to protect nesting birds.

A canoe development officer was appointed in 2003 by the Countryside Access and Activities Network, and The Canoe Association of Northern Ireland and seven possible sites for canoe trails identified. Three other canoe trails are currently under negotiation: Strangford Lough (estimated to cost £48,000), Lower Bann Canoe Trail (estimated to cost £58,000), and Blackwater Canoe Trail (with estimated costs of £154,000).

Evaluation of canoe trails

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> • Provides a focus for local authorities, NGOs and government agencies to work in partnership • Can inform and educate public about the environment and wildlife • Can be used to direct people away from sensitive areas
Managing conflict	<ul style="list-style-type: none"> • Trail designation enables authorities/agencies to direct canoeing away from areas where potential conflict might occur.
Use levels	<ul style="list-style-type: none"> • Advertising of canoe trails (e.g. pamphlets, internet) is likely to increase numbers canoeing • Canoe trails can be designed for beginners, intermediate of other skill levels.
Encouraging participation	<ul style="list-style-type: none"> • Likely to increase participation through provision of information on where to go and what to expect • Local businesses will provide services (e.g. canoe hire) and encourage participation

Overview of stakeholder responses on canoe trails

<p>Strengths</p> <ul style="list-style-type: none"> • Could identify most suitable places for different activities • Makes it easier to control access points • Designations need not be statutory 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Requires a higher level of active river management. • Will require overarching primary legislation. • Designations can be a bureaucratic process • Needs good communications between numerous agencies • Very hard to decide which rivers to designate – rivers designated for nature conservation or fishing may become unusable by anyone else
<p>Opportunities</p> <ul style="list-style-type: none"> • Could be done on a seasonal basis. • Could overcome landowner veto of recreational craft • Potential for income generation in many areas. • Could be a good focal point for recreational participants • If facilities etc. provided could be a big attractor to an area bringing wider benefits – economic, etc. • Creation of a 'safe' hassle free place for people to engage in an activity 	<p>Threats</p> <ul style="list-style-type: none"> • Designations could split people apart – where currently co-exist. • Could end some tolerated access • Would need to ensure that existing angling rights/investments were not overridden • 'Designations' are disliked and can be restrictive – landowners are fearful as they can stagnate • Landowners, owners of fishing rights and others who have invested in river development might require compensation.

Strengths and Opportunities

Respondents suggested the approach could help in identifying the most suitable places for specific activities to take place. Designation of an inland water for a specific activity would attract users to that place and might make it easier to control access to certain waters. Some respondents suggested that rivers could be designated on a seasonal basis (e.g. in winter to attract canoeists to a particular area). The River Wye was suggested as one potential river that could be designated as a canoeing river in some manner although it was suggested that there is currently insufficient infrastructure to support any formal designation. Some respondents suggested that designation of a river as canoeable might be accompanied by local economic benefits resulting from increased visitation and spending.

Weaknesses and Threats

A major concern of respondents was the bureaucratic nature of this approach, although many tended to view designation as a purely statutory approach. Designation of land or water is a complex process, requiring resources for implementation and enforcement, and good communications between different agencies. Respondents suggested it might be extremely difficult to decide which rivers to designate for different activities. Respondents expressed concern that

designation of a river for a particular activity (e.g. nature conservation, canoeing, fishing) might make that river unusable by anyone else.

The overall feeling expressed by a wide range of respondents was that rivers in Wales were too small, too short and used by too many different activities for this approach to work effectively. The best game fishing rivers are also often the most popular canoeing rivers and it would take a lot of political will to assign rivers to one activity or another. A major threat to this approach was its potential to increase conflict between different water users. Respondents suggested that such an approach was likely to divide interests even where they currently peacefully co-exist. Canoe interests expressed concern that designations would result in a loss of tolerated access in some areas; angling interests expressed concern that existing rights and investment in angling could be lost.

Summary

Potential

- Limited potential for managing 'hot-spots', or navigable rivers (e.g. R. Wye)
- Non-statutory designations might provide an alternative
- Might bring local economic benefits

Barriers

- May increase conflict between users of inland waters
- Requires political 'courage' to designate waters for specific activities
- Requires provision of facilities
- Bureaucratic
- Potential opposition from landowners

Management techniques: Permits

Permits are a common means of managing recreational activities on inland waters in England and Wales as well as in other countries. It can be difficult to differentiate between licenses and permits as both are sometimes required and may require payment. For example, in England and Wales anglers need to buy a rod licence and usually a local permit to fish in a locality; owners of powered craft must register their boats and pay a national fee, and specific waterways often require purchase of a permit for access and use. Permits are usually time or location limited permission to engage in a specific activity.

Permits are often used as a means of controlling numbers of persons using a particular resource. Permits can be used at national, regional or local levels to control numbers. They are commonly used in the US national park system to control numbers of persons going into the back-country or wilderness areas. Permits are widely used to control numbers of hunters (e.g. through limiting number of permits issued to hunt deer) and also enable government or other agencies a means to control numbers of persons fishing and so manage natural or artificial fish stocks.

Examples

In France fishing rights belong to the state on public waters, and to private individuals on private waters. Anglers must join an authorised angling association and pay an annual fishing fee. (Le Goffe and Salanie, 2005)

In Hungary anglers must purchase a state fishing licence from the Ministry of Agriculture. In Germany anglers need a licence from the state but must also complete a course covering regulations, fish species and diseases (an estimated 10 – 20% of applicants fail the test). Anglers must also obtain a permit from owner of the fishing rights for the area he wants to fish. Fishing rights owners might be landowners, a person who owns the water, a fishing club, or a union of commercial fishermen. (www.geocities.com)

In most states of the USA anglers must purchase state licences to fish. There may be other requirements and payments to fish for certain species. Permits for boating are often required on individual lakes and rivers. For example, Black Hill Regional Park in Maryland requires purchase of daily permits for all boats to access Little Seneca Lake. Payment is made through an honesty box at the launch ramps (or seasonal permits can be purchased in advance) and boating only permitted during daylight hours during summer months (March to September).

In Pennsylvania, if residents wish to enter a Fish and Boat Commission Access Area, they must register their canoe or purchase a Boat Launch Permit (tax-exempt). A two-year boating permit costs \$18, a one-year boat launch permit costs \$10.

Case study: Boundary Waters Canoe Area, USA

Persons wanting to access the Boundary Waters Canoe Area must purchase a permit. As numbers are limited by daily quotas this usually requires reserving a permit well in advance of a planned trip.

Applications for the 2007 season may be submitted by website, fax, or mail beginning November 1, 2006. All applications are processed by lottery (regardless of method or order received) on January 15, 2007. Following the lottery, a first come, first served reservation process operates from January 20 onwards, via interactive website (reservations processed and confirmed immediately), fax or mail. Phone reservations are accepted from February 1 onwards.

A \$12 non-refundable reservation fee is required for each permit. If reserving an overnight permit, a \$20 deposit is also collected. When making a telephone reservation, potential users are asked to provide the following information:

- o Entry point
- o Arrival date
- o Estimated exit date
- o Trip Leader's name, address, postal code and telephone number
- o Estimated number of people and watercraft
- o Permit issuing station
- o Method of payment (i.e. credit card number and expiry date)

All reserved permits must be picked up at the location specified when the reservation was made, or at a Forest Service office issuing station. Only the trip leader or alternate trip leaders, specified when the reservation was made, can pick up the permit.

The person that picks up the permit must stay with the group for the duration of the trip and ensure that they follow all rules and regulations. The remaining overnight use fee, if any, is calculated when the permit is issued, based on the group size upon arrival. Non-reserved permits, if available, can be picked up at any permit issuing station. Non-Permits can only be picked up the day before, or the day of entry, by the group leader or an alternate leader who is listed.

FEES FOR 2007 (per person per trip)

\$10—Adult

\$5—Youth 0–17 yrs

\$5—Golden Age or Golden Access Passport Holders

Per Person Seasonal Fee

(All seasonal fee card holders must still obtain a BWCAW Permit)

\$40—Adult

\$20—Youth 0–17

\$20—Golden Age or Golden Access Passport Holders

Evaluation of permits

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> • Effective means of controlling numbers taking part in an activity, or accessing designated areas • Permits can limit numbers in specific areas, and/or during specific time periods
Managing conflict	<ul style="list-style-type: none"> • Conflict can be managed and reduced through limiting numbers and type of permits issued • Those with permits can appeal to a managing body where problems occur
Use levels	<ul style="list-style-type: none"> • Permit requirements tend to discourage use due to added cost and bureaucracy • The casual user will be deterred by bureaucracy • Requires more detailed and advanced planning by participant
Encouraging participation	<ul style="list-style-type: none"> • Permits tend to reduce participation due to added cost and time needed to obtain them • May require advance planning to obtain the permit • May be attractive to certain sectors of the population seeking a quiet or controlled environment

Overview of stakeholder responses on permits

<p>Strengths</p> <ul style="list-style-type: none"> • Approach has been used in some places, e.g. Conway River, the Dart in England. • Makes it easier to deal with the 'rogue' element - canoeists will self-police. • Will work where facilities and management provided – allows control of numbers. 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Heavy reliance on self-policing • Requires a 'reasonable' level of facilities to attract users. • Canoeists follow changes in weather, move from one site to another – need national permits • Local permits will not work – you would have to pay someone in each locality making it difficult for canoeists to purchase
<p>Opportunities</p> <ul style="list-style-type: none"> • Potential for landowner diversification and income generation (e.g. car parking) • People will pay if they get value for money. • Might work better if permit covered multiple rivers rather than a single river, or stretch. • Useful means to limit numbers 	<p>Threats</p> <ul style="list-style-type: none"> • Only really useful on smaller sections/stretches • Need to avoid excessive bureaucracy • Costs could become excessive and exclude some people • Might discourage visitors

<ul style="list-style-type: none">• If it allows trouble free access it would be popular	
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Strengths and Opportunities

Some respondents noted that such an approach was already operating on some rivers in England and Wales, and that self-policing was fairly effective in ensuring the rules were followed. Canoeing interests noted that where facilities and some form of management were provided this approach could work with the added advantage that numbers of users could be controlled. Canoe interests suggested that provision of 'trouble free' areas for canoeing through a permit system would be attractive, and it would also be a good way to introduce people to the activity in a conflict-free atmosphere.

Angling interests suggested that permit systems might help reduce opposition from anglers as fishermen would be able to identify any boats that were not abiding by the regulations. Anglers are keen to see canoeists make some form of payment for using a river and canoeists suggested that if facilities are provided then people will pay for a permit.

Respondents noted that the need to purchase a permit to canoe in a particular location raised the possibility of providing income to landowners/land managers from charging for facilities such as car parking and for the permit itself.

Weaknesses and Threats

The majority of concerns relate to two issues: enforcement, and the administrative aspects of a permitting system. Enforcement was viewed as a major issue by a large number of respondents, canoeists as well as anglers. Several respondents noted the need for self-policing as the only way to enforce a permit system. Others suggested that bailiffs would be required to enforce the system, particularly in its initial stages.

The administrative aspects caused concern. Canoeists insisted that local permit systems would not work as it would require users finding the local person or place where a permit had to be purchased for each river or stretch of a river. This would decrease the probability of permits being purchased. Others suggested that if a national permit was introduced it would need large scale administration (in the same way as rod licenses for anglers). A national permit system might become expensive and lead to exclusion of certain groups (e.g. the young), or make it difficult for visitors to take part in canoeing in Wales.

Summary

Potential

- General support where facilities provided
- Provides a means of controlling numbers of users
- Removal of conflict attractive to all users
- Potential for local income generation
- Works in some locations

Barriers

- Lack of trust in ability to effectively self-police
- Administration and bureaucracy required

Management techniques: Fees and licences

A number of different techniques are utilised to raise money from participation in recreational activities. These include rod licences and (national and local) fees for angling, boat registration fees, boat licenses, boat and fuel taxes, launch fees, and payments to private owners. In some cases fees and taxes are paid into funds used specifically to improve or maintain quality of specific waters, or to pay for fish stocking, in other cases fees go into general funds. National fishing license fees and local payments are common in many countries (for example, the national rod licence fee in England and Wales). Fees and licenses for boating reveal more variation.

Examples

Licence fees in Finland: Fishing in Finland may require the payment of two types of fishing fee. Payment of a statutory fishing management fee is compulsory for 18-64-year-olds fishing with a reel and lure, fly fishing, using nets or fish-traps, or fishing for crayfish, anywhere in Finland. A receipt from the bank or post office where the fee is paid serves as a permit. Additionally, permission to fish, either from the owner of the fishing waters or the holder of the fishing rights is also required in principle.

The payment of a further fee, the 'Provincial Lure Fishing Fee', in addition to the national fishing management fee, permits fishing with a single rod, reel and lure in all unprotected inland and coastal waters in any particular province, in which case the owner's permission is not required. Separate fees are payable for each of Finland's five mainland provinces. Under-18's and over-65's do not need to pay this fee.'

The Wye and Usk Foundation in Wales have initiated an innovative approach to angling fees. Anglers can buy vouchers which allow them to fish a large number of beats along the Wye. The angler selects the beat he would like to fish and deposits the required number of vouchers in an honesty box found at each beat. The Foundation collects the vouchers and at the end of each year allocates the money to landowners according to the number of fishing days that occurred on each beat.

There are currently several states in the USA that require canoe and kayak owners to register or pay special taxes on their boats. For example, in Ohio, a person would pay \$15 to register a canoe for 3 years (\$12 of the \$15 goes into the Waterways Safety Fund), or alternatively \$20 for a single licence plate (a more practical alternative for fixing to canoes). The Waterways Safety Fund also receives a share of state taxes on boat fuel. In 2005 there were 412,000 boat registrations in Ohio. In 2006 there were 10 new grant programs in development, totally \$3,000,000. In Pennsylvania canoe registration is not required, unless state owned or managed lakes are going to be accessed, then the owner must register the canoe.

Citizens of Idaho that use its 'Wild & Scenic Rivers' can purchase a licence plate, which benefits river safety, access and conservation programs.

Case study: Ohio

Canoes and other un-powered craft are required to pay an annual registration fee. The money goes into the Waterways Safety Fund, which is used to operate Ohio's boating program. Registration fees include a \$3.00 writing fee which goes to the agent where the registration was purchased. Ohio's boat registrations are renewed triennially, which means decals are valid for three years. Canoes, kayaks, rowboats, inflatables, racing shells, rowing sculls, pedal boats cost \$15 - \$20.00 per registration. Owners must show proof of ownership and carry the registration paper on the boat.

Evaluation of fees and licences

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> No direct effect but fees can be used to support programmes of river restoration and environmental improvement. Fees can be varied to direct people away from sensitive areas. Fee structure can be adjusted to increase costs of undertaking certain activities (e.g. jet skiing)
Managing conflict	<ul style="list-style-type: none"> Fees can be used to pay for ranger/policing services (e.g. Lake Windermere), or for improved management of the resource. Fee structure can be adjusted to increase costs of certain activities (e.g. use of large power boats)
Use levels	<ul style="list-style-type: none"> Fees can be used to support infrastructure improvements or development, which may increase use levels. Fees can be varied to encourage participation in certain geographic areas.
Encouraging participation	<ul style="list-style-type: none"> Fee structures can be adjusted to encourage participation by specific population groups (e.g. low or zero fees for young/old persons, discounts for families).

Overview of stakeholder responses on fees and licenses

Strengths	Weaknesses
<ul style="list-style-type: none"> If boats were registered it would open up more rivers – as there would be a registration number to deal with problem canoeists 	<ul style="list-style-type: none"> Anglers are licensed nationally but still need to pay for fishing in a particular area. Not clear who would get the

<ul style="list-style-type: none"> • Will self-police as those who have paid fees will ensure others pay 	<p>money and there are difficulties of distributing licence money or fees collected.</p> <ul style="list-style-type: none"> • Could cause conflict – if people feel they have ‘ownership’ in return for payment • National permits introduce another tier of costs • Will not work at the catchment level – needs to be a national system
<p>Opportunities</p> <ul style="list-style-type: none"> • Angling clubs might open up more waters to canoes as licensing would give greater level of control and make enforcement easier. • Potential role for river trusts to collect and distribute fees. • Opportunities for private sector/landowners to generate income (e.g. car parking) • Could generate income that could be ploughed back into river management and maintenance, and provision of services 	<p>Threats</p> <ul style="list-style-type: none"> • Treasury will not permit licensing system unless a service is provided. • Would need to provide ‘value for money’ (e.g. access to number of rivers) to be attractive. • Might be opposition to a general fee – needs to be linked to specific benefits. • People are unlikely to pay unless given access to the resource.

Strengths and Opportunities

Two aspects were identified as key strengths of the user fee approach. First, a large number of representatives of angling interests have suggested that if canoeists had to pay a user fee which included boat registration (and display of some kind of registration number or license) then they would feel more able to deal with problem canoeists. A payment from canoeists for some form of license would also go a long way towards reducing the resentment currently felt by anglers towards canoeists who pay nothing to participate in their chosen activity.

Some canoeing representatives indicated that if boat registration (and a license fee) would open up more waters to canoeing then they would support such an approach. Canoeing interests emphasised that any license fee would need to cover the whole of Wales due to the rapid change in river conditions, and the need for canoeists to move quickly from one area to another.

A range of opportunities was perceived by all respondents for the application of user fees. Some respondents saw potential for income generation (for landowners, e.g. car parks at access/egress points), which might then become an additional incentive for provision of access. Some respondents saw potential for a user fee that would generate income that could then be invested in river management and maintenance.

Weaknesses and Threats

Several potential problems were identified by respondents relating to administration, enforcement, and expenditure of fees. A major concern is the level of bureaucracy that might be required in order to administer a national licence fee of some kind. Respondents suggested that any licence system would

have to be linked to provision of services (Treasury rules), and provide benefits; canoeists indicated such a fee would have to provide 'value for money' through access to sufficient canoeable stretches of river.

Summary

Potential

- Support from wide range of recreational interests for a national fee
- May open up more waters for canoeing
- Reduction in conflict between anglers and canoeists
- Potential for local income generation
- Potential for source of income for river management
- Self-policing likely to be fairly effective

Barriers

- Administration (collection of fee/distribution of money)
- National fee linked to increased access
- User fee linked to improved service provision
- Enforcement required

Management techniques: Financial incentives

Financial incentives are usually provided in the form of grants or funding programmes that support specific actions such as infrastructure development. In some countries (e.g. the USA) grant programmes have been used to fund boating facilities (docks and jetties), access (funds for access sites), car parks/toilets, canoe access/egress, portage paths, and acquisition of property.

Examples

In Pennsylvania, the 'Boating Facility Grant Program' (2005) funds are derived from boat registration fees, state fuel taxes collected on fuel used in motorboats, and taxes on fishing equipment and motorboat fuel (this is a very similar grant program to Ohio). The Coldwater Heritage Partnership Grant Program is run by Pennsylvania Trout (PATU) and funded by the Department of Conservation and Natural Resources (DCNR), the Pennsylvania Fish and Boat Commission, and the Western Pennsylvania Watershed Program. The programme grants up to \$5000 annually to non-profit organisations.

In Maine, the Boating Facilities Fund Grant Program is administered by the Bureau of Parks and Lands. Like Ohio & Pennsylvania, this fund receives its revenue from a portion of the fuel taxes generated by recreational motor boaters and provides matching funds for construction and maintenance of facilities.

In New Hampshire there is a property tax incentive for landowners called the 'recreational discount'. The 'Current Use Assessment Program' provides a property tax incentive to all qualifying landowners who agree to maintain their land in an undeveloped condition and make it accessible for low impact recreational uses. This assessment is based on the capacity of the land to produce income in its current use-whether it is managed farm or forest, or unmanaged open space. The 'recreational discount' is an incentive for landowners to keep their land open to others for six low-impact land uses; skiing, snowshoeing, fishing, hunting, hiking and nature observation. In exchange for agreeing to allow all six of these activities, the current use assessment of property tax is reduced by 20%. No other recreational activities must be allowed, and the landowner may post against any other uses. Application for the Recreational Discount is voluntary.

Case study: The Boating Facilities Fund, Maine

The Boating Facilities Fund provides financial assistance for access sites to the waters of Maine for public recreational boating. The Boating Facilities Fund Grant Program, administered by the Bureau of Parks and Lands, assists towns, cities, districts and other public and private agencies in the acquisition, development, enhancement, or rehabilitation of boat launching facilities available to the general public. Sites on both tidal and non-tidal waters are eligible. Funding is available to assist in the development of hand-carry as well as trailered boat launching facilities. But, since the Fund derives its revenue from a portion of the fuel taxes generated by recreational motor boaters, priority is given to funding launching facilities that can be used by both motor and non-motorized watercraft. Grants may be monetary, or in the form of materials, e.g., floats and concrete planking for ramps.

The applicant must have right, title or interest in the land to be acquired and/or developed and legally assure that the site will be available to the general public. A grant may be used for:

- land appraisal, legal, and other professional services associated with the acquisition of land rights needed for the project;
- purchase of land rights up to appraised fair market value;
- professional design/engineering services;
- approved construction costs;
- administrative costs such as advertising for bids and recording deeds;
- permit fees paid to external regulators;
- construction management and inspection costs.

Generally, the recreational component of facilities found to be of state-wide significance will be funded with a match requirement of up to 25%; regionally significant facilities with a 25% to 50% match requirement; and locally significant facilities with a 50% to 75% match requirement.

The property owner is expected to grant the State a perpetual easement on the property assuring its continued use as a recreational boating facility open to the general public. Facilities funded in whole by Boating Facility Funds must be primarily for recreational use by the general public. Commercial use of the facilities may be permitted provided the commercial use does not interfere with the recreational use by the general public, including use of the associated parking facilities.

User Fees: When grant recipients propose establishing a user fee, the fee must be approved by the Bureau. The fee must be modest, cannot be punitive towards non-residents, and may only be used to offset documented management costs.

Accessibility: The Bureau may require grant recipients to provide components accessible by persons with disabilities, where feasible, at all new and renovated sites to the greatest extent possible, in compliance with the Americans with Disabilities Act of 1990. Accessible components may include, but are not necessarily limited to parking spaces, accessible routes, docks and boarding floats, toilet structures, stairways and signs.

Evaluation of financial incentives

Criteria	Effectiveness
Environmental protection	<ul style="list-style-type: none"> Funds can be used for ecological restoration, riverbank improvements, facilities infrastructure.
Managing conflict	<ul style="list-style-type: none"> Funds can be used to improve management, establish zoning and provide for policing services. No direct impact on conflict management.
Use levels	<ul style="list-style-type: none"> Assist in keeping land open and available for a range of recreation activities such as hunting, fishing, canoeing, camping. Expenditure on specific types of facility, (e.g. Jetties and mooring), can encourage activities at specific locations.
Encouraging participation	<ul style="list-style-type: none"> Funds can be used to finance awareness raising programmes: e.g. Training, boater safety) educational. Funds can be used to provide facilities for those with disabilities. Improved services may attract more users.

Overview of stakeholder responses to financial incentives

<p>Strengths</p> <ul style="list-style-type: none"> Match funding good way to enable access. Allowing landowners to collect money for parking is attractive and grant aid for parking facilities attractive. Could be used to encourage access at certain points (e.g. could be used to direct people away from where livestock fencing erected) 	<p>Weaknesses</p> <ul style="list-style-type: none"> Large number of landowners would have to receive incentives to make it work. Long time frame required for implementation. Could be unfair to some landowners if they are not 'eligible' for such a possible scheme. Landowners cannot do this without negotiating with anglers
<p>Opportunities</p> <ul style="list-style-type: none"> Potential for sliding scale of benefits dependent on intensity of use allowed Provides money to 'enable' activities. Environmental stewardship programmes could easily be altered to make river access a criteria for farmers to get points. Landowners want a return – they see canoeists as a potential source of money 	<p>Threats</p> <ul style="list-style-type: none"> Agri-environment schemes are random. Applicants cannot be controlled – might not get applicants in suitable locations, or on the rivers desired. Must not make it too complicated as landowners may opt out. Better to concentrate where access already exists?

Strengths and Opportunities

Respondents noted several aspects of this approach which might be beneficial in managing recreation on inland waters, in particular, the scope for encouraging access at certain points and discouraging it at other (perhaps more sensitive) locations. Provision of incentives to landowners (through agri-environment or some other scheme) would allow managers to control access more effectively. Landowning interests indicated support for financial incentives for provision of access or facilities such as car parking. Landowning interests also noted the potential for income generation through provision of car parking or other facilities.

Policy makers noted that environmental stewardship or woodland grant programmes could be adjusted relatively easily to enable landowners to get 'points' for provision of river access. Landowning interests supported the approach as it potentially would provide a return on investment (e.g. for provision of facilities) and a grant scheme could provide the upfront money needed to 'enable' facilities development.

Weaknesses and Threats

Some policy makers queried whether the approach could be tied into existing agricultural stewardship schemes concerned with conservation rather than recreation. Angling interests noted that in many cases landowners would not be in a position to provide access to other interests if they had sold or leased out their fishing rights. A third area of concern relates to the actual location of landowners applying for incentives – they may not always be in the places where access was needed or required. Agri-environment schemes are a rather blunt instrument and it is difficult to use them to target developments in specific areas.

Summary

Potential

- Interest from land owners in incentives for provision of facilities and access
- May deliver greater level of access
- Possible integration into existing stewardship of woodland grant schemes

Barriers

- Potential opposition from angling interests who have purchased fishing rights
- Potential opposition from neighbouring land owners
- Stewardship and woodland grant schemes may not deliver access where it is wanted

Discussion

The research has revealed a wide range of management approaches that are applied in different circumstances in various parts of the world. In many cases the selected approach, or approaches, have to be modified to fit the local circumstances and conditions. Techniques for controlling activities on inland waters will vary in effectiveness depending on the institutional framework in which they operate. More research is necessary to explore how the particular, physical, hydrological, social and legal conditions in Wales will constrain or offer opportunities for the application of different management approaches.

One point is clear, a framework of management and mix of approaches is required. One approach is not going to work everywhere, even within Wales, as rivers and local circumstances are too variable. Fishing interest varies from one river to another, and a wide range of water based activities takes place. Some inland waters are suited to multiple water-based activities while others are only suitable for single activities, or of interest to limited numbers. Rivers tend to be short with rapid changes in water levels.

The range of alternative management approaches presented here need to be explored in more detail by CCW. In particular different options should be examined for their potential contribution in solving national as well as local problems, and how they might work in combination as well as alone. The following paragraphs highlight some options that deserve further attention.

Rights of navigation

Statutory access, or some form of recognition of rights of all recreational interests to have access to water may have a role on public lands. The potential for increased levels of access during closed fishing seasons should also be explored. The potential to achieve broader access through policy guidance rather than primary or secondary legislation should be examined.

Water access agreements

Agreements will only occur where a level of trust develops between key interests. There is a willingness to negotiate but not everywhere. CCW should explore the requirements for achieving access agreements between conflicting activities. The approach may require facilitation by a respected neutral body. Particular issues for examination include: achieving longer term agreements, negotiation by local interests rather than national bodies (that do not necessarily represent all participants in an activity), and self-policing. Scale is an issue: CCW should explore the potential for catchment level access agreements negotiated through representative of all interests. There must be recognition that a 'one-size-fits-all' approach will not work due to variable nature of the resource and water based activities (e.g. swimming, gorge walking, whitewater kayaking, canoe touring, will require different forms of agreement).

Zoning

Time zoning appears to offer scope for managing activities on inland waters in Wales. Area zoning might be appropriate for some localised hot-spots, or on lakes/reservoirs, but seasonal time zoning appears to offer greater potential. The application of the seasonal approach could be extended through minimum flow requirements (spate agreements) to enable protection of spawning areas and greater access for canoeing during summer months.

User permits and fees

Local permitting systems for canoeing may not be effective due to the rapid changes in flow conditions requiring movement from one area to another at short notice dependent on local river conditions. Localised permit systems may be effective on lakes and reservoirs and small localised areas (e.g. a set of rapids). CCW should explore the potential for delivery of a national permit system in conjunction with some form of registration system or license fee.

Payment through some form of license fee could help enormously in terms of providing more money for provision of facilities and river management. Payment of some form of *compulsory* registration or licence fee, however, is linked to access to the resource base and needs more thorough exploration

A national level user fee (both voluntary and compulsory options) should be explored. Collected fees could be distributed through a number of mechanisms, for example:

- based on extent/quality of access provision
- to organisations that have established water access agreements
- to organisations trying to establish agreements
- grants for provision of access/egress facilities
- grants for restoration and maintenance
- the annual fee could be altered to reflect the available level of access

Voluntary payment of fees may be effective if accepted by the local and national bodies, which have the potential to influence and raise awareness. A national registration fee would not eliminate the potential for charging local user fees or requiring permits for certain rivers.

Landowner incentives

The scope for provision of access to water through existing grant schemes (e.g. agri-environment and woodland) should be explored. Small grant schemes that provide money for small scale infrastructure development and/or management using money from user fees should be explored to estimate the potential for increasing access.

Scope for provision of services

New technology such as the internet should be explored for its potential to raise awareness about water conditions and access. Examples of real time provision of information exist for surfing around the UK coast, and for canoeing in Scotland (e.g. predicted wave conditions, predicted water levels, webcams). Provision and costs of service provision examination, along with the potential to source the costs from user fees.

The role of public and voluntary bodies

A framework of management is required with some form of national level oversight. Further research is required to scope out the respective roles of government agencies (e.g. WAG, CCW, Environment Agency, Sports Council, Forestry Commission), and national and local voluntary bodies (e.g. WCA, river trusts, access forums, fishing associations and canoe clubs). The roles of the various bodies should be explored with respect to: information and awareness-raising, service provision, facilitation and monitoring of agreements, river management, collection and distribution of funding, permitting, and provision of incentives.

Benefit estimation

One area not addressed in this study is the potential economic benefit from increasing access to water to a wider group of recreational activities. There is very little evidence available on the importance to local rural economies in Wales of any form of water-based activities. Empirical research should explore the potential for generating income streams in rural areas (e.g. car parking, campsites, bunkhouses, access/egress points, food and accommodation), and potential effects on existing income from angling. Such information may help identify areas where the potential benefits of increasing access to water are greatest.

APPENDIX 1

USA MANAGEMENT APPROACHES

ACTIVITY	APPROACH	KEY SUMMARY	WEBSITE LINK/ REFERENCE
<p>Canoeing</p>	<p>(USA) State of Montana: Recreational Use Test</p>	<p>Montana State Constitution “Reserves all waters of the state for the use of its people under the public trust”.</p> <p>Furthermore, Montana has adopted a ‘recreational use test’ that allows the public to use all surface waters capable of recreational use, without regard to the ownership of the underlying land. The broad wording of the law allows recreational use of the water for fishing, hunting, swimming, floating, kayaking and canoeing.</p> <p>Additionally, the law clarifies landowner’s rights and assures that prescriptive easement is not acquired by recreational use under the statute. The law also limits landowner liability to acts of wilful or wanton misconduct.</p> <p>*Montana state law also goes so far as to allow portage around obstructions in the least intrusive manner possible.</p>	<p>http://www.americanwhitewater.org/content/Article/view/article/id/131/display/full</p>

<p>Canoeing</p>	<p>(USA) State of Minnesota: Zoning</p>	<p>The Minnesota Department of Natural Resources is responsible for considering and legislating Local Surface User Zones to specific stretches of a river.</p> <p>These can include time zoning, area zoning and other restrictions such as speed limits for motorised boats.</p> <p>Initial management plans/proposals first come from local units of government (usually after the consultation/input of local user groups).</p>	<p>http://www.dnr.state.mn.us/regulations/boatwater/surfaceusezoning.html</p> <p>http://www.revisor.lg.state.mn.us/arule/6105/0210.html</p>
<p>Canoeing</p>	<p>(USA) States of Idaho, Utah, Arizona: Permits/fees</p>	<p>The main rivers that flow through these states are permitted (permit application/lottery fee at minimum), ranging from \$8 to \$25. This means that anyone wishing to canoe/kayak through these rivers require a permit.</p>	
<p>Canoeing</p>	<p>(USA) State of Idaho: Whitewater Licence Plates</p>	<p>Citizens of Idaho that use its ‘Wild & Scenic Rivers’ can purchase a licence plate, which proceeds benefit river safety, access and conservation programs.</p>	

<p>Canoeing</p>	<p>(USA) State of Ohio: Boat registration</p>	<p>There are currently 6 states in the USA that require canoe and kayak owners to register or pay special taxes on their boats.</p> <p>For example, in Ohio, a person would pay \$15 to register 1 canoe for 3 years (\$12 of the \$15 goes into the Waterways Safety Fund), or alternatively \$20 for a single licence plate (a more practical alternative to fix to canoes).</p>	<p>http://ohiodnr.com/watercraft/reg/fee.htm</p> <p>http://www.dnr.ohio.gov/watercraft/reg/fee.htm</p> <p>http://www.dnr.ohio.gov/watercraft/grant/default.htm</p>
	<p>Funds/Grants</p>	<p>The Waterways Safety Fund also receives a share of state taxes on boat fuel.</p> <p>Grants are available to enhance outdoor recreation facilities (including canoeing).</p> <p>In 2005 there were 412,000 boat registrations in Ohio. In 2006 there were 10 new grant programs in development, totally \$3,000,000.</p>	
	<p>(USA) State of Pennsylvania: Boat Registration</p>	<p>In Pennsylvania, if residents wish to enter a Fish and Boat Commission Access Area, they must register their canoe or purchase a Boat Launch Permit (tax-exempt). A 2-year boating licence costs \$18, A 1-year boat launch permit costs \$10.</p> <p>The ‘Boating Facility Grant Program’ (2005)</p>	<p>http://sites.state.pa.us/PA_Exec/Fish_Boat/faqregt.htm</p> <p>http://sites.state.pa.us/PA_Exec/Fish_Boat/</p>

<p>Canoeing</p>	<p>Funds/Grants</p>	<p>funds are derived from boat registration fees, state fuel taxes collected on fuel used in motorboats, and taxes on fishing equipment and motorboat fuel (this is a very similar grant program to Ohio).</p>	<p>promo/grants/boat_fac/00boatfac.htm</p>
	<p>USA: State of Maine: Funds/Grants</p>	<p>The Boating Facilities Fund Grant Program is administered by the Bureau of Parks and Lands. Like Ohio & Pennsylvania, this fund receives its revenue from a portion of the gasoline taxes generated by recreational motor boaters.</p>	<p>www.state.me.us/doc/parks/programs/boating/grants.html</p>
<p>Fishing</p>	<p>USA: State of Pennsylvania: Fishing Licence Funds/Grants</p>	<p>In Pennsylvania, a fishing licence (valid from December 1st 2006 – December 31st 2007) costs \$22.</p> <p>The Coldwater Heritage Partnership Grant Program is run by Pennsylvania Trout (PATU) and funded by the Department of Conservation and Natural Resources (DCNR), the Pennsylvania Fish and Boat Commission and the Western Pennsylvania Watershed Program. It gives grants up to \$5000 annually to non-profit organisations.</p>	<p>http://sites.state.pa.us/PA_Exec/Fish_Boat/faqlice.htm</p> <p>http://sites.state.pa.us/PA_Exec/Fish_Boat/promo/grants/coldwater/00coldwaterheritage.htm</p>

<p>Fishing</p>	<p>Ohio: Fishing Licence</p>	<p>In Ohio, a fishing licence (valid from March 1st 2006 – February 28th 2007) for a resident costs \$19.</p>	<p>http://ohiodnr.com/wildlife/regs/fishregs/licensefees.htm</p>
<p>Fishing</p>	<p>Funds/Grants</p>	<p>The Ohio Division of Wildlife Aquatic Education Program offers grants such as “Hooked on Fishing Not Drugs”, which provide opportunities for young people to become involved with fishing.</p>	<p>http://www.dnr.ohio.gov/wildlife/Resources/grants/default.htm</p>
<p>Fishing</p>	<p>USA: State of Alaska:</p> <p>Funds/Grants</p>	<p>Like other states, the Alaska Department of Fish and Game receives funding (in the form of grants) from the Federal Aid in Sport Fish Restoration Act (SFR), sometimes called the Wallop-Breaux Amendment. This legislation has created a “user pay/user benefit” program through federal excise taxes and import duties placed on sport fishing equipment, recreational powerboats and gasoline used in recreational boats.</p> <p>Although funding for projects involving non-motorised boats (i.e. canoes) is not available, “Angler Access” Projects can be considered</p>	<p>http://www.sf.adfg.state.ak.us/statewide/AccessProgram/</p>

<p>Fishing/general river recreation</p>	<p>USA: State of New Hampshire: Current Use Program</p>	<p>for funding.</p> <p>Over ½ the land in New Hampshire is enrolled in the “Current Use Program”. Current Use Assessment provides a property tax incentive to all qualifying landowners who agree to maintain their land in its ‘undeveloped state’. Furthermore, a 20% ‘recreational discount’ is an incentive for landowners to keep their land open to others for six low-impact land uses; skiing, snowshoeing, fishing, hunting hiking and nature observation.</p> <p>Many landowners also allow other more intensive recreational uses on their property.</p>	<p>http://www.nhspace.org/faq.shtml</p>
<p>River Protection/Management</p>	<p>USA: State of New Hampshire: Designated Rivers</p>	<p>A designated river is a river managed and protected for its outstanding natural and cultural resources in accordance with RSA 483 - The Rivers Management & Protection Act.</p> <p>Individuals or organisations, with the support of municipal officials and river groups, must develop a nomination, which, if successful, is</p>	<p>http://www.des.state.nh.us/rivers/index.html</p>

	<p>New Hampshire: Connecticut River Corridor Management Plan</p>	<p>recommended by the DES Commissioner to the General Court. If successful, the river becomes protected under the Rivers Management & Protection Act.</p> <p>A management plan must then be constructed by a volunteer local river advisory committee (whose members include those who are involved in coordinating activities on the river on a regular basis).</p> <p>30 Volunteers make up the Connecticut River Joint Commissions (including representatives of recreation, forestry, conservation, planning, etc), who all make contributions to the plan.</p> <p><u>Management Plan (Recreation)</u></p> <p>The plan (under ‘<i>economic opportunities</i>’) lists priorities for recreational development and improvement, including the following:</p> <ul style="list-style-type: none"> • The states should establish more access sites (small-scale) that include car parking for non-motorized boat users (e.g. canoeists) and appropriate signage (that display rules and 	<p>http://www.crjc.org/corridor-plan/plan-TOC.html</p>
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<p>Canoeing</p>	<p>USA</p>	<p>regulations, potential dangers, river etiquette, etc).</p> <ul style="list-style-type: none"> • All river users should respect private property and ask permission of the landowner before entering private land. • New public trails along the river should only be attempted with the complete support of riverfront landowners. <p>In the final section of the management plan (<i>‘rising to the challenge’</i>), it states that <i>“Private landowners have long been and will continue to be the primary stewards of the river”</i>.</p> <p>This is much emphasis on gaining cooperation from private landowners in order to construct recreational access sites on the river.</p> <p>Each summer since 2005, the American Canoe Association selects 12 water trails from the U.S. and Canada as ACA-Recommended Water Trails. ACA-Recommended Water Trails meet a set of</p>	<p>http://www.acanet.org/recreation/watertrails.lasso</p>
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		<p>basic criteria and stand out as particular good destinations for paddlers. To be eligible, a trail must meet the following requirements:</p> <ul style="list-style-type: none"> • The trail must be a contiguous or semi-contiguous waterway or series of waterways that is open to recreational use by paddlers; • The trail must have public access points for paddlers; • The trail must be covered by a map, guide, signage or a web site that is of reasonable quality and detail and available to the public; • Published or printed materials for the trail (e.g. guidebook, map, signs, website) must communicate low-impact ethics to trail users; and • The trail must be supported and/or managed by one or more organizations. <p><u>Benefits include:</u></p> <ul style="list-style-type: none"> • Private landowners are encouraged to cooperate and become involved, (it is not clear if the landowners benefit economically or not – maybe this is a key aspect in terms of access, riparian 	
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<p>Canoeing</p>	<p>USA: Blueways: Florida</p>	<p>owners need an incentive to allow access).</p> <ul style="list-style-type: none"> • Creating maps and guides for river users with the ACA Official Logo, as well as being listed on the ACA Database (this generates extra tourism and in turn income). • The clean up of the river in order to gain its water trail status has a positive environmental impact on the river. <p>Blueways are designated, marked trails that follow the course of streams and rivers facilitating transportation and recreation. The purpose of a blueway network is to promote recreational use, natural resource stewardship, and ecotourism by officially designating specific waterways as blueways. Blueway networks consist of a variety of river access sites.</p> <p>In March 2005, the state of Florida approved the purchase of 731 acres in St. Johns County for the St. Johns River Blueway conservation project. When complete, the project will conserve undeveloped shoreline, enhance water quality, and protect</p>	<p>http://research.myfwc.com/features/view_article.asp?id=3108</p>
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		<p>archaeological and historical resources along the entire St. Johns River System.</p> <p>Blueways projects are initially started at local level by a ‘Blueways’ committee or similar, which is initiated by individuals such as Department of Transportation, various county councils, the Rivers and Trails Program and the National Park Service.</p> <p>Government support is then encouraged to be sought in order to strengthen the management and funding abilities of the project.</p> <p><u>Funding</u></p> <p>In terms of funding, various types of grants (at local, state and federal level from conservation and recreational funds) are used to develop the proposed and existing recreational trails. Examples include:</p> <ul style="list-style-type: none"> • Water Quality Improvement Fund (WQIF) • Conservation Reserve Enhancement Program (CREP) • Virginia Recreational Trails Fund • Environmental Quality Incentive Program (EQUIP) 	
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<p>Canoeing</p>	<p>USA: Rivers, Trails and Conservation Assistance Program of the National Park Service</p>	<p>Act essentially legally protects the river from damage to its outstanding values.</p> <p>The Rivers, Trails, and Conservation Assistance Program, also known as the Rivers & Trails Program or RTCA, is the community assistance arm of the National Park Service. RTCA staff provides technical assistance to community groups and local, State, and federal government agencies so they can conserve rivers, preserve open space, and develop trails and greenways.</p> <p>National Park rivers are designated into types, depending on their outstanding features and level of protection needed. The types are as follows:</p> <ul style="list-style-type: none"> • River centered park • National Recreation Area • National River • National River and Recreation Area • Wild and Scenic River • National Natural Landmark • American Heritage River 	
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<p>Canoeing</p>	<p>USA: Use of Permits to control river usage</p>	<p>There are 17 rivers in the USA that require a user permit for recreational use <i>and</i> enforce strict limits on user numbers. This is to protect natural resources.</p> <p>Most of these rivers require the individual to apply between December and January each year in a lottery process. Typical fees are around \$10 per permit with an additional application fee of around \$5.</p> <p>Priority is given to new river users (if you are an existing user you will normally have to wait a year before becoming eligible again to qualify for a user permit).</p> <p>Many other rivers issue permits but are easily obtainable because they don't impose limits on user numbers.</p>	
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APPENDIX 2
EUROPEAN MANAGEMENT APPROACHES

Country	Situation	Reference
<p>Belgium</p>	<p>'River contracts' seem to be largely concerned with issues of water supply and flooding and environmental protection and reduction of pollution. They seem to consist of agreed programmes of action to improve river systems. Although there is some mention of recreation it does not appear to be a central issue. e.g. Le contrat de rivière Attart</p> <p>Dispute between fishers and canoeists over the release of water from dams on the River Vesdre resulted in convention being signed with the dams authority.</p>	<p>www.arpalombardia.it Mormont, 1996</p> <p>www.aquafil.net/content/mod_infos.php?navid=10&catid=7&id=40&numlang=1</p> <p>Aubin, D & Varone, F, 2002, EUWARENESS Case study Report 1</p>
<p>Bulgaria</p>	<p>'Inner rivers' are common property and Bulgarians can 'boat freely'.</p> <p>Water Act 1999</p> <p style="text-align: center;">Article 41</p> <p>(1) Common water use and use of water bodies shall be the right of citizens to use waters and/or water bodies constituting public state or municipal property for personal needs, recreation activities and aquatic sports, watering of livestock and bathing.</p> <p>(2) The terms and a procedure for the use referred to in Paragraph (1) of waters and water bodies shall be established as follows: in respect of public state property, by the [competent] Regional Governor; in respect of public municipal property, by the [competent] Municipal Council; in accordance with the water use</p>	<p>Valchovska, S., personal communication, CCRU</p> <p>http://www.moew.government.bg/recent_doc/legislation/water/en/WaterActEng.doc</p>

	<p>permits and water body use permits as issued, and in a manner ensuring the protection of human life and public health and environmental protection.</p> <p>(3) The [competent] Regional Governor, in respect of public state property, and the [competent] Municipality Mayor, in respect of public municipal property, shall be obliged to declare:</p> <ol style="list-style-type: none"> 1. the water bodies appointed for common water use and [water body] use, specifying the places designated for this purpose; 2. the requirements to, terms and conditions of, or prohibition against a certain type of common water use or water body use; 3. the pre-existing authorized individual rights to use, as well as the rights to use whereof a grant is pending; 4. the extent and assigned use of the riparian lands and littoral zones appurtenant to the water bodies referred to in Item 1, with a view to pursuing certain types of common water use or [water body] use, or restricting or prohibiting other types of use, as the case may be, as well as requirements to sites and activities compatible with the common water use and [water body] use; 5. the places for free passage through real estates constituting private property, in cases where common water use and/or water body use requires access to the water body over such real estate, after advance consultation with the owner of the said realty; absent an agreement, the provisions of the Regional and Urban Planning Act shall apply. <p>(4) A declaration under Items 1, 2 and 5 of Paragraph (3) shall mandatory be made, <i>inter alia</i>, by means of placing signs at the designated places, and under Items 3 and 4, by means of a</p>	
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	<p>public register.</p> <p style="text-align: center;">Article 42</p> <p>The owner of any water body wherein the water constitutes public property, as well as the owner of any private water body, shall be obliged to announce any restrictions on common water use or water body use, or a prohibition against any such use, as the case may be, by means of publication or in another manner. Any such restrictions and prohibitions may be imposed on technological or sanitary considerations.</p>	
<p>Canada</p>	<p>Canadian Coast Guard regulations stipulate the following:</p> <p>Canoes six meters or less in length must have:</p> <ol style="list-style-type: none"> 1. One Canadian-approved personal flotation device (PFD) or lifejacket of "appropriate size" for each person in the canoe 2. Buoyant heaving line of not less than 15 meters in length 3. Bailer or water pump 4. Sound-signaling device (a whistle will do) 5. Paddle 6. Navigation lights that meet regulations if you paddle at night or in periods of reduced visibility 7. 	<p>www.ottertooth.com/Temagami/Canoeing/tem_rules.htm</p>

	<p>Canoe License: License is only required (Canada-wide) on boats with a motor of 10 h.p. or more.</p> <p>Enforced through regular patrols in popular destinations, for example: the Ontario Provincial Police (OPP) has a patrol boat on Lake Temagami and does spot checks on canoes. The OPP also patrols the more popular access points and Cassels Lake.</p>	
<p>France</p>	<p>Boating: right of passage on waterways classified as 'state domain'. Other rivers private but 'common sense' rules.</p> <p>Access 'not a problem' [for canoeists] and 'fishermen usually friendly'.</p> <p>'River contracts' seem to be largely concerned with issues of water supply and flooding and environmental protection and reduction of pollution. They seem to consist of agreed programmes of action to improve river systems. Although there is some mention of recreation it does not appear to be a central issue. Some cross national borders. e.g. le contrat de Riviere Rance</p> <p>Anglers must join an authorized angling association for the protection of the aquatic environment (AAPPMA) and pay an annual fishing fee. Angling associations rent or buy fishing rights and must manage for everyone. Associations must belong to a county federation that co-</p>	<p>www.riversaccess.org BCU research, 1991</p> <p>Bruce, Canoeist, July 2006, p.51</p> <p>www.arpalombrdia.it www.ifen.fr/dee2003/gestioneau/gestioneau2.htm www.syndic-rivieres.org/contrat1.htm</p> <p>www.educ-envir.org/~cpieroue/contrat-riviere.page/contrat.htm</p> <p>P. Le Goffe and J. Salanie. (2005) Economic Failures in French Regional Fishing Management. J. of Env</p>

	<p>ordinates their actions in terms of environmental maintenance. National Fishing Council (CSP and the national federation for fishing (UNPF) implement legislation and regulations from central government.</p>	<p>Planning and Management, vol.48:5, pp.651-664.</p>
<p>Finland</p>	<p>Right of passage, 'when avoiding unnecessary disturbance', when rivers not closed. In practice, free movement.</p> <p>'Everyone has a general right of free access to open waters in Finland, including frozen waterways in the wintertime. Boats may also anchor temporarily without special permission. These rights are based on the Water Act, which is itself controlled by the Water Traffic Act.</p> <p>'The regional environment centers may, however, limit or prohibit the use of boats or other vehicles where this is necessary to prevent accidents, to protect the environment, fish stocks or local livelihoods, to preserve the recreational amenity value of the waterway, or for other reasons related to overall public benefit.</p> <p>'Motor-boats should avoid the shallow, soft-bedded bays where fish spawn. All boats should also steer well away from fishing nets and traps, or people fishing from boats or the shore.</p> <p>'The repeated use of jet-skis or noisy boats (e.g. for water skiing) is prohibited near shores where people are living.</p> <p>'Everyone on waterways is obliged to show due care and attention. Other people must not be endangered, and their livelihoods and</p>	<p>www.riversaccess.org</p> <p>http://www.ymparisto.fi/default.asp?node=10173&lan=en</p> <p>http://www.ymparisto.fi/downlo</p>

	<p>recreational activities should not be disturbed or hindered without good reason. Wildlife, fish stocks and the environment in general must not be harmed.'</p> <p>'Everyman's right includes the right to fish with a rod and line, or fish through a hole in the ice in the wintertime, in most inland waters and the sea, free of charge. Fishing is prohibited, however, in some rapids and channels in salmon and whitefish rivers, and in certain other protected waters.</p> <p>'Other forms of fishing in Finland may require the payment of two types of fishing fee. 'The payment of the statutory fishing management fee is compulsory for 18-64-year-olds fishing with a reel and lure, fly fishing, using nets or fish-traps, or fishing for crayfish, anywhere in Finland. A receipt from the bank or post office where the fee is paid serves as a permit. Additionally, permission to fish, either from the owner of the fishing waters or the holder of the fishing rights is also required in principle. However, the payment of a further fee, the provincial lure fishing fee, in addition to the national fishing management fee, permits fishing with a single rod, reel and lure in all unprotected inland and coastal waters in any particular province, in which case the owner's permission is not required. Separate fees are payable for each of Finland's five mainland provinces. Under-18's and over-65's do not need to pay this fee.'</p> <p>Swimming is also allowed in all inland waterways and the sea.</p> <p>Everyman's rights with regard to use of the countryside in Finland are based on generally accepted custom and are not embodied in law. Only Sweden and Norway have similar broad rights.</p> <p>Everyman's rights mean that in principle the right to use the</p>	<p>ad.asp?contentid=25603&lan=en</p> <p>www.vaellus.info/eng_walkers_code.php</p>
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	<p>countryside is free, regardless of who owns or controls the land. These everyman's rights provide great freedom of use but carry obligations, too. The most important of these is to respect the rights of landowners and other users.</p> <p>Everyman's rights in brief. You are permitted:</p> <ul style="list-style-type: none"> • to walk, cycle or ski in all countryside areas, as long as you do no damage; • to stop briefly anywhere in the countryside (e.g. camp overnight) at a reasonable distance from residences; for longer periods you need permission from the land owner; • to pick wild berries, mushrooms and non-protected flora; • to fish using simple baited hook and line ; • to boat, anchor temporarily, swim, and wash in all waters, and land from boats along all shores; • to make use of water and ice from lakes, rivers, or springs for cooking where such are not in regular use by the owner; • to use propane stoves or equivalent free-standing burners; • to make temporary use of private roads on foot, cycle, or horseback. <p>The following are prohibited:</p> <ul style="list-style-type: none"> • to cause damage, or disturbance to others • to use areas such as gardens, yards, meadows, fields, plantations etc which can be damaged, e.g. walk around fields with crops in summer. Gates must be closed after use. 	
Germany	Lists of 'permitted waterways', including most streams 'that lend	www.riversaccess.org

	<p>themselves to canoeing'. Riparian owners required to tolerate use by unpowered craft.</p>	
Hungary	<p>Prohibition only 'for extremely special cases'.</p> <p>Some restrictions in national parks, for example: Hortobagy National Park - no access allowed for conservation reasons</p> <p>Fishing: Before 1993 anglers had to request licenses from the Hungarian National Anglers Association and seek permission from the users of local water bodies. Since 1993 state licences are issued by the Ministry of Agriculture. Payments are put into a fund for fisheries management.</p>	<p>www.riversaccess.org</p> <p>www.ramsar.org/wn/w.n.hungary_hortbagy1.htm</p> <p>K. Pinter (1995) Hungary: present state and problems of recreational fishery. Report on the Workshop on recreational fishery planning and management, FAO. www.fao.org</p>
Ireland	<p>Interesting report on the River Shannon: By-laws restrict fishing but there is a difference of opinion over how well they are enforced Access to the banks for fishermen and others is restricted by fencing under the Rural Environment Protection Scheme (REPS) Motor craft are restricted but not banned:</p> <p>National Countryside Recreation Strategy aims to: 'Encourage the management and maintenance of infrastructure for use by those involved in countryside recreation. The type of infrastructure envisaged would include:</p> <ul style="list-style-type: none"> - Paths/trails for walking, rambling, pony/horse trekking, cycling, etc. - River/canal routes - Tracks and designated areas for mountain biking - Rock climbing/caving areas 	<p>Colin Buchanan and partners, 2005</p> <p>http://www.pobail.ie/en/RuralDevelopment/ComhairlenaTuaithe/file,7315,en.pdf</p>

	<ul style="list-style-type: none"> - Facilities for bird watching - Onshore facilities for water sports - Areas for water sports such as angling, kayaking, sailing, surfing, windsurfing - Bases for air sports, such as hang-gliding etc <p>Develop specific areas for recreational motorized activities and strengthen measures to discourage them elsewhere.'</p> <p>Code of Conduct for canoeists All canoeists should remember that they are ambassadors for their sport. Northern Ireland's rivers, lochs and the sea are a precious natural resource, enjoyed by a variety of recreational users and providing a workplace for many more.</p> <p>On the Land Observe the Country code Drive and park considerately, not obstructing gates, lanes or passing places Avoid damaging fences, gates, walls or river banks Use recognised access points where possible Keep noise to a minimum Be discreet and don't cause offence by changing or urinating in public Respect private property and if in doubt, ask for permission to cross land or drive on a private road Take your litter away with you</p> <p>On the Water Respect all other water users</p>	<p>http://www.nicanoeing.com/</p>
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	<p>Co-operate with anglers to avoid lines, friendly communication can reduce potential conflict Do not linger in pools already occupied by other river users Keep numbers in your party consistent with safety, the nature of the stretch of water and the impact on your surroundings Have special regard for inexperienced paddlers in your group Offer assistance to anyone in genuine need, on or off the water, but do not put yourself or fellow paddlers at risk Follow the general rules of navigation and local byelaws</p> <p>In general, treat others as you would wish to be treated, respect the environment and follow safety recommendations. Make sure you have Public Liability Insurance (this is an automatic benefit of CANI membership). Assist the CANI in promoting the concept of equal rights of access and enjoyment of Northern Ireland's waterways for all by adhering to this Code and explaining it to other paddlers and the general public.</p>	
Luxemburg	All waters in public domain	www.riversaccess.org
Netherlands	<p>Research projects on:</p> <ul style="list-style-type: none"> • Sustainable Water Recreation • Functional claims on the land and water use of large river systems <p>Most Dutch waters (lakes, canals, small rivers, inlets of the sea, big rivers) are free for water-based recreation, unless the management has imposed a ban or has imposed a prohibitive regulation with exceptions or with a granted exemption.</p>	<p>www.onderzoekinformatie.nl/en/oi/nod/onderzoek/</p> <p>Henry Dekker, personal communication, Netherlands Canoe Union</p>

	<p>In the Netherlands the management is mostly the owner of the water. The Dutch Government owns the big rivers like the Rhine, the Waal, the IJssel en the Maas, also the big sea inlets like Haringvliet and Schelde, the coast waters (Waddensea),the big lake the Ijsselmeer and the main canals.</p> <p>On the main canals you are allowed to cross the canal, but for safety's sake the canals are not open for water-based recreation.</p> <p>A few waters are managed by NGOs and nature conservation bodies like the national trust. The other (and most) waters are managed by the water boards.</p> <p>The water boards in the Netherlands are decentralised public authorities with legal tasks and a self-supporting financial system. Water boards are based on the Dutch Constitution. Water boards are responsible for flood control, management of regional water resources (quantity and quality) and treatment of urban wastewater. Operational tasks include the maintenance of flood defence structures, planning, licensing discharges, operating waste water treatment plants and maintenance of water infrastructure.</p> <p>The oldest water boards date from the 13th century. They are the oldest democratic structures in the Netherlands. At present, the Netherlands have 27 water boards, covering the whole country.</p> <p>All Waterboards are free to develop their own rules. Some are very friendly to canoeing and kayaking. Others try to restrict pressure on wildlife. In order to protect wildlife, some water boards have restricted</p>	
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	<p>canoeing to smaller groups which sometimes requires payment of a fee.</p> <p>Rights of access to engage in canoeing/kayaking on rivers and lakes is very variable and depends on the policy of the water board. Only a few water boards require a license fee and it is mainly to discourage use by too many recreationalists. Costs of the launch fee vary.</p> <p>There are no national rules or regulations limiting access to canoes and kayaks on lakes and rivers, but water managers have obligations towards nature protections. There is controversy and conflict between recreation and nature conservation objectives.</p> <p>The Dutch Canoe Board thinks that their own members cause less damage than people who are hiring canoes from commercial operations.</p> <p>There are many local restrictions on canoeing and kayaking such as: time limits, permit requirements, limits on numbers in a group.</p> <p>Not aware of any problems with enforcement of rules or regulations to control canoes/kayaks.</p>	
<p>Norway</p>	<p>Everyone in Norway has a wide-ranging right of access to the countryside, originally a traditional right but now set out in the legislation. But is important to remember that this right is based on respect for the countryside and that visitors must always show consideration for farmers and landowners, other users and the environment.</p> <p>The ancient right of access ensures the right to ramble, boat and ski, and to pick mushrooms and berries, anywhere in open country, and</p>	<p>http://www.environment.no/templates/themepage_2146.aspx</p> <p>http://english.dirnat.no/content.ap?thisId=2079</p>

	<p>thus forms the basis for varied outdoor recreation throughout the year. This right is a valuable boon which, at the same time, brings with it an obligation to have regard for the natural environment and occupations that are being practised there.</p> <p>No restrictions on canoe usage</p> <p>Canoeing, kayaking, rowing, sailing allowed in rivers, lakes and oceans; swimming allowed in all waters; motorised boats generally only permitted in salt water</p> <p>In rivers and lakes, sports fishing is not included in the right of free access: the fishing rights belong to the landowner. In Norway, there is a distinction between government property, state common land and private property, but regardless of who owns the land, you may only fish if you have permission from the landowner or have bought a fishing licence.</p> <p>All anglers over the age of 16 who wishes to fish for salmon, sea trout and sea char (anadromous salmonids) in fresh water must pay the National Fishing Licence, an annual fee payable to the Norwegian Government.</p>	<p>www.riversaccess.org</p> <p>http://en.wikipedia.org</p> <p>http://english.dirnat.no/content.ap?thisId=2090</p>
Poland	No difficulties 'in moving about' [by canoe] on Polish waters	www.riversaccess.org
Spain	Restrictions on canoeing in some parts e.g. salmon rivers flowing into the Atlantic from March to July/August. Time restrictions on other rivers May to August and prohibition Nov and Dec.	www.riversaccess.org BCU research, 1991

<p>Sweden</p>	<p>'right of public access'</p> <p>'The right of public access also applies to Swedish waters. It is permitted to travel by boat along coastlines, and on lakes and watercourses. The requirement to show consideration for the surroundings applies equally on water as on land. Considering the sensitive animal life on islands and along shorelines, it is necessary to be especially attentive and cautious.'</p> <p>Water skis and personal watercraft There is a general prohibition in Sweden against operating personal watercraft, except within certain areas for training and competition. There may also be local prohibitions against water-skiing. 'no laws of navigation forbidding the use of Swedish rivers'</p> <p>'Consideration for fisheries A disease affecting crayfish is widespread in Sweden's fresh waters. In order to hinder the further spread of the disease, it is essential to let canoes, kayaks, boats and equipment dry off before they are transferred from one body of water to another. At some contaminated lakes, there are signs explaining the rules that apply.'</p> <p>There are some restrictions eg on mooring in environmentally protected areas.</p>	<p>http://www.allemansratten.se/templates/firstPage.asp?id=2058</p> <p>http://www.allemansratten.se/templates/Page.asp?id=2063</p>

	<p>‘Sport fishing for all Fishing is not included in the right of public access, either. But sport fishing with handgear is freely permitted along the seacoasts and in Sweden's five largest lakes-- Vänern, Vättern, Mälaren, Hjälmaren and, in the region of Jämtland, Storsjön. In other waters, fishing is not allowed without a licence or other authorization. Salmon-fishing is not freely permitted along the coast of Norrland. Fishing licences and information on regulations can be obtained at tourist bureaus.’</p> <p>‘Many regulations Swedish law includes numerous regulations concerning recreational fishing which, among other things, deal with consideration for others who are fishing. One's own fishing may not hinder others’. It is forbidden to fish closer than 100 metres to stationary fishing equipment. Anyone caught breaking fishing regulations is subject to penalty and may forfeit both catch and equipment.’</p>	<p>http://www.allemansratten.se/templates/Page.asp?id=2070</p>
<p>Switzerland</p>	<p>Varies between cantons. Some prohibition and some licensing.</p>	<p>www.riversaccess.org BCU research, 1991</p>
<p>Europe general</p>	<p>Various initiatives in connection with the EU Water Framework Directive, which requires public participation in water management. But the emphasis is on water supply and flood prevention. Public participation methods (focus groups and citizens’ juries) being piloted in Sweden, the Netherlands and Estonia</p>	<p>Page & Kaika, 2003</p> <p>www.riverdialogue.org/index.php?mid=intro</p>

APPENDIX 3

STAKEHOLDER QUESTIONNAIRE

Interview Guide - Interviewer

CCW – Inland Waterways Project

Interview with.....
Organisation.....
Date.....

Interviewer.....

1. Aims of the organisation and role of interviewee.

Focus on access/recreation with respect to inland waters.

2. Elements of river recreation management

Hand interviewee Part A

We would like to explore with you the advantages and disadvantages of some different elements of managing river recreation in Wales. Some of these elements may not be practicable to implement in Wales but we would like your views on the good and bad aspects of each one.

This first sheet (Part A) refers to changes in access arrangements to inland waters. What do you see as the key opportunities for, or barriers to:

Extending statutory rights of navigation over more waters

Land reform (as in Scotland, i.e. right of access with code of conduct)

Dedication of land (general dedication or under s.16 and Schedule 2 of CRow Act)

Issues to explore

- How would the approaches change user/landowner rights and responsibilities?
 - Will they enhance/reduce conflict between different users, or between landowner and users?
 - How difficult are the legislative requirements?
 - How difficult might it be to implement and enforce?
 - What would be the costs – should users pay?
 - Could this approach be taken only on some inland waters (e.g. reservoirs)?
 - Would there be any environmental impacts?
-
- Would there be any local economic benefits/costs?

In your view would any of these three approaches

Reduce landowner's liability ?

Extension

Reform

Dedication

Clarify landowner rights?

Extension

Reform

Dedication

3. Area/Resource Specific arrangements

Hand interviewee Part B sheet

Part B lists a number of elements that have been used in other parts of the world to manage river recreation. We would like to explore your views on these elements of management.

There has been a lot of discussion recently about taking a voluntary access agreement approach, what do you see as the key opportunities for, or barriers to:

Voluntary Access agreements

Half of DEFRA, the EA asked *Brighton University* to test and demonstrate the processes involved in negotiating voluntary agreements secure voluntary canoe access agreements on four rivers in England (Mersey, Teme, Waveney and Wear). The study concluded that full access to rivers could be provided through voluntary arrangements, but that more advice and guidance was needed.

Statutory access agreements

Time zoning

Example: USA (Minnesota)

The state of Minnesota legislates *Local Surface User Zones* to specific stretches of their river.

For example, non-motorised boating (e.g. canoeing) is accessible on most stretches but prohibited at dawn and dusk (to benefit anglers), and motorised boating activity is limited to certain periods of the year (to protect the environment).

Area zoning

Example: US National Park Service

As well as US states such as Minnesota, nearly *ALL* National Parks in the USA and Canada use forms of *Area Zoning* to promote and encourage non-motorized use, motorized use, other recreation (e.g. fishing) and natural use (high environmental protection) in different areas of the same river.

Zones are divided so that all types of recreational users can have high quality experiences without the risk of conflict or damage to the environment.

Land/river designations

(briefly explain different possibilities listed below)

Canoe trail designation

Example: USA (Florida, National Park Service) Florida has a 'Blueways Network', consisting of several hundred miles of designated, marked trails that follow the course of streams and rivers, directly benefiting all types of recreation.

Protected Rivers (inc Wild and Scenic Rivers and Heritage Rivers) and River corridor designation

Example: USA (Various states)

The Rivers, Trails, and Conservation Assistance Program, also known as the Rivers & Trails Program or RTCA, is the community assistance arm of the National Park Service. National Park rivers are designated into types, depending on their outstanding features and level of protection needed.

- National Recreation Area
- National River
- National River and Recreation Area
- Wild and Scenic River
- National Natural Landmark

Minimum Streamflow Water Rights

Example: USA (Idaho)

This is form of recreational and environmental protection, where state legislation ensures that agreed water levels remain in a reach of a river or in a lake to protect fish and wildlife habitat, aquatic life, navigation, transportation, recreation, water quality, or aesthetic beauty.

Management plans (specific part of an inland water)

(briefly explain different possibilities listed below)

Integrated river corridor management plans (e.g. Brisbane)

Example: Australia (Mid-Brisbane River Recreation Management Plan)

This plan focuses on canoeing as the major priority for its future management and access on the Mid Brisbane River.

Sections of the plan include:

- A detailed list of current issues on each stretch of the river (e.g. current access, management, etc).
 - A 3-stage implementation model (years 0-1, 2-4 & 5+) with specific targets for each period. For example, stage 1 would involve discussion amongst key stakeholders (i.e. canoe groups, council, local government), stage 2 would involve active acquisition of key property, site development and access issues resolved (i.e. legislation), and stage 3 would include a performance indicator review (“how effective has the management plan been?”)
- Site development (*see above*)
 - Overt management presence (i.e. park rangers/river patrol (*used extensively in US National Parks*))
 - Badging/logos/information/signage (*used in Brisbane River Recreation plan*)
public education

River ‘contract’ (integrated into catchment management plans?)

Example: Europe (France)

Voluntary-based management plans/agreements where key stakeholders on a given river (i.e. water companies, other forms of industry, landowners, canoeing organisations, angling associations,) form agreements (a river contract) regarding usage and access. Recreation is only one element of these types of management plans, however they are used extensively and work effectively in France.

Public Acquisition of specific “rights”

- Acquisition of key properties
- Compulsory purchase of land
- Grants to purchase rights
- Grants to purchase easements/leases

Example: UK (Brighton): Public acquisition of rights is usually used in conjunction with voluntary agreements (e.g. Uni of Brighton study), where land is bought/leased to enable recreational access to particular river/stretches of a river. However, public acquisition can also be implemented in addition to some form of legislation/protection (e.g. protected rivers in the US, canoe trails, blueways etc).

Issues to explore for each set of proposals

- How would the approaches change user/landowner rights and responsibilities?
- Will they enhance/reduce conflict between different users, or between landowner and users?
- How difficult are the legislative requirements?
- How difficult might it be to implement and enforce?
- What would be the costs – should users pay?
- Could this approach be taken only on some inland waters (e.g. reservoirs)?
- Would there be any environmental impacts?
- Would there be any local economic benefits/costs?

Part C User Specific arrangements

Hand interviewee Part C sheet

Part C lists some different elements that have been used in other parts of the world to manage river recreation. We would like to explore your views on these elements of management. What do you see as the key opportunities for, or barriers to:

User Permits

- Limiting use (maximum number issued)
- Visiting special areas

SA (Idaho/Utah/Arizona)

The main rivers that flow through these states are permitted (permit application/lottery process – depending on usage numbers on river), ranging from \$8 to \$25. This means that anyone wishing to canoe/kayak through these rivers require a permit.

User Fees

- special taxes for boats/canoes/kayaks (fuel/mooring/equipment)
- for specific rivers/stretches of rivers
- annual payment for all waters
- variable scale of fees over a calendar year
- User fees (e.g. for boat launch/take-out)
- Special car licence plate fee to support river recreation
- Special boat 'decal' to help pay for conservation/management

Example: USA (Ohio/Pennsylvania/Maine)

Over 6 states in the US require boat users to register their boats (usually in the form of a licence plate). These boat registration fees, along with state fuel taxes (collected on fuel used in motorboats), and taxes on fishing equipment and motorboat fuel go into a fund, which is used to improve recreational access for river users (e.g. Pennsylvania: "Boating Facility Grant Program).

Landowner incentives

- Tax incentives for providing access for recreation (need to know taxing powers of WAG)
- Tied into existing grant programmes (e.g. woodland, HLS, Tyr Gofal)
- New programme to maintain land for 'low impact use'

Example: USA (New Hampshire)

Over ½ the land in New Hampshire is enrolled in the "Current Use Program". Current Use Assessment provides a property tax incentive to all qualifying landowners who agree to maintain their land in its 'undeveloped state'. Furthermore, a 20% 'recreational discount' is an incentive for landowners to keep their land open to others for six low-impact land uses

1.15 Issues to explore for each set of proposals

- How would the approaches change user/landowner rights and responsibilities?
- Will they enhance/reduce conflict between different users, or between landowner and users?
- How difficult are the legislative requirements?
- How difficult might it be to implement and enforce?
- What would be the costs – should users pay?
- Could this approach be taken only on some inland waters (e.g. reservoirs)?
- Would there be any environmental impacts?
- Would there be any local economic benefits/costs?

Additional Notes

‘Elements’ of Management Techniques for Inland Waterway Recreation – For Interviewee

A. Open access arrangements

1. Extend statutory rights of navigation over more waters/over all waters

2. Land reform (as in Scotland, i.e. right of access with code of conduct)

3. Dedication of land (general dedication or under s.16 and Schedule 2 of CRow Act)

Issues

Reduce landowner’s liability?
Tolerant use of water?

Clarify landowner rights?

B. Area/resource specific arrangements

1. Voluntary Access agreements

2. Statutory access agreements

3. Time zoning

4. Area zoning

1. Land/river designations

- Canoe trail designation
- River corridor designation (e.g. wild and scenic river; recreational river)
- Protected rivers
- Minimum streamflow water rights
- 'Heritage' rivers designation

2. Management plans (specific part of an inland water)

- Integrated river corridor management plans (e.g. Brisbane)
- Site development
- Overt management presence
- Badging/logos/information/signage
- Public education

3. River 'contract' (integrated into catchment management plans?)

8. Public Acquisition of specific "rights"

- Acquisition of key properties
- Compulsory purchase of land
- Grants to purchase rights
- Grants to purchase easements/leases

C. User specific arrangements

User Permits

- Limiting use (maximum number issued)
- Visiting special areas

User Fees

- Special taxes for boats/canoes/kayaks (fuel/mooring/equipment)
- For specific rivers/stretches of rivers
- Annual payment for all waters
- Variable scale of fees over a calendar year
- User fees (e.g. for boat launch/take-out)
- Special car licence plate fee to support river recreation
- Special boat 'decal' to help pay for conservation/management

Landowner incentives

- Tax incentives for providing access for recreation
- Tied into existing grant programmes (e.g. woodland, HLS, Tyr Gofal)
- New programme to maintain land for 'low impact use'

APPENDIX 4

SUMMARY OF THE LAND REFORM (SCOTLAND) ACT 2003 AND THE SCOTTISH OUTDOOR ACCESS CODE

Background

In October 1997 The Land Reform Policy Group was established under the chairmanship of Lord Sewel, the then Minister for Agriculture, Environment and Fisheries at The Scottish Office. The Group's main objective was to consider a number of wide-ranging matters relating to land use and tenure in Scotland, with the remit:

"to identify and assess proposals for land reform in rural Scotland, taking account of their cost, legislative and administrative implications and their likely impact on the social and economic development of rural communities and on the natural heritage."

Core members of the Land Reform Policy Group included representatives from the University of Aberdeen, the Forestry Commission and The Scottish Office. The Group published three consultation documents which identified the problems, identified the solutions and made recommendations for action. Following this consultation process the Land Reform Act 2003 was drafted and on the 25th February 2003 received Royal assent.

The Act came into force on 9th February 2005 and essentially provides a right for every person to be on or to cross land and inland waters, unless specifically excluded. The Act provides rights of access to land and inland waters for specific purposes i.e. for outdoor recreation, for crossing land and water, and for some educational and commercial purposes.

The central theme of the act and certainly the code is for each party to exercise access rights and manage access land responsibly. Access rights are not permitted to all land and inland water and the following exclusions apply:-

- Non-residential buildings and associated land, and structures
- Houses and sufficient adjacent land to provide reasonable privacy
- Land around any school and used by the school
- Compounds, building sites
- Sports and playing fields when in use
- Land developed or set out for particular recreational purposes
- Grassland growing for hay and silage which is at such a late stage of growth that it is likely to be damaged by exercise of access rights.
- Land in which crops have been sown or are growing (although please note that the margins of fields where crops are growing are not defined as crops, whether sown or unsown, and are therefore within access rights)

It is interesting to note that the act does not permit motorised access or access rights for hunting, shooting, fishing or having a dog not under proper control.

The act is upheld and enforced via various powers and duties awarded to Local Authorities as set out below:-

- each LA has a duty to uphold access rights
- each LA shall establish a local access forum to advise and give assistance to the LA and to the public upon matters having to do with the exercise of access rights, the existence and delineation of rights of way or the drawing up and adoption of a plan for a system of core paths

- each LA must, within 3 years, draw up a plan for a system of paths ("core paths") sufficient for the purpose of giving the public reasonable access throughout their area.
- each LA may appoint a ranger to advise and assist landowners and the public with rights of way
- where it appears to the local authority to be necessary or expedient for the purpose of enabling or facilitating the exercise of access rights in respect of land to which the act applies, the land can be acquired by agreement or by compulsory purchase with the consent of Ministers
- the owner of land in respect of which access rights are exercisable shall not, prevent any person exercising an access right by erecting signs, fences or hedges, or leaving at large any animal or carry out any agricultural or other operation. Where the local authority considers that anything has been done in contravention of the above they may require that such remedial action be taken by the owner of the land.
- where the LA consider that a fence, wall or other erection is so constructed or adapted (whether by the use of barbed wire or other sharp material or by being electrified or otherwise) as to be likely to injure a person exercising access rights, they may require the owner to take such reasonable action so as to remove the risk of injury.
- with the landowners consent, LAs may install and maintain structures such as launch sites and moorings to improve access use.
- each LA to review existing bye-laws within 2 years to bring them into line with existing legislation.

The LA are able to exempt land from access rights by order but before this is permitted they must consult land owners, consult local access forums and place public notices and invite objections. They must also seek minister approval if the exemption is for more than 6 days.

Landowners also have a rights and responsibilities as follows:-

- Every landowner has a duty to use and manage land in accordance with and conduct ownership in a way which respects access rights.

For the protection of landowners and access users, an application can be made to the Sheriff for Judicial determination of such issues as access rights, access right exemptions, landowners land management responsibilities and rights of way.

Safeguards are included for land managers and for the protection of the natural and cultural heritage.

Existing public rights of way continue to exist and are unaffected by the Act.

The duty of care owed by a land manager is unaffected.

Access rights do not extend to criminal activity which is defined by various statutory offences.

The Scottish Outdoor Access Code 2004

The Scottish Outdoor Access Code gives detailed guidance on the responsibilities to land owners and access users when exercising access rights and on managing land and water.

Whereas the Act sets out where and when access rights apply, the Code defines how access rights should be exercised.

The three key principles for responsible access apply to both the public and land managers:

- **Respect the interests of other people:** Be considerate, respect privacy and livelihoods, and the needs of those enjoying the outdoors.
- **Care for the Environment:** Look after the places you visit and enjoy. Care for wildlife and historic sites.
- **Take responsibility for your own actions:** The outdoors cannot be made risk-free for people exercising access rights; land managers should act with care for people's safety.

The main responsibilities for Land Managers are to:

- Respect access rights in managing land and water
- Act reasonably when asking people to avoid land management operations
- Work with the local authority and other bodies to help integrate access and land management

For example when a landowner is managing land and water where access rights do not apply, e.g. a farmyard, take into account neighbouring land and water where access rights do apply. You can ask people to avoid routes while work is going on and/or, avoid doing particular things if the work creates serious or less obvious hazards to arise.

The main responsibilities of Countryside Users are to:

- Take responsibility for your own actions;
- Respect people's privacy and peace of mind.
- When close to a house or garden, keep a sensible distance from the house, use a path or track if there is one, and take extra care at night;
- Help land managers and others to work safely and effectively . Do not hinder land management operations and follow advice from land managers. Respect requests for reasonable limitations on when and where you can go;
- Care for your environment. Do not disturb wildlife, leave the environment as you find it and follow a path or track if there is one;
- Keep your dog under proper control. Do not take it through fields of calves and lambs, and dispose of dog dirt;
- Take extra care if you are organising an event or running a business and ask the land owner's advice.

The main responsibilities of Recreation Managers are to:

Help land managers to:

- Avoid obstructing or discouraging public access.
- Act reasonably if they need to limit public access during land management operations.
- Help people to enjoy the outdoors responsibly

Help Countryside users to:

- Take responsibility for their actions.
- Respect people's privacy and peace of mind.

- Help land managers and others to work safely and effectively.
- Care for their environment. Keep their dogs under proper control.
- Take extra care if they are organising a group or event.

All public bodies can help to respect, safeguard, and promote access rights and responsibilities through their policies, plans and action, for example by:

- reviewing and amending or developing policies and programmes of assistance (such as grants);
- considering the impact of new development proposals on access rights (such as through the development control process);
- working positively to help the exercise of access rights on their land and water;
- setting a good example by fully meeting their obligations as land managers under the Code;
- co-ordinating their access policies and initiatives with other public bodies;
- providing information to the public and land managers about exercising access rights responsibly and managing land and water responsibly for access; and

Source:

<http://www.outdooraccess-scotland.com/default.asp?nPageID=75&nSubContentID=0>
<http://www.outdooraccess-scotland.com/default.asp?nPageID=26&nSubContentID=0>
<http://www.scotland.gov.uk/Topics/Rural/Land>

The Access Code sets out examples of how the code is to be implemented for landowners and the public in an A to Z list of land type and activity. For example the code for responsible behaviour for canoeing, rafting, rowing and sailing is set out as follows:-

'Responsible behaviour by the public

Access rights extend to non-motorised water-based activities, such as canoeing, rafting, rowing and sailing. Make sure that the river, loch or reservoir is appropriate for your activity and the numbers involved, take care not to interfere unreasonably with other interests and avoid going close to water intakes, abstraction points or spillways. On some water bodies that are intensively used for a wide range of activities, various management measures, such as zoning and byelaws, may be needed for safety or water quality reasons and to protect the environment. Follow any agreed guidance provided.

Respect the needs of anglers by avoiding nets or other fishing tackle. When close to anglers keep noise and other disturbance to a minimum. On lochs, keep a safe distance from anglers. On rivers or other confined waters, await a signal from the angler or ghillie to proceed if they have a line in the water and follow any suggested route they indicate if safe and practicable to do so. Take extra care when entering and leaving water to avoid damaging the banks or disturbing wildlife, and use a public slipway if one is close by. Do not pollute the water.

If you wish to canoe or sail on a loch or reservoir used intensively by a commercial fishery, be aware that this can be very disruptive, may raise safety issues because of the high number of anglers in a relatively small area and may impact on the

operation of these businesses. Always talk to the land manager before going onto such water.'

'Responsible behaviour by the landowner

Where appropriate, work with your local authority and/or recreation groups to identify suitable parking and launching sites. Where intensive recreational use causes safety, operational or environmental concerns you could work with your local authority and/or recreation groups to determine what management measures might be needed. Wherever possible, if a club or group of users wishes to have a motorised rescue boat present for safety reasons give permission for this.'

And for fishing:-

'Responsible behaviour by the public

Access rights do not extend to fishing. Anglers need to be careful when casting lines so be aware of where people are on the water and on the land. If a canoeist or other person on the water is close by wait until they have passed by before casting. If you have a line in the water, allow people on the water to pass at the earliest opportunity. Indicating where you would prefer canoeists or rafters to pass by can help but be aware that it might not always be possible for them to follow the route you suggest.'

'Responsible behaviour by the landowner

Respect the needs of people exercising access rights responsibly. If a canoeist, rafter or other person is on the water, let them pass by before casting a line. Ensure your clients are aware that people can exercise access rights along riverbanks and loch shores, as well as on the water. Where appropriate, work with your local authority and recreation bodies to help to integrate access with fishing and other riparian activities, and help facilitate responsible access along riverbanks and loch shores.'

<http://www.outdooraccess-scotland.com/upload/Part%205.doc>

Scottish Canoe Association View

The Scottish Canoe Association (SCA) launched its latest access advice to paddlers at the Wet West Paddlefest. The SCA's advice is contained in a leaflet entitled 'Paddlers' Access Code – Access Advice for Paddlers in Scotland'.

Copies of the leaflet are available in shops and visitor centres, as well as being sent out to all SCA members and being available electronically on the SCA website.

The SCA is responding to the change in access laws in Scotland following the introduction of the Land Reform Act in 2005 and the emphasis on responsible behaviour in the Scottish Outdoor Access Code that accompanies the act.

The Paddler's Access Code is the SCA's interpretation of the act and code as it affects canoeists and kayakers paddling on Scotland's waters. The advice contained in the code includes recommended practices on land and water, as well as providing specific guidance for paddlers on rivers, lochs, sea, canals and reservoirs.

SCA Access and Environment Officer, Mike Dales said: "The laws of access in Scotland have changed now and the basis on which we take access has changed.

This leaflet is essential reading for all those who paddle in Scotland. I would urge all paddlers to sit down with this leaflet for at least an hour, to read it and to consider how it is going to affect them.”

Mike went on to say: “Our new access system is designed to be easy to understand and therefore easy to teach. We are calling on all outdoor centre managers and canoeing instructors to study this code and to build it into their teaching of canoeing.”

The SCA are grateful to Scottish Natural Heritage (SNH) for their financial support in producing the leaflet. The Paddler’s Access Code can be found on the SCA website under ‘Access & Environment’ and then ‘Paddler’s Access Code’.

Source: www.canoescotland.com
<http://www.canoefocus.demon.co.uk/access.html>

APPENDIX 5

SOURCES OF INFORMATION REGARDING ACCESS TO INLAND WATER IN ENGLAND AND WALES

- 1. Rights to access to rivers, lakes and canals**
- 2. Current problems in Wales**
- 3. Voluntary Agreements**
- 4. Reform for Wales**
- 5. The River Access Campaign (RAC)**
- 6. Potential Solutions – From “Water-Based Sport and Recreation”**
- 7. Access to Inland Waters – The English National Countryside Access Forum**
- 8. *Fishing***
- 9. Dwr Cymru/Welsh Water and access to reservoirs**

Access to inland Waters – the Current Situation in England and Wales

1. Rights to access to rivers, lakes and canals

Access to the land surrounding a water body does not necessarily give the right of access to the water, or to fish, launch a boat or swim. There is no general right of access to river banks and towpaths - they all belong to somebody and that landowner may or may not choose to allow access. However, many [footpaths](#) and other rights of way do run along river banks and towpaths, as these are often the routes people have used for many years. A canal towpath or the bank of a navigable river is legally a part of the waterway.

Rights of Navigation and access to inland waters – the legal perspective

Under English and Welsh law there is, at present, no general right for one person to exercise rights over property belonging to another and there is no general public right of access to property belonging to another. The right to fish and the right to navigate are governed by the same law. The equivalent of a public right of way on land is the public right of navigation.

Historically, rights of navigation are based on commercial need and recreational navigation has followed more recently. In relative terms recreational navigation and canoeing in particular are young sports compared to angling has a history going back hundreds of years. The result is that the law relating to fishing rights is well established.

It is a general principle of English law that the owner of land bordering on a watercourse (a riparian owner) also owns the bed of that watercourse up to an imaginary line drawn down the middle. The common law concerning trespass relates to water in the same way as it does to land. The owner of land fronting onto a watercourse can stop people travelling over or to that part of the watercourse owned by them in exactly the same way as they can stop people walking over their land without permission or fishing from their land into the watercourse without their permission.

A riparian owner can expressly dedicate a stretch of river under their control for public use although this appears to be quite rare. These forms of dedication are what make up the Common Law of navigation.

A right of navigation where it exists is a right to use the river to its full capacity. There is no such thing as a limited right of navigation such as a right limited to canoes.

The creation of navigation routes over watercourses where no public rights of navigation exist without the consent of all persons having an interest in the bed of the river will involve changing the law by Act of Parliament, although it might be possible to do so using existing powers of compulsory purchase.

Where a public right of navigation does not exist, agreements to use the river can be negotiated with the owner of the riverbank who controls the right to use the river. (*CRN News Volume 4 Number 2 June 1996*)

In England and Wales the canoeist does not have an automatic right to launch on to any river. The legal situation is different from most other countries in the world, where canoeists are generally able to paddle large and small non-tidal rivers without seeking permission, as the beds of these rivers are not considered to be privately owned and not controlled by riparian owners. Access to water was not included in the Countryside and Rights of Way Act 2000 despite the efforts of the BCU in the reading stages of the Bill passing through Parliament. Subsequent representations were made on this omission by the BCU to ministers who recognised this as an issue. <http://www.naturenet.net/law/rivers.html>

2. Current problems in Wales

The Welsh Canoe Association (WCA) believe that the ability to access water for recreational purposes in England and Wales is poor compared to other European Countries. Sport is believed to produce greater social inclusion and economic benefits in these countries than in the UK for this very reason.

Canoe tourism brings money into these European countries. The view of the WCA is that Wales hosts some of the best waters for canoeing in Europe, however the inability to access and use waters means that this much needed income is lost and the law ought to be brought in line with other European countries.

The WCA view is that the law relating to the public's ability to access inland water is dated and no longer reflects the wishes and needs of modern society, as it was implemented at a time when recreational activity was not as prominent or economically profitable as it is today.

The numerous opportunities for economic growth and social development offered by water-based recreation will not be released unless innovative measures are installed to produce a wider base of access to and along all inland waterways.

<http://www.publications.parliament.uk/pa/cm200001/cmselect/cmenvtra/317/317ap27.htm>

3. Voluntary Agreements

A two-year study by the Environment Agency into how landowners can open up more rivers across England for canoeing has been completed and the findings released on October 3, 2006.

The Environment Agency's study involved putting voluntary access agreements in place on four rivers and looking at how they worked in practice and could be used elsewhere.

During the study the potential benefits of the scheme, including help to manage health and safety and using rivers for the social and economic well being of all, were explained to 400 local landowners. Nearly 99% of them consequently agreed to consider access to rivers running through their land. Although concerns were raised, the pilot projects proved it was possible to develop practical solutions to meet them.

An on-line Voluntary Canoe Access Agreements Toolkit is being developed. It will include details of funding opportunities, plus data on social and economic benefits of canoeing.
<http://www.environment-agency.gov.uk/news/1483044>

However, in terms of the current situation in Wales, there are 300 rivers and negotiated access has been possible on only eight of these.

Welsh Canoe Association perspective on Voluntary Agreements – Move to section 4 under 'Waterways for Tomorrow'

The DETR is investigating ways in which voluntary access agreements can be achieved to increase access to waterways. This initiative, and access along and utilisation of waters other than navigations, is ignored by the *Waterways for Tomorrow* paper.

It is significant to note that apart from a few exceptions; the voluntary approach to secure access has not been successful. Despite half a century of effort and negotiations, canoeists only have access to less than 1 per cent of the potential paddleable water in England and Wales.

The focus of the *Waterways of Tomorrow* paper is limited to a handful of inland waters in Wales. As mentioned, earlier, there are over 250 rivers in Wales that are able to host canoeing in Wales, and benefit not only the participants but also the local economies surrounding each catchment. The WCA has Formal Access Agreements to only 13 of these rivers. The focus of *Waterways of Tomorrow* has to embrace and deal with this issue.

It is also significant to note that to remove conflict with anglers, the majority of access agreements that are in place relate only to the closed fishing season. The obligatory closed fishing season has been removed from canals, and the Salmon and Freshwater Fisheries Review recommends that the closed fishing season be removed from coarse fishing rivers. The report needs to adopt a wider approach and address these matters, and ensure that the limited resources canoeists have are not diminished.

The WCA will support any initiatives to increase access via voluntary means, but holds that a significant increase in the number of access agreements needs to occur before they are judged to be a way forward. It is imperative that any initiative to increase access via voluntary means is implemented to achieve demand-based targets in reasonable time scales.

Public monies should be freely available to assist in the exercise, and consideration must be given to the public purchase of navigation rights in order to vest them in organisations that could manage and promote recreational access to and use of water.

<http://www.publications.parliament.uk/pa/cm200001/cmselect/cmenvtra/317/317ap27.htm>

English National Access Forum Perspective on Voluntary Agreements

This concluded that access agreements were very difficult to create and difficult to maintain. Demand could not be met for increased access in prime areas for canoeing, for example upland areas and national parks. Pilot projects to increase access to four rivers are proving time consuming and expensive.

1.15.1The British Canoe Union agreed with the Government that they would look at the voluntary agreements via 4 pilot studies the Environment Agency are undertaking. However, they have grave concerns over the effectiveness of them. There are concerns over the cost of the four pilots, not only in terms of time but in actual cost. Hundreds of thousands of pounds have been spent to potentially gain about 70 kilometres of water out of over 66,000 kilometres of rivers where there is no access! Is this approach a feasible or practicable strategic solution? The rivers chosen for the feasibility study are not exactly attractive options for the canoeist as there is no huge demand to canoe on the River Mersey, for example. On the basis of these preliminary findings it is clear to the BCU that negotiated voluntary agreements cannot be seen as a satisfactory strategic approach to increasing access to water.

Minutes -

<http://www.countryside.gov.uk/LAR/Recreation/NCAF/20thmeetingminutes.asp>

<http://www.defra.gov.uk/wildlife-countryside/resprog/findings/watersport-summary.pdf>

http://www.countryside.gov.uk/LAR/Recreation/NCAF/NCAF17_7.asp

4. Reform for Wales

The Welsh Canoeing Association has been campaigning to the Welsh Assembly Government for primary legislation for a land reform bill to provide and permit public access (and responsibilities) to and along non-tidal water, encouraging sport and recreation, similar to the Act in Scotland. The lack of legal clarity and restrictions that exist at present, act as a barrier to sport and recreation and the promotion of Wales as a place to visit for Adventure Tourism.

The Scottish Land Reform Act 2003 codifies responsible access to land and water, it protects the environment and activities of all canoeists, anglers, other users, and landowners who are all required to adhere to the Scottish Outdoor Access Code. The Act has been successfully implemented.

The petition is due to run until Jul '07 and is organised by the Welsh Canoeing Association.
<http://www.ethical-business.com/?sect=detail&pet=2856>

Navigation - a way forward

A more practicable solution to the access problem would be to adopt the approach that all rivers are subject to rights of navigation, as they would have been in 1189, and that access along the whole of their linear progression is unrestricted unless closed by statute. This would ensure that a modern, integrated and sustainable approach was present to allow development of all aspects associated with inland waterways.

The ability to access all waterways would be governed by a code of conduct, and localised regulations, that ensured that all users exercised their rights responsibly or forfeited them. This would ensure that legitimate interests were governed by a mutually integrated and recognised form of regulation, which would protect all users' expectations of reasonably disturbance free enjoyment of their activity and the countryside.

This approach allows for regulation, a win/win scenario for all activities, opportunities to create additional and associated jobs and an opportunity for landowners to generate income.

Waterways for tomorrow

This report focuses mainly on inland waterways – defined as canals and navigable rivers in England and Wales. The Government wants to encourage people to make use of the inland waterways for leisure, recreation, tourism and sport.
(<http://www.defra.gov.uk/environment/water/iw/tomorrow/>)

Response to the Waterways of Tomorrow report by the Welsh Canoe Association(<http://www.publications.parliament.uk/pa/cm200001/cmselect/cmenvtra/317/317ap27.htm>)

The Welsh Canoeing Association is the governing body for canoe sport in Wales. The WCA is recognised as such by the Sports Council for Wales, and represents 2,500 individual members and 50 Clubs representing an additional 2,500 members. Over one million people took to the water to canoe last year, and over 20,000 people participate in canoeing in Wales on a regular basis. Membership of the WCA is increasing, as is the number of regular participants.

Canoeing is a sport that can be practised by all regardless of age, sex, race or ability. Canoeing regularly produces World Champions and Olympic Medallists for Great Britain. The sport offers recreational enjoyment, a wide range of competitive opportunities, environmental appreciation, educational achievement, employment with economic development, and social inclusion.

The WCA has a policy of improving and increasing the opportunities for canoeing in Wales, and welcomes the ability to submit its concerns about the "Waterways of Tomorrow" Paper to the Environment, Transport and Regional Affairs Committee.

The WCA is concerned about the present poor, and bleak future canoeists have in relation to their ability to access waterways for their sport. It is the WCA's belief that the Government needs to pay serious attention to the lack of access recreational craft have to water, and needs to implement legislative strategies to improve access to and along all categories of inland water.

Waterways for Tomorrow is a consultation document that concentrates on a chain of waterways that are already Navigations. These Navigations are predominantly larger rivers and canals.

Where such rights of navigation exist, The WCA seeks to utilise the water in harmony with, and have an equal use of water along side all other water-based activity. All uses of inland water can, if properly managed, be complementary. Additionally, any management policies should not reduce or restrict the present level of canoeing activities on these waterways. Management strategies must embrace all uses and should not give primacy to any one use.

For reasons of differences in flows and volume, management regimes for rivers and canals should be derived on a differing basis.

The status of the Navigations in the chain seems to revolve around the ability of large or powered craft to physically navigate the rivers.

Canoeists enjoy and are interested in all waterways, which includes those not navigable by larger or powered craft. Any Navigation Authority that is to acquire waters needs to consider the effect upon users of non-powered craft that will be produced by limiting the length of water that is to be deemed navigable.

If one was to consider a map of inland waterways in England and Wales, then it is clear that Wales is poorly served by this chain of waters.

Consequentially, if concentration is focused solely on this existing chain, then the ability to maximise the opportunities waterways have to offer for leisure and recreation and the reciprocal benefits they can offer is extremely limited.

The existing chain of available waters does not serve to meet the demands of leisure craft in the present. Unless a wider approach is taken to embrace all waterways, it will certainly not meet the demands of future generations.

The paper misses the fact that there are numerous opportunities for economic growth, social development and education through recreation and tourism, by promoting the development of and access to and along the numerous rivers which do not exist already a public navigations. It is imperative that concentration should not be restricted to just larger waterways. In fact there are over 250 rivers in Wales that are able to host canoeing.

Canoeists are interested in all waterways. The canoe is an environmentally friendly traditional craft that leaves no trace of its passing, and is able to physically navigate all types of inland water. Many canoeists are interested in the smaller stretches of placid inland water that are not navigable by large powered craft. These include not only rivers but also lakes and ponds. Many canoeists require the challenge of white water provided by the topography and flows of the mid and upper reaches of rivers. These waters are not considered in the scope of the report, but are an important and often limited (restricted) resource for the recreational paddler and those involved in competition.

Many of the waterways suitable for canoeing are not public navigations. This dictates that canoeing activity cannot take place without the permission of the riparian owner. Refusal of permission from one riparian owner can prevent access to a whole stretch of water.

Navigation status is often disputed on rivers and the presence of recreational activities is often challenged. For reasons of cost and availability of evidence, it is often impracticable to try and prove a navigation through the Courts on the majority of rivers that can be, and historically were used by small man-powered craft as navigations since Time Immemorial.

There is evidence to show that canoeing has no significant bearings on fish populations, but despite this fact the majority of angling interests are unwilling to share waterways with canoeists and continue to preclude canoeing on the majority of rivers.

5. The River Access Campaign (RAC)

In 2004 the British Canoe Union (BCU) launched the Rivers Access Campaign (RAC). The Campaign aims at raising awareness of the access issue on inland waterways in England and Wales and bringing about a change for non-powered craft. The BCU is keen to point out that it is campaigning on behalf of all members of the public. The RAC has already attracted the support of many MPs who are led by John Grogan MP. He has now secured the support of 127 other MPs in a call for a new right of access to English and Welsh rivers.

The BCU have recently been joined by the Welsh canoeists who launched their own campaign urging the Welsh Assembly Government to consider and implement a Bill that would enshrine public access rights to and along natural waterways for healthy, low impact recreation. This should enhance Wales as a place to visit for Adventure Tourism.

Scottish river users have a longstanding right of access, secured by the Scottish Land Reform Act 2003.

By contrast, in England and Wales river beds are privately owned and with some exceptions, where the water is tidal or there are historic navigation rights for example, the general public has no automatic right to canoe, swim or paddle in them.

- Only 2% of rivers in England and Wales have Public access
- The public do not have access along 65, 000 kilometres of rivers in England and Wales.
- Whoever owns the land along the river (the riparian owner) also owns the property rights to the river bed. They don't own the water itself, only the land it passes over.
- If a river doesn't have a public right of navigation and you haven't got consent from the riparian owner, you are committing trespass by paddling on or even wading in it.
- Nearly all the most beautiful inland rivers are not accessible to the public.
- Canoeing is an increasingly popular recreation, and is not socially exclusive.
- Canoeing is an affordable means of getting "on the water" for everyone, especially young people, families and the retired.
- Providing greater access to the rivers will enable a healthier and fitter nation as canoeing and other water sports are very much about participation.

England and Wales are two of the hardest places in the world to gain access along rivers.

In the rest of the world access along inland waterways is open to all users without restriction.

Access is very limited for canoeists and other river users like swimmers.

Over the last 40 years only 814 kms of additional access has been added through voluntary agreements and many of the agreements are for only one day per year!

Government recommendations that the way forward is through voluntary agreements with riparian owners seems to lead nowhere. Owners are often hard to trace and, not surprisingly, even harder to persuade to share their property with the general public.

The River & Lake Swimming Association aims to protect the interests of those who seek to enjoy water activities whenever they come under threat and seek to remedy situations where their rights have been or are being violated.

Needless to say, the canoeists campaign is not only our campaign too - securing access to rivers in England and Wales will be a major step forward for all of us.

<http://www.river-swimming.co.uk/rac.htm>

<http://www.environment-agency.gov.uk/news/1483044>

6. Potential Solutions – From “Water-Based Sport and Recreation – the facts”

The report considers the 8 following policy scenarios for addressing user wishes and the problematic issues associated with water-based sport and recreation:

- Minor development of current planning policy and strategies
- Targeted purchase of services and revised funding arrangements
- Targeted acquisition of land and water rights
- Voluntary agreements
- Voluntary agreements with dedication
- Compulsory access orders
- A selective increase in statutory rights of navigation
- Statutory rights of navigation to all major rivers, canals and water bodies

Following the publication of the DEFRA/University of Brighton Report "Water Based Sport and Recreation - the facts"; (2001) the Countryside Agency was asked to take the lead in setting up some pilot projects in England to examine access agreements. The University of Brighton was re-appointed for a further study on canoeing and access - "Improving Access for Canoeing on Inland Waters by Voluntary Agreement: A study of the Feasibility of Access Agreement."

7. Presentation on Access to Inland Waters – Minutes of the 20th Meeting of the English National Countryside Access Forum (Main points made in presentation (by William Crookshank EA):)

- Although Brighton University's report to Defra (2001) said that there was little evidence of widespread unmet demand for inland water based sport and recreation, there is an imbalance in provision which needs to be addressed.
- The BCU (British Canoe Union) says canoeists have access to only 2% of England's rivers, whereas over 70% of major rivers and canals have a right for angling. Significantly, many actually go abroad for a wider experience, rather than paddling in England, where they cannot get on the rivers they want.
- In 2000 there were 300,000 people employed in delivering water based sport and recreation, and 250 million visits to water and waterside producing a visitor spend of £2.5 billion. Although this is therefore big business, it is unplanned, and so the issue to address is the need for strategic planning.
- This involves knowing what is going on, what is strategically important, what is needed to protect conservation, and how opportunities for all can be created so that social economic and environmental benefits can be delivered sustainably.
- In doing this it will be necessary to engage with LAFs, landowners, regional sports boards, and everybody who has a legitimate interest. When some consensus is reached, the information may be included in regional spatial strategies.

- Water based sports and recreation can help to deliver Government targets, eg. the Game Plan target of 50% of the population being reasonably active by 2020; water recreation has a role to play in helping to deliver the health agenda.
- There had been a continual drip feed of letters from canoeists, frustrated at their inadequate access to water, and Defra had undertaken work to analyse the issues.
- The minister had written to LAFs to suggest that this was a sphere in which they could identify in their areas opportunities for canoeists, and other users as well.
- The issues surrounding water-based recreation were complex, but ways had to be found of achieving improvements through Defra's discussions with CA, SE, EA and BCU (British Canoe Union).
- BCU had shown a willingness to cooperate with the practicalities even though its long-term goal was to secure statutory access to inland waters.

8. Fishing

More than 4 million people over 12 years of old in England and Wales went angling last year. In Wales, the Assembly Government contributes to a £2.5 million, three year Objective 1 funded project aimed at developing angling.

Fishing for the future (Environment Agency) – Plan in 2015. The plan aims to increase participation. An estimated 2.6 million (6%) of the 43 million people over the age of 12 went fishing in fresh waters last year. They claim it is probably the nation's favourite outdoor participation sport. An estimated 8.2 million people fish less frequently, having been freshwater fishing in the last 10 years. About as many people again would like to try or return to angling if it was easier for them. People from a wide range of socio economic groups go fishing and it is a favoured sport amongst people with disabilities. However, few women or people from black and minority ethnic groups take up the sport compared to the general population.

Estimates suggest that the annual economic activity associated with angling is up to £2.75 billion employing around 20,000 people either full or part time.

Truancy rates and anti-social behaviour have fallen greatly while self-esteem and educational achievement have gone up significantly among young people who have taken part in specialist angling projects. Four million anglers make up an important interest group for a better and protected environment.

9. Dwr Cymru/Welsh Water and access to reservoirs

Welsh Water owns 81 reservoirs situated in some of the most beautiful parts of Wales. Where practicable and safe, they actively encourage visitors to share these resources and, at a number of principle reservoirs, have developed facilities for a range of activities including fishing, sailing, canoeing, windsurfing and diving. Some of the larger sites also have Visitor Centres, bird watching hides, picnic areas and marked pathways and nature trails.

At a number of the larger reservoirs they have appointed on-site rangers, dedicated to managing the facilities and for looking after the special wildlife areas that are in their care. The rangers also play a key role in encouraging visitors to the sites and regularly hosting a range of fun and informative activities including fly-fishing courses, charity 'bikeathons', boat trips, guided nature walks and wildlife tracking events.

However, they are against encouraging swimming in reservoirs because of the hidden dangers such as the automatic equipment located under the surface of the water which can sometimes operate without obvious warning. This, coupled with the water often being very cold and very deep can mean that even strong swimmers can find themselves in difficulty. Most of the reservoirs are in remote locations, so the chance of rescue is greatly reduced.

In relation to fishing, the reservoirs represent what is probably the single largest group of still-water trout fisheries in the UK and are the venue for many national and international fishing competitions.

Virtually all of the principal reservoirs are available to anglers subject, of course, to their purchasing the appropriate permits and rod licences (the latter are available from the Post Office).

In keeping with their aim of encouraging visitors to share the resources and facilities with them, they regularly offer organised fly-fishing courses. There is usually a small charge for the courses for which participants receive expert tuition and use of equipment.

<http://www.dwrcymru.com/english/community/recreation/fishing/index.asp>

Environment Act 1995, Water Industry Act 1991: Code of Practice on Conservation, Access and Recreation: Guidance for the Environment Agency and Water and Sewerage Undertakers

This code of practice gives guidance to water undertakers, sewerage undertakers and the Environment Agency ('the relevant bodies') on matters which they should consider when carrying out their duties in respect of conservation, access and recreation.

Recreation

5.1 The relevant bodies are required to take such steps as are reasonably practicable and consistent with other enactments relating to their functions, to secure that any rights which they have to the use of water and associated land are exercised so as to ensure that the water or land is made available, in the best manner, for recreational purposes. Opportunities are particularly likely to arise in respect of:

- inland reservoirs, flooded gravel pits and coastal waters, which may be an important resource for water sports, such as sailing, windsurfing and canoeing, and for angling, walking and birdwatching
- upland water gathering grounds, where there should be provision for informal recreation such as walking, mountaineering and enjoyment of the countryside. Wherever practicable, access on roads and tracks should be extended to equestrians and cyclists for informal recreation. Access for organised activities such as orienteering, climbing, paragliding and caving should be granted unless there are clear reasons why it should be refused.

5.2 The Agency also has a general duty to promote the use of inland and coastal waters and associated land for recreational purposes.

5.3 The relevant bodies should establish mechanisms for consulting regularly with local and national user groups, the English Sports Council (Sport England) or Sports Council for Wales, regional sports fora and, where appropriate, with governing bodies of specific sports.

5.4 The relevant bodies should seek to ensure that access is provided to as wide a range of facilities as possible and to as wide a range of people as possible. Promoting access for all should help to improve health and reduce social exclusion.

The main considerations should be to:

- increase enjoyment and success in outdoor sport and recreation
- promote access for everyone, particularly beside, to and on water, while encouraging safe and responsible behaviour among those taking part
- use sporting and recreational activities as a way of increasing awareness of, and appreciation for, the environment and to increase support for its protection
- provide, design and manage facilities and activities which follow the principles of sustainable development
- consider the possibility of locating facilities close to population centres from which demand is likely to originate.

5.5 How the relevant bodies put their water and land to use for sport and recreation in the best manner will depend on particular circumstances, but two considerations which will generally be relevant are:

- the need to provide for as broad a range of activities and interest groups as practicable while seeking to reconcile potential conflict
- the need to take account of the recreational needs of local people and wider communities and to ensure by good planning and management that opportunities are provided for popular as well as more specialised demands.

5.6 Considerations which should be taken into account in establishing and operating specific sites are that:

- subject to suitable terms and conditions, public use of sporting and recreational facilities should be maintained and new demands met by the grant or renewal of leases or licences
- facilities provided for formal or organised recreational pursuits may be offered on terms which take account of the capital costs of provision and maintenance
- existing users of sporting and recreational facilities on the relevant bodies' land or water – and in the surrounding area – and conservation bodies should be consulted before the introduction of any new activity and judgements should be made on the basis of the principles in paragraph 5.5
- provision should be made, where possible, for the needs of disabled people (see paragraphs 7.55 to 7.57)
- journeys to the facility by non-motorised or public transport should be encouraged, for example, by liaising with local authorities and public transport providers and opportunities should, where possible, be provided close to where people live
- reasonable account should be taken of the need for public car parks, toilets and picnic sites, and facilities for the study of nature, geology or archaeology.

<http://www.sheilapantry.com/fulltext/samples/evpd/detr03.asp#section5>

APPENDIX 6

APPROACHES TO MANAGING LAND-BASED ACTIVITIES IN THE UK

Access Agreements

Access agreements enable recreational users to carry out their activities despite the complexities of resource/land ownership. This section explores the role in which access agreements play for a wide range of recreational activities and identifies the provision of information currently available to recreational users in the UK. In addition to this, the section summarises the key points in relation to provision of information for canoeing and makes suggestions upon how it can be improved for future use.

BRITISH SURFING ASSOCIATION

The British Surfing Association (BSA) is the national governing body (NGB) for surfing and a member of the International Surfing Association (ISA).

Code of Conduct

BSA has a code of conduct available through its website that gives advice on how to behave safely when surfing in the UK. This section also includes a detailed diagram displaying safe surfing techniques that should be adopted in order to avoid potential accidents.

Access

Surfers can access a page from the BSA homepage called “Surf Check/Web cams”. This page uses various tools to enable the potential surfer to check for suitable weather conditions in which they can surf. The page is broken down into various maps and visual indicators for surfing conditions.

A map of the UK that shows all moored buoys, each of which can be clicked on individually and give daily readings such as pressure, air temperature and wave height.

‘Wavewatch’ (www.wavewatch.com) displays 7 day animated forecasts that can be viewed by 4 categories; Surf, Swell, Period and Wind.

There are also 4 web cams that display current images and optional 360 degree panoramic viewing for Fistral Beach, Newquay Bay and Tolcarne Beach. Surfing, canoeing and angling are all similar in the sense that all are opportunist in relation to weather patterns. Meteorological information helps many types of recreational user to plan activities. Surfers rely on suitable wind conditions for ideal wave patterns and swell periods; canoeists and anglers are affected by rainfall period, which subsequently influences water levels.

TOLL RIDES OFFROAD TRUST

The Toll Rides Off Road Trust (TROT) was established in 1990 by a group of riders who felt that they had few safe off-road rides and were concerned at the growing amount of traffic on their local roads. They approached farmers to ask if they could pay to ride on specific routes on their farmland. South East Toll Rides (SETA), as the scheme first became known, received invaluable advice from the National Farmers Union (NFU), The Country Landowners

Association (CLA) and a similar scheme running in East Anglia. A farmer and a businessman concerned with the increase in accidents associated with horses on roads established East Anglian Farm Rides (EAFR) in 1989. This introduced the idea of providing a financial incentive to landowners in order to link public footpaths/bridleways to private land, therefore avoiding busy roads.

The Structure of TROT agreements

Each TROT agreement is created with special legal agreements, drawn up for use by landowners (a vast majority being farmers) and horse riders.

TROT acts as the primary advisor/consultant in the creation of these legal agreements, which are also checked for legality by the CLA and the NFU.

Within a relatively short period of time over 50 toll rides were established (in the South East, South West and the Midlands), connecting to local public bridle paths and byways, open in the South East. The need for safe off-road riding became greater as roads became busier. SETR then became a Registered Charity (TROT), with all profits going towards opening new safe riding networks.

Fees

Horse riders pay both a membership fee (which contributes to administration costs to TROT) and toll fees (divided up and paid to landowners) on an annual or six-monthly basis. The total cost (which can be paid monthly) to the horse rider depends on whether they are riding in areas of open toll routes that equate to a total of more than 4 miles or less than 4 miles (a reduced rate). In addition to this, there are various reduced rates for circumstances such as reduced rates for children and shared horses.

Distribution of fees to landowners?

Landowners receive 70% of each fee. When a user pays a fee, the fee is divided between the landowners of that user's main route or forests they use on a regular basis. The remaining 30% goes to administration costs.

Funding

Through the European Regional Development Fund and a scheme known as Interreg (inter-regional) TROT has successfully secured grants in the past to develop more toll rides (e.g. Kent). This is possible for organisations such as TROT, who can apply for aid for specific projects but must work with a 'partner' from another European country. Both partners must share similar aims and work closely on the project. In this circumstance TROT joined forces with the Henson Centre in the Bay of the Somme (France). The Forestry Commission has also been heavily involved with in this project, providing both co-funding and resources.

Provision of information

The TROT website includes a section that lists all routes open to its members. This information includes the 'status' of each route (i.e. whether it is open, closed, provisional or local agent vacant) and divides routes into regional areas. Routes owned by the Forestry Commission are categorised separately (there is a separate charge for riders to rides these routes).

In addition to the routes section, maps are also available to download for each region and include approximate positions of TROT farm routes and Forestry Commission Forests.

Monitoring / Self Policing

TROT operates a system of self policing, therefore members of TROT, or the landowner on whose land the toll ride has been created, will challenge riders not wearing the distinctive TROT hatband and report incidents to TROT. On some toll rides, routes are controlled by padlocked gates, which can only be opened using keys issued by TROT. Technically, riders crossing private land without permission and where there are no public bridleways and byways, toll rides or permissive bridleways are committing trespass and landowners could potentially pursue them through the courts.

TROT does not employ wardens or officers to patrol toll routes, although an element of a voluntary local agent's responsibility is to keep an eye on unauthorised access and misuse of any routes. However, TROT finds that self-policing works best because, unless unauthorised access is kept under control, the landowner has the power to close the toll ride, thereby depriving members of their enjoyment.

The Wider Economy

TROT has given wider economic benefits as recreational benefits. There has been a positive trend in the number of people who combine horse riding with short holidays, which benefits both bed and breakfast and hotel businesses and various other businesses (shops, restaurants, etc). It is clear that local economies benefit from these types of recreational activities. When a recreational user visits a new area in order to carry out their activity, they will often use other amenities within that given area – bringing additional income to other businesses.

Growth and Success

In 2001, SETR changed its name to TROT to reflect a move from its origins in the South East to a national organisation. Worcestershire was the fifth County to join the scheme and by 2004 had opened six riding networks. There is now a thriving network on the Warwickshire/Leicestershire border. Riders in at least ten other counties are now well under way, with valuable advice from TROT Headquarters, to opening their own local networks.

BRITISH MOUNTAINEERING COUNCIL

BMC is the representative body for climbers, hill walkers and mountaineers. It identifies recreation and conservation as inter-connected entities, where both are equally important but one can benefit the other. BMC pioneers and promotes various conservation programmes and projects across the UK. In return, more access is generated for climbers.

Regional Access Database

BMC has a regional access database (RAD), which can be used by climbers to check the access status of over 700 climbing locations in England and Wales.

The database is searchable by site name, region and climbing area and each search can also be filtered to check for sites by access status (either banned, restrictions/sensitive access or advice), which BMC has named its 'Traffic Light System' (e.g. a 'banned' climbing site has red light status).

Crag Name	BMC Area	Climbing Area	Access	Advice	Restrictions Apply
Eagle Crag	Lake District	Borrowdale			
Falcon Crag (upper)	Lake District	Borrowdale			1 Mar - 30 Jun Nesting Birds
Shepherd's Crag	Lake District	Borrowdale			

Search results from the Regional Access Database (BMC)

Once a search has been completed, detailed information is displayed, listing crag name, BMC area, climbing area, access status, advice and any restrictions (including which periods of the year that these restrictions apply). The user can then click on each Crag Name, which shows a page of detailed information, including rock type, CRoW status, SSSI status and number of routes.

Site info		Guidebooks	
Very popular roadside crag - quick drying but getting polished in places.			
BMC Area	Lake District	Rock Type	Volcanic
Climbing Area	Borrowdale	Access Status	Advice
County	Cumbria	CRoW Land	No
Grid Reference	263 185	SSSI	No
Importance	National	No. of Routes	110
Ownership	Private	Year Developed	1922
		Within National Park	Yes

Site information (BMC)

In Addition to RAD, all the sites listed on the database have signage on-location that direct and inform users and provide information on any access restrictions that apply.

This detailed information (both from the database and onsite) enables the mountaineer to plan in advance for a trip, which has several benefits. From a recreational perspective, the mountaineer can prepare properly for a trip and will not be let down by arriving at a destination, only to discover that restrictions apply that prevent them from carrying out their activity.

From an environmental perspective, if the mountaineer is aware of any conservation restrictions in advance of a trip, this will almost always stop them from causing environmental damage to the site that they plan to climb. From a wider economical perspective, the database acts as an advertisement for potential climbers because the database makes them aware of new climbing sites that they may have been previously unaware of. New visitors that RAD brings to areas are likely to benefit the local economy (shops, retail outlets, bed and breakfast, etc).

The Role of Volunteers and Access

The BMC have a national network of over 80 access and conservation volunteers who have regular contact with climbers, landowners and conservation bodies at local level. This means that local people are ideally placed to respond to problems that may occur on the ground. Many of the local access and management agreements at key climbing areas are negotiated and operated through the BMC network of volunteers. The volunteers regularly monitor the local areas and inform the BMC Access Officers (as well as local authorities, etc) if any problems develop.

Mountaineering Liaison Groups

Mountaineering Liaison Groups are sometimes set up in order to oversee regional climbing and mountaineering issues, including negotiating and reviewing seasonal restrictions.

Occasionally, more long lasting problems occur (e.g. Vixen Tor). In situations like this BMC may campaign at national level in order to bring together all key stakeholders and encourage them to create some form of access agreement. Sometimes this does not work, however mountaineering liaison groups will meet regularly to discuss new methods to employ.

Types of Access Agreements and the Role of CRoW

Since CRoW came into effect in 2000, climbers, mountaineers and hill walkers have benefited - there is now a statutory right to access natural features (including crags) on moorland, heathland, down and common land environments. In rare instances, this is the first legal access historically for many years.

SSSI areas have also been opened up for access in some areas. In these circumstances long-term restrictions usually apply along with a code of conduct for climbers monitored by strict managed access. Through this monitoring regime the site can be reviewed every 12 months to decide if the management plan has been successful. The BMC has dedicated its own sites (Horseshoe Quarry, Stone Fram Rocks, Aldery Cliff) under section 16 of CRoW in order to encourage other landowners to follow in their footsteps.

Climbers can be penalised if they do not adhere to the restrictions that apply to a protected area and/or area under legal access agreement. Examples of successfully managed voluntary access agreements currently in place are Stone Farm Rock (West Sussex) and Pat Ifan (Tremadog).

Funding

The BMC provides money to projects whose aims include promoting sustainable access to cliffs, mountains and open countryside by facilitating education and conservation projects that safeguard the access needs of climbers, hill-walkers and mountaineers. This money is generated through the Access and Conversation Trust (ACT). ACT is a charitable trust, established by the British Mountaineering Council, the Mountaineering Council of Scotland (MCofS) and the Mountaineering Council of Ireland (MCofI) in 2001. ACT has grown out of the BMC's successful Access Fund. ACT will allow tax efficient donations for more expensive projects in the UK and Ireland.

BRITISH CAVING ASSOCIATION

The British Caving Association (BCA) is the Governing body for underground exploration in the United Kingdom. It represents all those persons and groups with a genuine interest in caves, karst and associated phenomena, whether from a strictly sporting viewpoint, a scientific viewpoint, or a combination of both. The British Caving Association consists of constituent bodies, regional councils, clubs and individuals. The 5 councils that are supported by the British Caving Association are the Cambrian Caving Council, the Council of Northern Caving Clubs, the Council of Southern Caving Clubs, the Derbyshire Caving Association and the Devon and Cornwall Underground Council. The Regional Caving Councils carry out various functions on behalf of BCA such as conservation & access works, access permits, etc.

Access Agreements

Access agreements for cavers are created at local level and usually involve legal agreements between landowners and regional caving councils. Policies vary slightly depending on regional council, but most agreements allow the landowner to terminate an agreement at any time without given written notice. Agreements also include a code of conduct that cavers must adhere to at all times.

Depending on the landowner, the access agreement may involve a user fee, where each user must pay an entry fee each time they wish to access the cave in question. Permits must also be obtained before entering a cave. Cave numbers are usually restricted to 1 group per day and permits must be applied for at least 1 month before intended use date. Larger bodies that allow managed access to caves on their land include the Forestry Commission and Defence Estates.

CRoW

Underground caves are not identified as 'open countryside' in CRoW; therefore the British Caving Association has not benefited to a large extent from CRoW compared activities such as mountaineering (in contrast, crags are categorised under CRoW as 'open countryside').

Insurance

BCA has a member base of over 4,000. A large proportion of the membership fee contributes to BCA's insurance policy for its members. BCA is involved in

2 aspects of insurance for cavers: Travel and Public Liability (PL). The Travel policy exists to provide insurance for cavers travelling abroad for holidays and expeditions. PL is a policy administered by BCA itself and its fundamental purpose is to protect landowners who allow access to their land for cavers. PL also carries a limit of indemnity for cavers of £2 million.

Funding

BCA receives funding at local council level (e.g. in Derbyshire the local council has provided facilities such as car parking for caving) and is recognised by Sport England, who distribute grant aid through lottery funding. BCA also provides small internal training grants for recreational and professional cavers to develop their skills.

BRITISH BALLOON AND AIRSHIP CLUB

Founded in 1965, the BBAC is a volunteer-based organisation, which exists to promote the safety, enjoyment and advancement of lighter-than-air flight in all its forms – hot air ballooning, gas ballooning and airships.

The Club looks after the interests of its members by representing them in discussions with official organisations including the Civil Aviation Authority (CAA) and the international air sports governing bodies such as the FAI and CIA.

Access Agreements

There are no legal access agreements between balloonists and landowners. However, common law and the law of trespass cover balloonists.

Entry to a field for take off is only carried out with the permission of the landowner. For landing, balloonists usually rely upon the goodwill of the landowner, but in Aviation Law there is a contingency that allows balloonists to land. On each occasion, balloonists seek permission from the landowner before the retrieve vehicle enters the field.

If landowners have identified the boundaries of their land and have notified potential balloonists, the amount they charge to take off or land is up to them. However, BBAC has a fallback charge (for situations of uncertainty) of £3.00 per head in the basket with a minimum of £10.00.

Code of Conduct

BBAC has a Code of Conduct that was created with advice from the CLA and NFU. At regional and club level, committee officers are responsible for managing landowner relations. This involves different forms of communication, from talking to landowners, to organising and running landowner awareness training courses for balloonists.

CRoW

The overall opinion of balloonists is that CRoW has neither hindered nor helped ballooning as a recreational activity. This is because balloonists rely on excellent communication between private landowners and themselves in order to carry out their activity (they require open spaces of field for takeoff and

land). Public access to land, in relation to CRoW, refers mainly to footpath access and bridleways not open areas within fields.

Insurance

Under EEC Legislation typical minimum insurance covers for balloons are:

Private (3 to 6 occupants): £1,200,000

Commercial (5 to 16 occupants): £2,400,000.

No pilot should be allowed to participate in an organised event without evidence of adequate insurance. Event organisers will check that all Pilots have effective cover in Great Britain.

Funding

Ballooning is different in terms of infrastructure requirements than other recreational activities (e.g. canoeing) because take off and landing sites require no permanent facilities and alternate frequently between different locations.

There are several large-scale ballooning events that take place every year. These include the Bristol International Balloon Fiesta, the Alton Towers Balloon Fiesta, and various competitions organised by BBAC itself (e.g. Grand Prix Series). Other outdoor events such as Cornbury Music Festival also attract balloonists. There are obvious benefits to ballooning from corporate sponsorship. Sponsorship from companies provides financial backing for large-scale ballooning events and enables them to take place. This has obvious benefits for both parties; events such as these encourage new people to take a recreational interest in ballooning, whilst providing existing balloonists with opportunities to carry out their activity.

PROVISION OF INFORMATION / GOOD PRACTICE IN THE CANOE WORLD

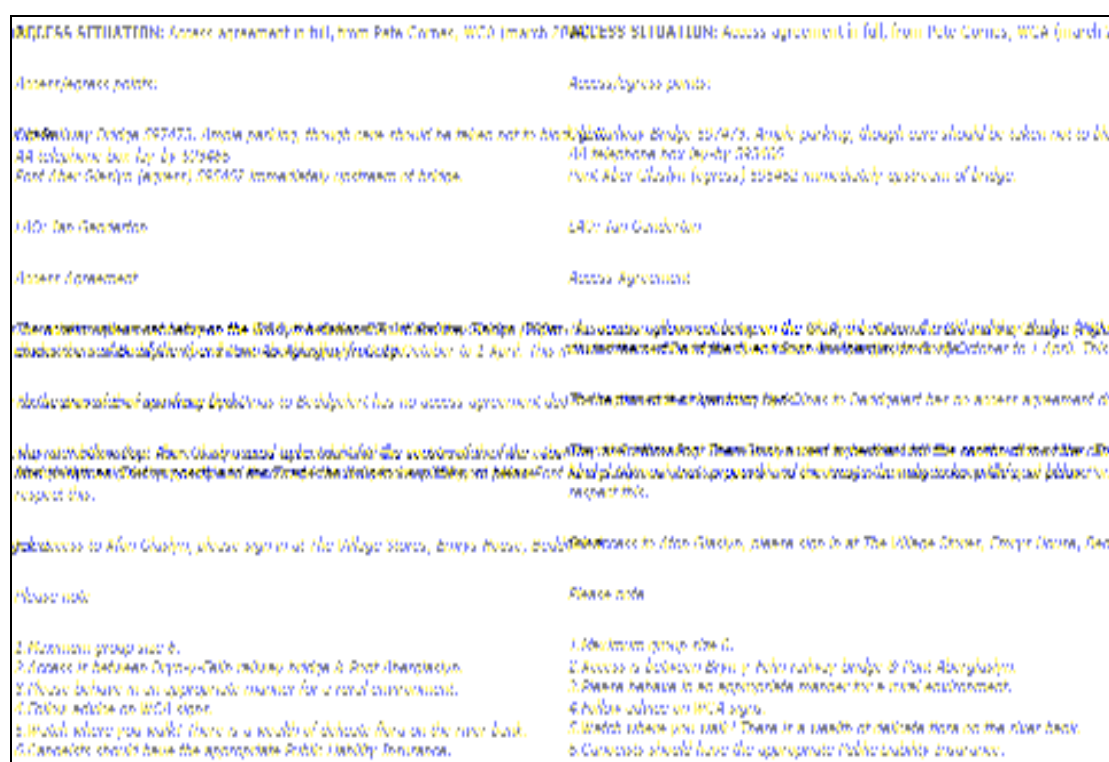
The UK Rivers Guidebook

The UK Rivers Guidebook is a website designed for all types of canoeist (from beginner to advanced). It comprises of several sections. The 'Grades' section explains the international grading system (grades 1 to 6) used by canoeists to determine the physical structure of the river (including level of water obstruction, waves, eddies, rapids and drop-offs).

Example of International Grading System (The UK Rivers Guidebook)

In addition to the international grading system, The UK Rivers Guidebook provides a further simplified system of grading, which categorises the 6 grades of river into 4 sections – playspots, easy (touring rivers), intermediate (advanced whitewater rivers) and very difficult (extreme whitewater rivers). Each type is further explained using easy to understand terms. Both systems are very important in providing canoeists (especially beginners to the sport) valuable health and safety information and encouraging safe practice within the canoeing sector.

Rivers can be researched by canoeists for potential trips via another section of The UK Rivers Guidebook. The page is divided into England, Wales and Scotland, then by region. Each individual stretch listed has a page of its own, along with detailed information including length of stretch, parking locations, put in/take out points, grade of stretch, major hazards/falls and a detailed description of the stretch. These detailed information pages for many canoeing locations are vital for canoeists to become knowledgeable as to where they can and can't canoe. Each location also includes information regarding the current access situation and how to contact access officers for that area should additional information be requested or a problem arises. These detailed pages rely upon their sources of information from existing paddlers who have kindly given their knowledge and advice to the website.



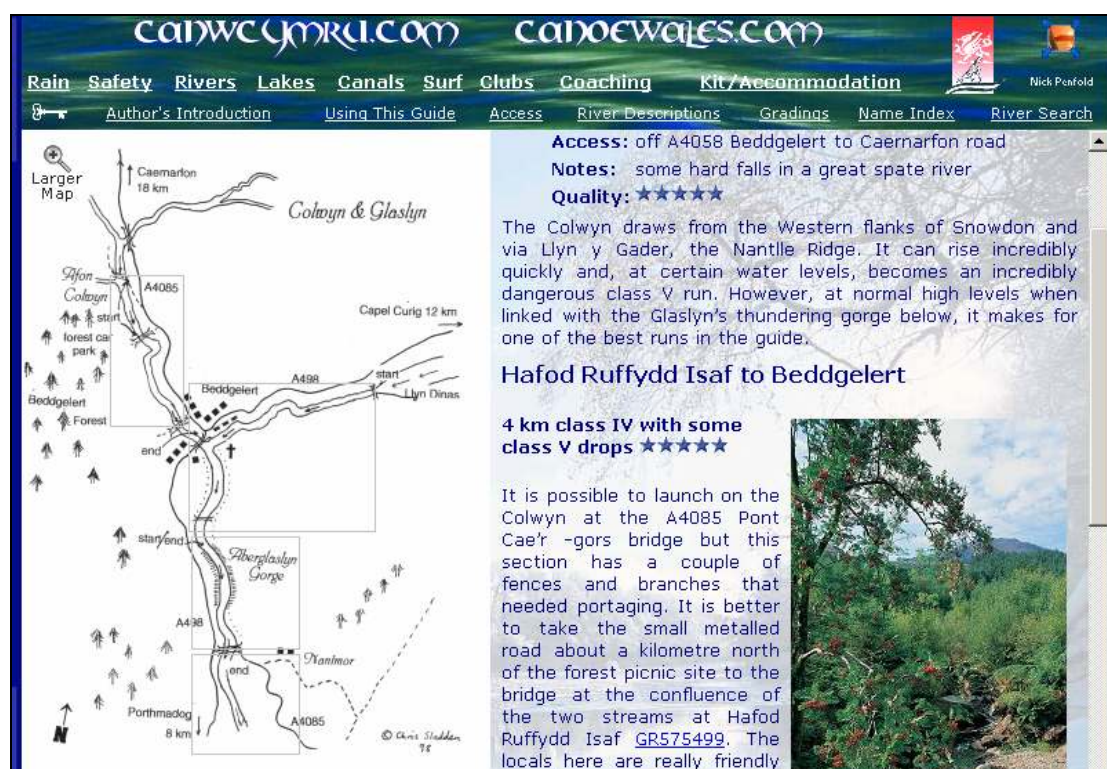
Example of Access Agreement: Guide to the River Avon (The UK Rivers Guidebook)

Kayakojacko

Kayakojacko is a Europe-wide paddle sport coaching organisation. It's website includes a Weir Level section. This includes 33 locations along the Thames, consisting primarily of fall and distance readings, followed by a detailed page for each location (not all locations include detailed information). Similar to The UK Rivers Guidebook, this section relies upon the goodwill of paddlers to submit information for individual locations.

Canoe Wales

Canoe Wales includes sections entitled 'Rivers', 'Lakes' and 'Canals'. These sections include locations suitable for paddling, first by map, then by detailed description via clickable links. Details of each location include description of water, grade, put in/take out points, access situation, grid reference (link to map via www.multimap.com) and sketch map. In some locations described, access agreements do not exist and the legal/permissive situation is unclear.



The screenshot shows the website interface for canoeing in Wales. At the top, there are logos for 'canwccmru.com' and 'canoeWales.com'. Below the logos is a navigation menu with links for 'Rain Safety', 'Rivers', 'Lakes', 'Canals', 'Surf', 'Clubs', 'Coaching', and 'Kit/Accommodation'. A secondary menu includes 'Author's Introduction', 'Using This Guide', 'Access', 'River Descriptions', 'Gradients', 'Name Index', and 'River Search'. The main content area features a map of the Colwyn & Glaslyn river system on the left, showing various points of interest like 'A4085', 'A498', 'Beddgelert', and 'Nantmor'. On the right, there is a text box with the following information:

Access: off A4058 Beddgelert to Caernarfon road
Notes: some hard falls in a great spate river
Quality: ★★★★★

The Colwyn draws from the Western flanks of Snowdon and via Llyn y Gader, the Nantlle Ridge. It can rise incredibly quickly and, at certain water levels, becomes an incredibly dangerous class V run. However, at normal high levels when linked with the Glaslyn's thundering gorge below, it makes for one of the best runs in the guide.

Hafod Ruffydd Isaf to Beddgelert

4 km class IV with some class V drops ★★★★★

It is possible to launch on the Colwyn at the A4085 Pont Cae'r -gors bridge but this section has a couple of fences and branches that needed portaging. It is better to take the small metalled road about a kilometre north of the forest picnic site to the bridge at the confluence of the two streams at Hafod Ruffydd Isaf GR575499. The locals here are really friendly

There is a small photograph of a river scene with trees and a bridge in the background.

From Rivers Section (Canoe Wales)

British Canoe Union South West

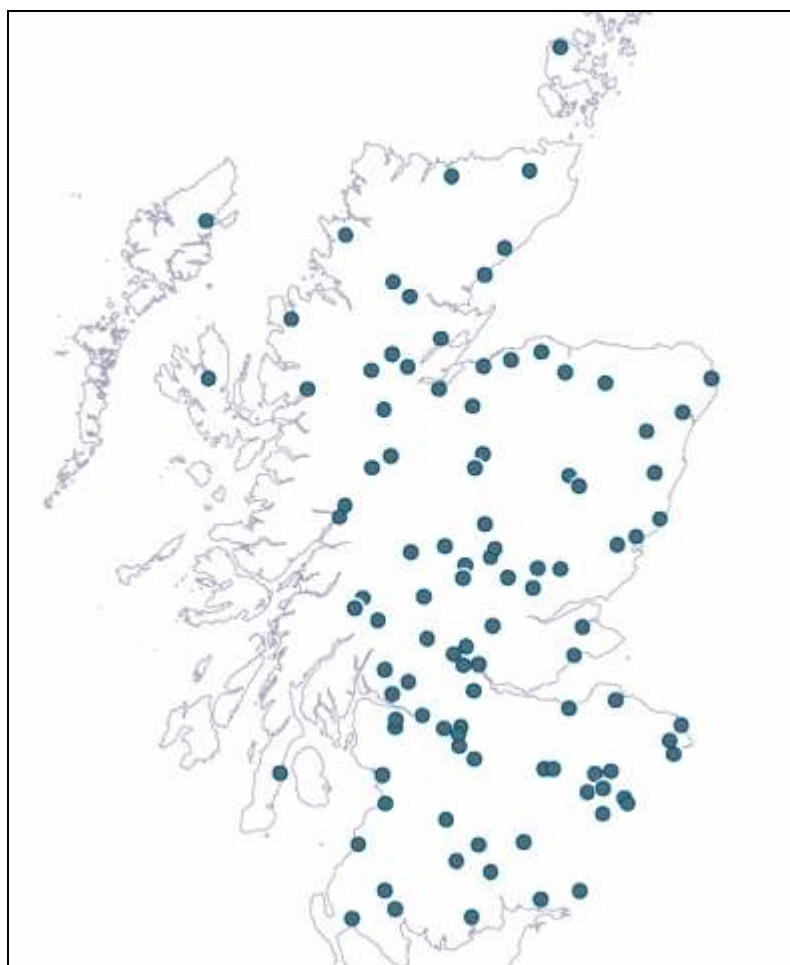
The British Canoe Union (BCU) South West website includes a section entitled 'Rivers'. This section lists 40 stretches of inland water within South West England, each with clickable links to more detailed information, including access/egress points, grid reference numbers for each site, access agreements in place (including contact details for local access officers, riparian owners, etc) and safety information/advice for the river. Local codes of conduct are also listed where enforced.

Dartcom Weather Station

Dartcom (satellite and remote ground weather systems manufacturers) provides real time weather data for Dartmoor, including rainfall rate, cumulative rainfall, temperature and pressure readings (displayed in the form of bar and line graphs). This data is updated every 30 minutes via their weather station in Dartmoor to the website.

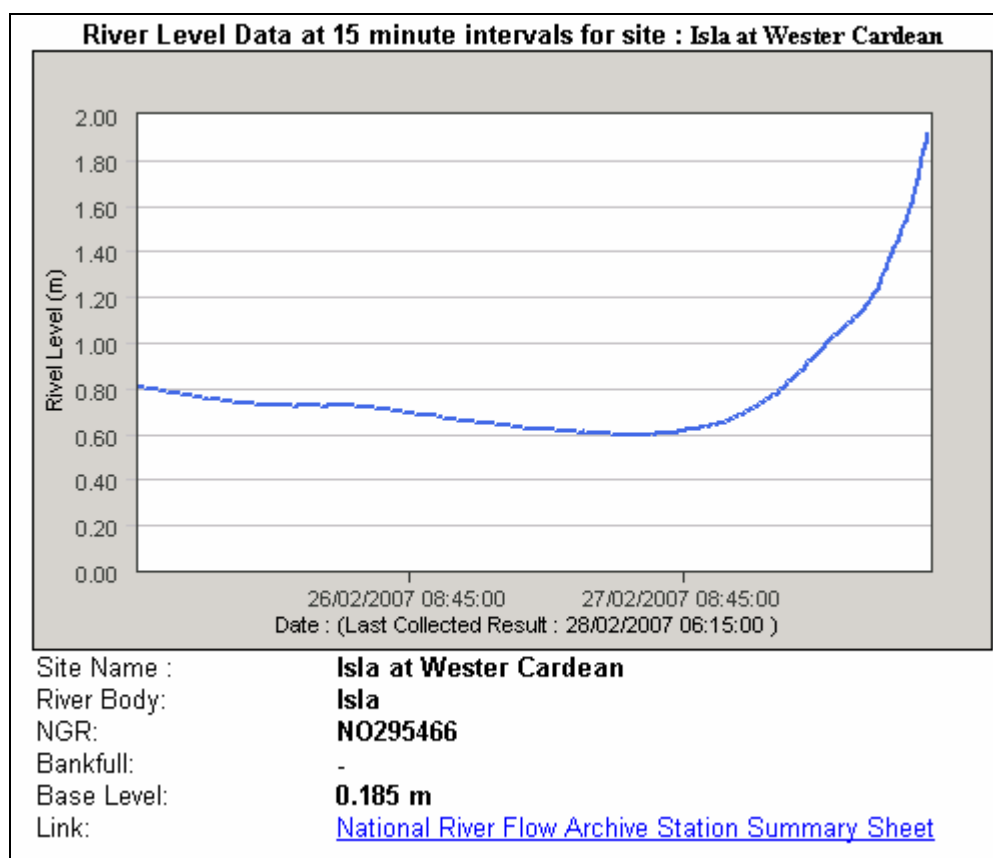
Scottish Environment Protection Agency

Cheltenham Canoe Club website includes a link to the Scottish Environment Protection Agency (SEPA) website. SEPA includes a page called 'River Levels in Scotland'. Hydrological data can be viewed for over 100 river sites in Scotland via clickable links on a map. Each link takes the user to a screen displaying a line graph showing river level for 15-minute intervals during the previous day (essentially near real time data).



Map of Scotland from 'River Levels in Scotland' (SEPA website)

This data is available through weather telemetry systems, a technology which takes data from electronic sensors at each site, stored on data loggers at 15 minute intervals, downloaded by SEPA (usually automatically) via a telephone line and archived onto the SEPA website once a day.



Line graph displaying river level for specific site at real-time (SEPA website)

SUMMARY

There is clearly potential to improve the provision of information that canoeists can access in order to fully enjoy the sport.

The British Mountaineering Council has established a central website that covers every aspect of provision of information that climbers require. The Regional Access Database (RAD) enables climbers to check the access status of over 700 sites across England and Wales, and includes key information for individuals planning a trip. This includes any restrictions that apply (including conservation restrictions), safety advice, map illustrations (including car parking) and landowner/access officer contact details.

The BMC also succeeds in the layout structure of RAD. In addition to its provision of information, its second key element is the visual layout of the site (thus ease of use). RAD employs a 'Traffic Light System, which (in addition to more detailed information if required) enables all level of recreational user to understand any restrictions that apply for each site.

Currently, there are several sites for canoeing that succeed in providing detailed information for large numbers of locations and sites across the UK.

However, there is no central site website that exists for canoeing that brings all the necessary elements required by canoeists in a synchronic format.

RECOMMENDATIONS

In order to plan in advance and fully enjoy a canoeing trip, a recreational user typically requires the following information:

- A list of canoeing locations across the UK, searchable by region, area and site name
- Clear information regarding whether a legal agreement has been established for each stretch/trail
- Code of conduct applicable to location
- Any charges/fees that apply
- Landowner/local access officer contact details
- Conservation restrictions that apply along each stretch
- Directions for travel
- Parking facilities available
- Ordinance survey grid reference
- Detailed illustrated map of each stretch
- Access/egress points
- Length of stretch/approximate length of time required to navigate
- Grade of stretch (in relation to International Grading System)
- Dangerous features/safety advice where necessary

Weather data, with a particular emphasis on river levels, is valuable to canoeists in order to plan a canoeing trip correctly, especially if they are visiting a new destination. Often a river is only deemed suitable for paddling when it is in spate (i.e. after a period of rainfall). Therefore, a system similar to that of the Scottish Environment Protection Agency (SEPA) would be of considerable benefit to canoeists. It is also clear that other recreational users (e.g. anglers) would benefit from this type of technology; the level of a river often dictates the quality/viability of angling in a particular area at any one time.

