



ENVIRONMENT AGENCY

**Agreeing
Access
to Water for
Canoeing**

July 1999



GA-Rec+NAV



ENVIRONMENT AGENCY

Information Services Unit

Please return or renew this item by the due date

Due Date

This guide has been produced by the Environment Agency
on behalf of the Angling and Canoeing Liaison Group:

British Canoe Union
Country Landowners Association
National Association of Fisheries and Angling Consultatives
National Farmers' Union
National Federation of Anglers
Salmon and Trout Association



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1 Introduction

Lakes and rivers throughout the country are valued by many people as venues for sport, recreation and relaxation. Anglers fish from their banks; walkers enjoy paths along the waterside; and canoeists paddle their waters. The number of people who wish to gain access to rivers and lakes for their chosen sport or recreation is increasing.

However, of the approximately 40,000km of rivers in England and Wales, only about 4,000km are statutory navigations and about another 500km of rivers are subject to access agreements. The length of rivers upon which a statutory right of navigation exists remains fixed, and the distribution of such rivers across the country is uneven. As a result some canoeists travel great distances to practise their sport. Also, the particular water conditions required for some canoeing disciplines may be hard to find on rivers with a right of navigation, so there is pressure to secure access to rivers where no right of navigation currently exists or where the right is disputed.

At the same time, the distribution of fine angling waters is far from even, and rivers where access for canoeing is sought may already be highly valued by anglers. Access by anglers may be long established, and they may be paying considerable sums of money for the privilege. A common perception that the needs of canoeists and anglers are incompatible on the same stretch of water presents an obstacle to canoeists seeking permission for new access. It also provides a climate in which conflict can flourish. However, experience has shown that access agreements can secure shared, conflict-free access on rivers and other waters without harming the environment or fisheries, or the interests of riparian farmers and landowners. This guide is designed to help riparian owners, fishery owners, fishery occupiers and canoeists to draw up such agreements, taking account of all relevant interests on or adjacent to the





waters concerned. It will also help others providing and managing access to water, such as local authorities and the Environment Agency. The guide focuses on the process of securing agreements, and what they should contain. It gives practical advice and highlights best practice in existing access agreements. Its principles could easily be extended to include other users of manually propelled craft.

This guide has been published by the Environment Agency on behalf of the Angling and Canoeing Liaison Group and is the result of collaboration between the British Canoe Union (BCU), Country Landowners Association (CLA), National Association of Fisheries and Angling Consultatives (NAFAC), National Farmers' Union (NFU), National Federation of Anglers (NFA), and the Salmon and Trout Association (S&TA).

The publication is concerned exclusively with non-tidal waters and relates to England only. However, most of its contents and advice will be equally applicable in Wales.

2 Property and access rights

2.1 Background

An understanding of the often complex subject of land ownership, property and access rights is important for those wishing to negotiate improved access to non-tidal waters.

Public rights of navigation, including those incidental to navigation such as temporary mooring, in addition to those existing on the high seas, still exist in the majority of the estuaries of England and Wales and on many of the non-tidal rivers, particularly the four great rivers: the Thames, the Severn, the Trent and the Yorkshire Ouse. In some cases these rights may have been defined, limited or organised by legislation, notably on the Thames.

However, on the majority of freshwater rivers, especially the smaller ones, no such rights exist or their existence is disputed. Passage along their waters, then, is only possible with the consent of the owner of the land over which the river flows - the riparian landowner.

2.2 Riparian rights

Under English law all land, including the bed of a river or lake, belongs to someone - for instance, a private individual, local authority, corporate body or the Crown. It is usually necessary to get someone's permission for access to such land or water for fishing or canoeing. If this has not been obtained, access constitutes a legal trespass, whether or not the owner actively enforces his rights. Such trespass is not a criminal offence, but a civil wrong. Trespassers cannot be prosecuted, but they can be sued for damages.





Non-tidal rivers are generally owned privately. In the absence of evidence as to who owns a river, the law assumes that the river bed is owned up to the centre line by the riparian landowner. There is no ownership of the flowing water and all may reasonably use it who have both a right of access to it and a right to use it for their permitted purpose. Where such rights do not exist, the water may be used for angling, canoeing, swimming, and so on, only with the consent of the owner; for example, under a lease of fishing rights or an access agreement for canoeing.

Sometimes rights, such as fishing rights, are not held by the riparian owner, but have been sold to other individuals or fishing clubs.

2.3 Private rights of navigation

Navigation rights are not necessarily public rights. Private rights of navigation are private rights of passage by boat enjoyed by a limited class of persons. Such a right may be subject to conditions to avoid interference with other rights, such as fishing. A public right to navigate takes precedence over private rights, and is superimposed on them, but must itself be exercised reasonably, otherwise there is interference that can be 'trespass' or nuisance.

2.4 Public rights of navigation

In England and Wales, on non-tidal rivers and lakes, the Crown is regarded as having long ago transferred the bed of the watercourse to the owners of the adjoining land, and there is no automatic right for the public to navigate. However, a public right to pass in boats can come into existence in a number of ways, for example by Act of Parliament or by express dedication.

The public right is a right to pass and re-pass (either upstream or downstream). It does not entitle canoeists to 'occupy' a stretch of water for a canoeing event, or for practice or instruction. A right of navigation (or right to fish) does not include a right of access over land from the public highway to reach the water. Nor does it give permission to land or launch except at a public landing place; such permission can be given only by the landowner.

In general, the public right of navigation, exercised reasonably, takes precedence over other rights, including the right to fish. So anglers must stop fishing if necessary to allow craft to pass.

In some cases the public right to navigate is exercisable only after taking out a licence or paying dues authorised by an Act of Parliament. This is the case, for example, on the British Waterways network and on rivers where the Environment Agency is the navigation authority. Certain authorities, such as the Environment Agency, have powers under statute to make bylaws regulating boating, or in prescribed circumstances prohibiting it (usually temporarily), on waters where there is a public right of navigation.

2.5 Fisheries

On non-tidal waters, fishing rights are private property rights. The law will normally protect the owner of the fishing rights against interference with these rights by others in boats, including the public, unless they are exercising a public right to navigate. There are two types of fishing rights: a simple right to take the fish, or the rights of the owner of the river bed to take fish in the water flowing over it, unless that right has been sold off or leased to someone else. A right to take fish does not necessarily carry with it a right to use the riverbank. That may have to be negotiated separately, although what is known as an easement of necessity may exist.



3 Taking everything into account



Canoeists and anglers each have a variety of requirements in order to fully enjoy their sports. Similarly the owners and managers of rivers and adjacent land will have concerns over the way the rivers are used and the impacts that recreational activities may have upon their interests. These requirements are outlined below. If each party to an agreement clearly understands the needs of others, a mutually acceptable agreement is more likely to result. In addition, due consideration needs to be given to the possible impacts of one recreation on another, and of recreation on the environment, so that decisions on, for example, space and time zoning can be made.



3.1 What do canoeists want?

To be able to enjoy their sport, canoeists need:

- a river, lake, reservoir or other water body with the physical characteristics that enable a canoe to pass along it;
- the permission of the owner of the water, unless there are public rights of navigation;
- points on the bank where they can launch and land, which may involve the existence or provision of a landing stage or steps;
- a suitable place, accessible from the public road, where cars and trailers may stand during unloading and loading, and where canoeists may change;
- permission to carry canoes across the land between their transport and the water;



- ❑ places for parking vehicles while they are canoeing;
- ❑ arrangements for spectators at canoeing events and sessions;
- ❑ to share scarce facilities with other users.

3.2 What do anglers want?

To be able to enjoy their sport, anglers need:

- ❑ a river, lake, reservoir or other water body suitable for the quarry species;
- ❑ access for fishing secured by agreement with the owner of the water or by purchasing the fishing rights. Purchases are often accompanied by easements for access across riparian owners' properties. Landowners may manage the use of their fishing rights themselves, allowing fishing in return for daily payments or season tickets, but the basic requirement of the owner's permission still applies;
- ❑ security of tenure, in the form of long-term leases or licences, is important in justifying effort and expenditure by clubs and associations in maintaining fisheries and providing adequate policing;
- ❑ individual anglers may often obtain permission to fish club waters by buying a day ticket, limited-period permit or temporary club membership;
- ❑ places for parking vehicles;
- ❑ maintenance or restoration of the quality of the aquatic environment;
- ❑ freedom from interference from non-authorized users, poachers or other disruption;
- ❑ undisturbed fish.



3.3 Farming and land-owning considerations

It is essential that anyone seeking to improve access opportunities should do so in ways that are sustainable.

Access proposals should be modified or, if necessary, abandoned if it is clear that damaging impacts cannot be avoided. The other interests that could be affected, and the likely impacts and management measures needed to avoid or minimise them, should be assessed. Canoeists seeking permission from the landowner should try to find out what the key considerations for owners are and how these can be accommodated.

It will be necessary to find out as much as possible about the way that the water in question, and the land surrounding it, is used and managed. Major considerations for the water environment may include:

- game fishing;
- coarse fishing;
- arable farming on adjacent land;
- livestock rearing and fattening on adjacent land;
- protection of wildlife such as otters, birds and fish;
- navigation, including canoeing;
- wildfowling in estuarine waters;
- safety, particularly when rivers are in spate and when access to the water and banks can be dangerous;
- dogs fouling paths and towpaths or disturbing wildlife;
- conflicts between different water sports;
 - suitability of water quality for contact sports;
 - water abstraction for drinking water or spray irrigation;
 - water storage after abstraction or to regulate flows.

The above considerations are likely to fluctuate in importance with the seasons or even with the time of day, so a very detailed assessment may be required, involving consultation with representatives of quite a few bodies.

3.4 Environmental considerations

In order that recreational use of a river is environmentally sustainable, potentially harmful impacts need to be recognised and action taken to avoid causing damage.

Erosion: Riverbank erosion can be managed by controlling access and egress points for canoeists and providing dedicated pegs for angling.

Disturbance to wildlife: Management techniques to avoid or minimise disturbance include zoning sections of bank or water space, close seasons, codes of practice and the provision of information to raise awareness of local wildlife.

Disturbance to spawning fish: Although spawning fish are vulnerable to disturbance and the gravels or plants upon which they spawn can be damaged, there is little documentary evidence to suggest that such disturbance or damage occurs as a result of canoeing. Conditions that render spawning liable to disturbance are likely to vary from river to river, however, as are the spawning periods of different fish. Guidance should be sought from Environment Agency Fisheries Officers on spawning periods, susceptible stretches and water levels below which the risk of disturbance increases. As susceptible stretches and flows are identified, BCU Local Access Officers should be informed.

Obstructions to fish: There is little direct evidence that canoes cause any problems at locations near obstructions such as weirs, though their presence in relatively confined channels through which fish must pass, may act as a deterrent to their passage.

Litter: This may pose dangers to wildlife and livestock, and all recreational users must take litter and debris home with them.



4 How to reach an agreement



It is important that all negotiations are conducted with tact and diplomacy, and all parties should try to understand the point of view of others. Simple agreements are the cheapest and the most efficient in practice.

The first moves in canoe access agreements are likely to be made by canoeists, for example a BCU Local Access Officer, trying to get in touch with landowners. There is no foolproof way of finding out who owns a piece of land; enquiring at adjacent farms is usually a good way to start. Other sources of information on land ownership include the local offices of CLA, NFU, Environment Agency, British Waterways and parish councils. Representatives of NFA, S&TA and NAFAC may also be able to help.



Through contacts such as these, it should be possible to establish precisely who owns and/or fishes what, and to determine all the interests and individuals that need to be involved in an agreement. Care should be taken to ensure that knowledge of land ownership and tenancies is as comprehensive as possible.



4.1 Parties to the agreement

There are two broad types of written agreement:

- an exchange of letters; minor amendments may be made by exchanging further letters each year if necessary in the light of experience;
- a more formal written agreement where all conditions and privileges are precisely set out after all parties have agreed the details. This agreement should then be signed by, or on behalf of, each party to it. Various organisations have



model access agreements, for example the NFA and the NFU, which could offer a starting point for a new access agreement for canoeing.

Written 'gentlemen's' agreements are the cheapest and the most efficient in practice. They work best when few parties are concerned, preferably one person acting for the BCU and one for the owners. It should be possible to establish such agreements without seeking legal advice, but this option remains open to any party at any time.

Some agreements may need to involve many parties: riparian owners, fishery owners, angling tenants, the local canoeing club and the BCU. The Environment Agency may need to be a party where local bylaws apply (for example, fish passes and obstructions). Where there are many parties to the agreement, it may be necessary to call a meeting with an independent chairman. This should be publicised locally to attract any interested parties who may not already have been identified. Regional Sport England Offices may be able to suggest an independent chairman. The Environment Agency will also help to bring the various parties together and to mediate between them.

4.2 Aspects to consider for inclusion in the agreement

The following sub-sections describe matters that should be considered by those negotiating an access agreement. The list should not be considered exhaustive, as other issues specific to individual sites may need to be included. However, as suggested above, it is important to try to keep things simple.

4.2.1 Ownership

Describe ownership and tenancies of the stretch of river, and of adjacent land where its use is necessary for access/egress.



An annotated map, with an accompanying schedule of contact details for owners/occupiers/lessees, is a clear way of depicting much of this information.



4.2.2 Time and date restrictions

In some circumstances canoeing and angling at the same time may be incompatible. In those cases it will be necessary to detail the dates when canoeing is permitted. These may include:

- the fishing close season - specify dates;
- when the river is running brown in spate and unsuitable for fishing - give details of where spate level is measured and how level information can be obtained;
 - during the fishing season when the fishing is poor - define "poor fishing" and set out how this information can be obtained;
- special dispensations to enable long-distance canoe journeys to take place where access arrangements preclude continuous passage;
- times when both angling and canoeing can take place;
- special arrangements for competitions or on other specific occasions.



4.2.3 Spatial zoning

Describe any arrangements for spatial zoning, such as areas that will be out of bounds to canoeists during the nesting season or spawning period.



4.2.4 Areas of special interest

Detail any arrangements for access to specific locations, such as for initial instruction and placid water canoeing or for white water paddling when there is a suitable rapid or weir.

4.2.5 Numbers of craft

Set out any limitations as to the numbers of paddlers per day or to the size of groups. This may be in addition to, or instead of, date restrictions. In this case bookings would need to be made to paddle the river via the BCU Local Access Officer and the agreement may need to detail arrangements for making bookings.

4.2.6 Payment

Describe any payment required from members for booking a place on the river. This could contribute to the management of the access arrangement or to the provision of facilities that enable the access, such as stiles or landing points.

Mention any schemes under which public access is being provided to the water or adjacent land (for example, Countryside Stewardship, Countryside Access Scheme, Capital Tax exemption arrangements) and how, if at all, this affects access for canoeing or angling.

4.2.7 Membership restrictions

Make it clear whether the agreement covers canoeists who are not BCU members. If payment has been made, identification may be required by a BCU identification sticker on each canoe, supported by canoeists carrying their BCU membership cards and/or by a helmet tag system.

4.2.8 Access and egress points

Stipulate that, except for emergencies, canoeists will embark or disembark only at specified places agreed by the riparian owner. Passage across adjacent land to roads or public rights of way may need to be agreed.



4.2.9 Parking facilities

Give details of parking provision for cars and minibuses near access and egress points. If special access needs to be permitted for canoeing purposes, it may be appropriate to introduce some vehicle identification. A setting-down point for loading or unloading canoes could be specified, with a car park provided further away.



4.2.10 Safety

Specify that canoeists must wear appropriate safety gear and hold appropriate public liability insurance cover for damage to property and injury or death to third parties.

State that occupiers will check that they hold appropriate public liability insurance and that no liability is accepted by the owner for risks willingly entered into by canoeists, who must recognise that their sport can be dangerous. Canoeists should take responsibility for their own safety, for example by making themselves aware of the local flood warning systems (which could be cited in the agreement).



List known hazards on or near a site that the occupier will mark with warning signs (for example, a dangerous sluice or weir structure). Specify portage arrangements to enable canoeists to exit from the river, travel safely around a hazard and to get back onto the water.



4.2.11 Legal rights

State that all the parties accept that the agreements are without prejudice to contentions by themselves or others as to the existence or non-existence of public navigation rights on the water in question in the present or the future. They are made without prejudice to the legal position so that canoeing

may take place peacefully and without objection by the riparian and fishery owners and any tenants who are parties to the agreement.

4.2.12 Discipline

Detail action to be taken against canoeists or anglers who act in breach of the agreement, for example disqualification from the BCU or local fishing club. State that use of the river(s) by an individual (whether a member of a contracting body or not) in a manner that breaches the terms of the agreement will be ordinary trespass, which is a civil offence and may be dealt with through the County Courts.

4.2.13 Code of conduct

Include a code of conduct for canoeists, such as the BCU 'Earning a welcome' code, see Appendix 2.1.

4.2.14 Publicity

Set out how BCU members will be advised of all conditions of the agreement and provide details of any signs to be provided on or near the site.

4.2.15 Angling and fishing rights

Set out existing arrangements for fishing on the river so it is clear who has the fishing where and when, and what leases exist. This helps to put the canoeists 'in the picture'. Ensure that leases are checked, and revised as necessary, with the agreement of lessees, to provide for canoeing taking place. Typical contents of fishing leases and licences are as follows:



- 
- the period for which the fishing rights are assigned;
 - the conditions under which the rights are assigned, including standards of behaviour of club members, measures that must be taken to protect the owner's interests, and actions or omissions that may cause the revocation of the lease or licence;
 - the exact extent of the rights granted;
 - routes anglers may take across the owner's land;
 - car parking areas;
 - an obligation on the holders of the fishing rights to bailiff the water and prevent unauthorised fishing;
 - an obligation on the holders of the fishing rights to try to maintain the quality of the fishery and to take reasonable steps to prevent or report pollution;
 - special terms of access for fishery management purposes;
 - the payment required for the lease or licence, and terms for review of payments.

4.2.16 Conflict resolution

Specify how disagreements over the operation of the agreement should be resolved. This could be achieved through a meeting, perhaps involving a mediator acceptable to all of the parties to the agreement.

4.2.17 Termination

Specify the basis on which an agreement may be terminated. Provision should be made for advance notice of termination, to avoid uncertainty and hence conflict.

4.2.18 Period and review

State the dates between which the agreement runs and establish a date (before the agreement runs out) for it to be

reviewed. An annual meeting to maintain face-to-face contact and to provide an opportunity for discussing any concerns raised by the parties is advisable.

4.2.19 Signatories

All parties involved in the agreement and everyone who has a legitimate interest in the water and land concerned must be signatories to the agreement. Otherwise people who have such interests but are not signatories will not be bound by the terms of the agreement.

4.3 Maintaining the agreement

With so much effort expended in securing an agreement, one aim must be to ensure that its use is as trouble-free as possible for all parties. Everyone should take steps to ensure that the stipulations within it are adhered to as closely as possible. It will be important to devise effective ways of distributing up-to-date information to potential users of the waters concerned, so that they are clearly aware of what they can and cannot do, and where and when the water is available for use. If there are any changes to arrangements, for whatever reason, this information needs rapid distribution as well. It may also be necessary to maintain close contact with Environment Agency Fisheries Officers if there is potential conflict with spawning grounds.

Continuing regular liaison between the parties to the agreement should be sought so that any unforeseen problems can be ironed out or any special circumstances responded to quickly. On the basis of this liaison, it should then be possible to update and revise the original agreement in any ways necessary to ensure that there is no obstruction to the agreement's renewal.



Appendices

A1 RELEVANT ORGANISATIONS

A 1.1 The Angling and Canoeing Liaison Group



This group consists of representatives from angling organisations (NAFAC, NFA, S&TA), canoeists (BCU), and land owning and farming interests (CLA, NFU), under the chairmanship of the Environment Agency. The group aims to promote greater understanding and harmony between all those parties involved in managing and using rivers for angling and canoeing.



British Canoe Union (BCU) is the UK governing body for the sport and recreation of canoeing.



John Dudderidge House, Adbolton Lane, West Bridgford, Nottingham NG2 5AS

Tel: 0115 982 1100

Fax: 0115 982 1797

Country Landowners Association (CLA) works to safeguard and promote the interests of owners of agricultural and other rural land.

16 Belgrave Square, London SW1X 8PQ

Tel: 0171 235 0511

National Association of Fisheries and Angling



Consultatives (NAFAC), is the national representative body for local fisheries and angling consultative organisations.

30 Ainsdale Way, Goldsworth Park, Woking, Surrey GU21 3PP

Tel: 01483 769736

National Farmers' Union (NFU) is the democratic organisation representing the interests of farmers and growers in England and Wales. Its central objective is to promote a successful, environmentally friendly, welfare-conscious

agriculture and horticulture, while ensuring the long-term viability of rural communities.

164 Shaftesbury Avenue, London WC2H 8HL

Tel: 0171 331 7200

National Federation of Anglers (NFA) is the governing body for coarse angling in England and Wales.

Halliday House, Egginton Junction, Derbyshire DE65 6GU

Tel: 01283 73473

Salmon and Trout Association is the governing body for game angling in England.

Fishmongers' Hall, London Bridge, London EC4R 9EL

Tel: 0171 283 5838

Environment Agency is charged with regulating air, land and water pollution and the management of the water environment.

Rio House, Waterside Drive, Aztec West, Almondsbury, Bristol BS32 4UD

Tel: 01454 624376

A 1.2 Other organisations

Association of Inland Navigation Authorities (AINA)

(see Appendix 3) c/o David Fletcher.

British Waterways, Willow Grange, Church Road, Watford WD1 3QA

Tel: 01923 226422

British Waterways (see Appendix 3)

Willow Grange, Church Road, Watford WD1 3QA

Tel: 01923 226422

Central Council for Physical Recreation (CCPR)

Francis House, Francis Street, London SW1P 1DE

Tel: 0171 828 3163





Countryside Agency

John Dower House, Crescent Place, Cheltenham, Glos
GL50 3RA

Tel: 01242 521381

Countryside Recreation Network

Dept of City and Regional Planning, Cardiff University,
PO Box 906, Cardiff CF1 3YN

Tel: 01222 874970

**Department of the Environment, Transport and the
Regions (DETR)**

Countryside Division, Room 917, Tollgate House, Houlton
Street, Bristol BS2 9DJ

Tel: 0117 9878178

English Nature

Northminster House, Peterborough PE1 1UA

Tel: 01733 455000

Sport England

16 Upper Woburn Place, London WC1H 0QP

Tel: 0171 273 1500

Inland Waterways Amenity Advisory Council (IWAAC)

City Road Lock, 38 Graham Street, London N1 8JX

Tel: 0171 253 1745

Inland Waterways Association (IWA)

PO Box 114, Rickmansworth WD3 1ZY

Tel: 01923 711114

Ministry for Agriculture, Fisheries and Food (MAFF)

Nobel House, 17 Smith Square, London SW1P 3JR

Tel: 0171 238 3000

Rivers Restoration Project

PO Box 126, Huntingdon PE18 8QB

Tel: 01480 456001

A2 CODES OF CONDUCT

A 2.1 "Earning a welcome" leaflet issued to all BCU members

To enjoy their sport, canoeists need to be welcome:

- be friendly and polite to local residents;
- drive slowly with care and consideration;
- park sensibly without causing any obstruction;
- be as quiet as possible;
- unload kit tidily and take all litter home;
- get changed out of public view;
- get permission before going onto private property;
- avoid wildlife disturbance and environmental damage;
- be considerate to other water users;
- avoid being an intrusion on local life;
- support local businesses if you can;
- say "Thank you" for any help you receive;
- leave no trace of your visit;
- follow the Country Code.

The Country Code:

- enjoy the countryside and respect its life and work;
- guard against all risk of fire;
- fasten all gates;
- keep your dogs under close control;
- keep to public paths across farmland;
- use gates and stiles to cross fences, hedges and walls;
- leave livestock, crops and machinery alone;
- take your litter home;
- help to keep all water clean;
- protect wildlife, plants and trees;
- take special care on country roads;
- make no unnecessary noise.



A 2.2 Other codes of conduct

Other codes, relevant to recreational use of inland waters, have been published but are too detailed to include here.



The CCPR's **National Water Sports Code** encourages users to "Think of other people" and to "Think of the environment", advocates a common-sense approach, then lists important considerations under a range of recreational headings including boating and fishing.

British Waterways produces a **Waterways Code** that provides advice for, amongst others, anglers, boaters and unpowered craft under the headings of "Look after your waterways", "Consider others" and "Take care and stay safe".



These comprehensive codes can be obtained by contacting their publishers, whose addresses will be found in Appendix 1.2.

A 3 NAVIGABLE WATERWAYS AND THEIR NAVIGATION AUTHORITIES



There are public rights of navigation on a number of waterways. The majority of these are the individual rivers and canals that together make up the network managed by British Waterways. Others include waterways managed by an authority whose remit is restricted to that waterway and lengths of river close to where they discharge into the sea. The following list should not be considered exhaustive.



The Inland Waterways Amenity Advisory Council is trying to compile a comprehensive list. The Association of Inland Navigation Authorities (AINA) represents the larger Navigation Authorities.

Licensing arrangements on each of the waterways managed by the organisations listed below should be investigated before canoeing on them.

British Waterways (BW) looks after more than 3,000km of canals and river navigations for everyone to enjoy. This represents a significant part of the network of waterways currently available for use by canoeists. BCU membership includes the cost of an annual licence to canoe on the whole of BW's network.

Willow Grange, Church Road, Watford, Herts WD1 3QA
Tel: 01923 201286

The **Broads Authority** is responsible for the Norfolk Broads and 200 km of connecting rivers.

18 Colegate, Norwich, Norfolk NR3 1BQ
Tel: 01603 610734

The **Environment Agency** is navigation authority for a number of rivers in England:

The Rivers Ancholme, Glen, Great Ouse and system, Nene, Stour and Welland

Anglian Region, Kingfisher House, Goldhay Way, Orton Goldhay, Peterborough PE2 5ZR
Tel: 01733 371 811

The River Medway

Southern Region, Guildbourne House, Chatsworth Road, Worthing, West Sussex BN11 1LD
Tel: 01903 832 000

The River Thames

Kings Meadow House, Kings Meadow Road, Reading RG1 8DQ
Tel: 0118 953 5000
(See Appendix 1 for the Agency's national contact address.)

OTHER NAVIGABLE WATERWAYS

River Avon (Warwickshire) (Tewkesbury to Evesham)
Lower Avon Navigation Trust Ltd, Mill Wharf, Mill Lane, Wyre Piddle, Pershore, Worcs. WR10 2JF
Tel: 01386 552517





River Avon (Warwickshire) (Evesham to Stratford)

Upper Avon Navigation Trust Limited, Bridge 63,
Harvington, Evesham, Worcs. WR11 5NR

Tel: 01386 870526



Basingstoke Canal

Basingstoke Canal Authority, Canal Centre, Mytchett
Place Road, Mytchett, Surrey GU16 6DD

Tel: 01252 370073

Beverley Beck

Beverley Borough Council, Technical Services Department,
Anlaby House, Anlaby HU10 7BJ



Bridgewater Canal

Manchester Ship Canal Co., Quay West, Trafford Wharf
Road, Manchester M17 1PL

Tel: 0161 872 2411



The River Cam

Conservators of the River Cam, Archer & Archer, Market
Place, Ely, Cambs. CB5 8DJ

Tel: 01353 662203

Chelmer & Blackwater Navigation

Chelmer & Blackwater Navigation Ltd, Paper Mill Lock,
Little Baddow, Chelmsford, Essex CM3 4BF

Tel: 01245 222025



River Dee (Farndon Bridge to Chester Weir)

Chester City Council, Grosvenor Park Lodge, Grosvenor
Park Road, Chester, Cheshire CH1 1QQ

Tel: 01244 325681

Driffield Navigation

Driffield Navigation Ltd, 2-4 Bridge Street, Driffield, East
Yorkshire YO25 7DA

Droitwich Canal

**Droitwich Canals Trust, Lock Cottage, Ladywood,
Droitwich, Worcs W19 0AJ**
Tel 01905 458257

Exeter Ship Canal

**Exeter City Council, Canal Basin, Haven Road, Exeter,
Devon EX2 8DU**
Tel 01392 274306

River Foss Navigation

**York City Council, Engineering Services, 9 St Leonards
Place, York YO1 2ET**
Tel: 01904 613161

Grand Western Canal

**Devon County Council, The Moorings, Canal Hill, Tiverton,
Devon EX16 4HX**
Tel: 01884 254072

Lake District Lakes (Bassenthwaite, Windermere and Ullswater)

Murley Moss, Oxenholme Road, Kendal, Cumbria, LA9 7RL
Tel: 01539 792679

Lydney Canal

**Harbour Master's Office, Lydney Docks, Lydney,
Gloucestershire**

Manchester Ship Canal

**Manchester Ship Canal Co., Harbour Master's Office,
Queen Elizabeth II Dock, Eastham, Wirral, Merseyside
L62 0BB**
Tel: 0151 327 1461

Middle Level Navigations

**Middle Level Commissioners, Dartford Road, March,
Cambs. PE15 8AF**
Tel: 01354 653232





Neath Canal (Resolven to Glen Neath)

Neath Port Talbot County Borough Council, Civic Centre,
Penllergaer, Swansea SA4 1GH

Tel: 01792 222730

Rochdale Canal

Rochdale Canal Co, 75 Dale Street, Manchester M1 2HG
(Manchester 9 locks)

Tel: 0161 236 2456

Rochdale Canal Trust, Rochdale Canal Workshop, Callis
Mill, Charles Town, Hebden Bridge, West Yorkshire
HX7 6PY (Restored section)

Tel: 01422 844990

Sleaford Navigation

Sleaford Navigation Trust, Pendennis House, 169
Eastgate, Worksop, Nottingham S80 1QS

Tel: 01673 863102

River Tees (upstream of barrage)

Tees Barrage Ltd, Navigation Way, Thornaby, Cleveland
TS17 6QA

Tel: 01642 633273

Tennant Canal

Port Tennant Canal Co, c/o Leader Property Management,
26 Walters Road, Swansea SA1 5NN

Tel: 01792 644699

River Wansbeck

Wansbeck District Council, Eastview, Stakeford,
Choppington, Northumberland NE62 5TR

Tel: 01670 819802

River Wey and Arun Navigation

National Trust, Dapdune Wharf, Wharf Road, Guildford,
Surrey GU1 4RR

Tel: 01483 561389

River Wye

Public Right of Navigation but currently no navigation authority.

(to Hay on Wye)

Witham Navigable Drain

Witham Fourth District, Internal Drainage Board, 47 Norfolk Street, Boston, Lincs PE21 6PP

Tel: 01205 310099

A 4 EXISTING ACCESS AGREEMENTS

A 4.1 Rivers on which there are access agreements

Compared to the length of physically canoeable water, without an undisputed public right of navigation or a navigation licence regime, there are relatively few written agreements to date. Most of these only relate to a part of the rivers concerned for part of the year. For harmonious use of rivers by canoeists, it is not just a matter of navigation rights; essential co-operation between users is best covered within access agreements, so these are important whatever the legal situation over navigation.

Anyone considering the negotiation of an access agreement may wish to contact the BCU, which can provide examples of current agreements. They may also wish to obtain a copy of the NFU or NFA Model Access Agreements.

The following lists those rivers where BCU access agreements currently exist:

Conwy	Conwy
Cornwall	Fowey, Tamar
Cumbria	Crake, Derwent, Duddon, Eden, Greta, Leven
Derbyshire	Dove
Devon	Axe, Barle, Dart, Erme, Exe, Lyn, Torridge
Durham	Balder, Tees, Wear



Essex	Blackwater
Gwynedd	Dee
Hertfordshire	Colne, Lee: Dobbs Weir
Northumberland	Allen, Devils Water, Rede, Tyne
Powys	Upper Wye, Usk
Somerset	Congresbury Yeo, Frome
Wiltshire	Nadder
Yorkshire	Ure, Washburn, Wharfe

In addition, for certain sections of other rivers, there are various informal unwritten agreements between individual clubs and anglers.

A 4.2 Examples of matters covered in access agreements

The following summarised examples of access agreements illustrate how each is tailored to suit the characteristics of each river and the needs of the various owners and users. These agreements make provision for a fairly limited number of canoeists.

River Crake, Cumbria

No canoeing 1 April to 31 October. One access point, one intermediate access point (maximum of 12 paddlers) and two egress points. Etiquette for changing and parking and avoidance of interference with residents. Otherwise no restrictions or prior notification.

River Fowey, Cornwall

Canoeing 1 January to 31 March in daylight hours only. Subject to various specified minimum water levels, access and egress points and geographical limits. Groups to be led by a competent instructor with written authority from the BCU. Records of use to be kept and any significant damage to be reported.

Upper Wye, Powys

BCU members only. Without prejudice to the legal position. Canoeing within geographical limits 18 October to 31 March and at other times when the river is in spate above a specified level. Access and egress at specified points only. Canoes to carry the member's identification sticker and safety gear must be worn. No upstream paddling. Code of conduct to minimise inconvenience to anglers.

River Tyne, Northumberland

June - August canoeing unless level is very low. September - October no canoeing. November - March open canoeing. April - May canoeing at medium and higher levels. Code of conduct to avoid inconveniencing anglers.

River Dart, Dartmoor, Devon

The agreement covers Dartmeet to Newbridge in January and February for a maximum of 24 paddlers per day in groups of up to 8 paddlers. From Newbridge to Holne Bridge there is a higher limit of 200 paddlers per day in groups of up to 15 from October to February. The section from Holne Bridge to Totnes is available from October to January. Bookings have to be made with the BCU Local Access Officer and there is a system of helmet tags.

River Ullk, Powys

Canoeing may take place between November and the first weekend in March, and whenever the river is in spate. The river is effectively split into three sections and permission is needed for access on each section. Launching is limited to specific points, for example, a particular field in Talybont and egress from a specified point. One other point is specified where canoeists may land on the right bank in order to inspect the rapid at Mill Falls.

River Duddon, Cumbria

Informal agreement including specified access and egress points is working well. No canoeing in the fishing season.



River Blackwater, Essex

Only one trip permitted per year with no more than 50 paddlers.

River Tees, Durham

High Force to Middleton can be paddled any time after payment of £3 per boat per day to the Estate Office. Middleton to Cotherstone can be paddled only outside the fishing season under an informal agreement, specifying access and egress at start and finish only.

River Frome, Somerset

Long-standing informal agreement providing open canoeing, except no canoeing from 15 to 30 June or on July Sunday afternoons and various fishing match dates.

River Barle, Somerset

Long-standing informal agreement from Tarr Steps to Exebridge. Access by permit only from BCU Local Access Officer between 1 October and 31 March or 30 April depending on location.

River Eden, Cumbria

The agreement covers the five miles from Lazonby to Armathwaite and is restricted to a maximum of two parties of up to 20 canoes per day, 16 October to 31 March. No canoeing 1 - 15 April. Weekday and first and third weekend canoeing June to August, launching between noon and 3pm and off the water by 5pm. At other times canoeing in defined spate conditions only.

MANAGEMENT AND CONTACTS:

The Environment Agency delivers a service to its customers, with the emphasis on authority and accountability at the most local level possible. It aims to be cost-effective and efficient and to offer the best service and value for money.

Head Office is responsible for overall policy and relationships with national bodies including Government.

Rio House, Waterside Drive, Aztec West, Almondsbury, Bristol BS32 4UD
Tel: 01454 624 400 Fax: 01454 624 409

Internet World Wide Web www.environment-agency.gov.uk
www.environment-agency.wales.gov.uk

ENVIRONMENT AGENCY REGIONAL OFFICES

ANGLIAN

Kingfisher House
Goldhay Way
Orton Goldhay
Peterborough PE2 5ZR
Tel: 01733 371 811
Fax: 01733 231 840

SOUTHERN

Guildbourne House
Chatsworth Road
Worthing
West Sussex BN11 1LD
Tel: 01903 832 000
Fax: 01903 821 832

MIDLANDS

Sapphire East
550 Streetsbrook Road
Solihull B91 1QT
Tel: 0121 711 2324
Fax: 0121 711 5824

SOUTH WEST

Manley House
Kestrel Way
Exeter EX2 7LQ
Tel: 01392 444 000
Fax: 01392 444 238

NORTH EAST

Rivers House
21 Park Square South
Leeds LS1 2QG
Tel: 0113 244 0191
Fax: 0113 246 1889

THAMES

Kings Meadow House
Kings Meadow Road
Reading RG1 8DQ
Tel: 0118 953 5000
Fax: 0118 950 0388

NORTH WEST

Richard Fairclough House
Knutsford Road
Warrington WA4 1HG
Tel: 01925 653 999
Fax: 01925 415 961

WALES

Rivers House/Plas-yr-Afon
St Mellons Business Park
St Mellons
Cardiff CF3 0LT
Tel: 01222 770 088
Fax: 01222 798 555



For general enquiries please call your local Environment Agency office. If you are unsure who to contact, or which is your local office, please call our general enquiry line.

ENVIRONMENT AGENCY GENERAL ENQUIRY LINE

0645 333 111

The 24-hour emergency hotline number for reporting all environmental incidents relating to air, land and water.

ENVIRONMENT AGENCY EMERGENCY HOTLINE

0800 80 70 60



ENVIRONMENT AGENCY

