National Assembly for Wales
Sustainability Committee

Inquiry into Access to Inland Water in Wales

June 2010

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Sustainability Committee

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Sustainability Committee

The Sustainability Committee is appointed by the National Assembly for Wales to consider and report on issues affecting Climate Change, Energy, Rural Affairs and Agriculture, Environment and Planning

Powers

The Committee was established on 26 June 2007 as one of the Assembly's scrutiny committees. Its powers are set out in the National Assembly for Wales' Standing Orders, particularly SO 12. These are available at www.assemblywales.org

Committee membership

Committee Member	*Party*	*Constituency or Region*
Mike German	Welsh Liberal Democrats	South Wales East
Lorraine Barrett	Labour	Cardiff South and Penarth
Joyce Watson	Labour	Mid and West Wales
Irene James	Labour	Islwyn
Leanne Wood	Plaid Cymru	South Wales Central
Angela Burns	Welsh Conservative Party	Carmarthen West and South Pembrokeshire
Karen Sinclair	Labour	Clwyd South
Rhodri Glyn Thomas	Plaid Cymru	Carmarthen East and Dinefwr
Brynle Williams	Welsh Conservative Party	North Wales

The following Member(s) were / was also a member of the Committee during this inquiry:

Mick Bates	Welsh Liberal Democrats	Montgomeryshire
Alun Davies	Labour	Mid and West Wales
Lesley Griffiths	Labour	Wrexham

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Chair's foreword

Our natural environment is one of Wales' most valuable assets. We are blessed with a stunning coastline, majestic mountains and glorious countryside. These assets are enjoyed not only by the people of Wales but also by the thousands of visitors who come to our country every year. This inquiry, which stemmed from a petition from Canoe Wales, examines the rights of people to access one of our valuable natural assets, inland water.

We were aware, from the start of the inquiry about the sensitivities surrounding the issues we looked at and have tried, throughout the inquiry, to ensure that everyone with an interest in the issues around access to inland water had a fair and equal chance to put their views to us. We agreed at the start of the inquiry that we must look at all the evidence that was given to us in an objective and open minded way and not come to the inquiry with any preconceived ideas.

This has been a very difficult inquiry to complete because of the complex issues it raises. We have taken nearly twelve months to ensure that the recommendations we make are fair, workable and also provide a long term solution to the issues raised.

I would like to thank everyone who has given evidence to the inquiry and to ensure you that your submission has been considered as part of the evidence.

It is not possible to please all those who gave evidence. Some may think we have not gone far enough, whilst other think that we have gone too far. However, we were seeking solutions that will stand the test of time and we believe that the 13 recommendations we have made offer a solution to the issues raised during the inquiry. It is now up to the Minister to decide how the Welsh Government will take them forward.

The Committee's Recommendations

The Committee's recommendations to the Welsh Government are listed below, in the order that they appear in this Report. Please refer to the relevant pages of the report to see the supporting evidence and conclusions:

Recommendation 1. That the Minister for Environment, Sustainability and Housing strongly encourages and promotes the setting up of voluntary access agreements by landowners, through the existing 'Round Table' group of water pursuits interests and actively encourages land owners such as public bodies (e.g. the Forestry Commission, local authorities) and large charities (e.g. the National Trust) to pilot the type of access agreements outlined in this report. **(Page 27)**

Recommendation 2. That the Minister for Environment, Sustainability and Housing targets Splash funding at these pilot projects. The effects of the pilot projects should be closely monitored and the outcomes widely disseminated. **(Page 28)**

Recommendation 3. That access agreements be sought under the Glastir scheme where appropriate for ingress and egress points, any associated facilities such as car parking and changing facilities and access across land to any body of inland water over or on which access rights have been granted. **(Page 28)**

Recommendation 4. That all access agreements should be subject to the monitoring and assessment of the environmental quality of the water covered by the agreement at regular intervals. **(Page 28)**

Recommendation 5. Legislation should be introduced to identify a lead authority for the identification of particular areas of inland water where access agreements are appropriate and for the negotiation of voluntary access agreements for non motorised recreational purposes in those areas. That body will be placed under a positive duty to facilitate more voluntary access agreements, including a power to finance associated works. **(Page 29)**

Recommendation 6. The legislation referred to in recommendation 5 should also place power on a lead authority to designate such bodies of water as ones to which access rights would attach compulsorily if no voluntary agreement could be reached. **(Page 29)**

Recommendation 7. In order to guarantee compliance with the European Convention on Human Rights there would need to be a right to object to a designation and for the objection to be considered in detail (e.g. at an inquiry) and there would need to be provision for compensation for compulsory interference with property (including fishing rights) where that interference could be shown to have caused loss. **(Page 30)**

Recommendation 8. We recognise that neither the Welsh Ministers nor the Assembly currently have legislative competence to implement recommendations 5-7 and recommend that such legislative competence is sought as soon as possible **(Page 30)**

Recommendation 9. That organisations who make a profit out of water related recreation should pay a fee to be licensed and that their craft should be registered and clearly marked. **(Page 30)**

Recommendation 10. That a licensing system for those using unpowered craft on inland water should be introduced. **(Page 31)**

Recommendation 11. That the Minister for Environment, Sustainability and Housing commence the drafting and consultation process on a national code of conduct for using the water to be used in those areas where access is granted. **(Page 31)**

Recommendation 12. That any code of conduct should make explicit the rights and responsibilities of users and access owners and should be promoted and advertised by all organisations involved in giving or using access to inland water as well as national organisations such as the Welsh Government, CCW, Environment Agency Wales, Visit Wales and the Sports Council for Wales. **(Page 31)**

Recommendation 13. That a national website should be set up, containing details of all the stretches of water in Wales where access has been agreed and containing up to date information on current and predicted water levels, events taking place which may restrict access and any other information which would help users to access the water safely and legally. **(Page 32)**

1. Introduction

Background

1. This inquiry came about because of a petition which was submitted to the Assembly's Petitions Committee by The Welsh Canoeing Union (now Canoe Wales).

2. On 24 April 2008, the Assembly's Petitions Committee discussed a petition from The Welsh Canoeing Association (now Canoe Wales)[1] calling for new laws to be introduced by the Welsh Government:

> "The Welsh Assembly Government is urged to consider and implement a Bill to benefit Wales that would enshrine access rights and responsibilities for the public to and along natural resources in the same way that the Scottish Land Reform Act encourages co-operative use of the outdoors for healthy, low impact recreation.
>
> This Bill must provide and permit access to and along non-tidal water in the face of the massive lack of legal clarity and restrictions that exist at present, which act as a barrier to sport and recreation and the promotion of Wales as a place to visit for adventure tourism."

3. After receiving a response from the Minister for Environment, Sustainability and Housing[2] stating:

> "The Welsh Assembly Government is keen to promote wider public access to Wales' extensive inland waters (rivers, lakes, canals and reservoirs) for healthy recreation. I believe there is scope for these resources to be used more widely by the public – and on a responsible and sustainable basis – with consequent benefits for local communities and visitors to Wales in terms of improved recreation opportunities.

[1] http://www.assemblywales.org/gethome/e-petitions-old/admissible-pet/p-03-118.htm

[2] http://www.assemblywales.org/bus-home/bus-committees/bus-committees-other-committees/bus-committees-third-pc-home/bus-committees-third-pc-agendas/pet_3_-10-08_p2a_-e-updates_to_previous_petitions.pdf?langoption=3&ttl=PET%283%29-10-08%20%3A%20Paper%2002A%20%3A%20Annexes%20to%20Paper%202%20%28PDF-395KB%29

> However, the existing legal position on access to rivers in particular is complex, with much enshrined in common law. Rather than pursue legal options, therefore, the Welsh Assembly Government is seeking to make progress here via consensus-building and via practical action."

The committee decided to hold an inquiry into the subject of the petition with a view to passing the results of the inquiry on to one of the Assembly's scrutiny committees to pursue a possible legislative route. This was the first time that the Petitions Committee had undertaken an inquiry into one of its petitions. The inquiry lasted around three months and, in addition to taking evidence from stakeholders in Wales, the Committee visited Scotland to take evidence from the Scottish Executive as well as Scottish stakeholders.

4. The Petitions Committee published its report in April 2009,[3] making the following recommendations:

> **"We recommend** that a further more wide ranging inquiry be carried out with a view to bringing forward legislation in this area, which would give all stakeholders the opportunity to submit evidence.
>
> **We recommend** that a full scrutiny inquiry should also consider introducing a mandatory code to accompany the legislation in order for a new right of access along inland water in Wales to be managed and regulated, including some attempt to develop an identification system for regular water users."

The findings and recommendations were then passed to the Assembly's Sustainability Committee to decide if and how they wanted to approach the issue.

5. The Sustainability Committee decided on 3 June 2009 that they would undertake an inquiry into access to inland water in Wales. It was agreed however that:

> "…..we should start with a totally fresh approach to this matter. We should not start with the Petitions Committee's

[3] Report of the Petitions Committee's Short Inquiry into Access along Inland Water – National Assembly for Wales Petitions Committee – April 2009 - http://www.assemblywales.org/bus-home/bus-committees/bus-committees-other-committees/bus-committees-third-pc-ome/pet3_listofinquiries/canoeing_inquiry.htm

recommendations—in holding an inquiry into this issue, we should start from scratch, with a blank page".[4]

6. The committee agreed the following terms of reference:

To examine the current position for access to inland water in Wales and to make recommendations.

The current position in Wales

7. A report from the University of Brighton[5] commissioned by Environment Agency Wales states that there are approximately 6107 km of canals and rivers in Wales and approximately 8501 ha of enclosed water (lakes, pond and reservoirs). Of these, the report suggests that 328 km of rivers and canals are legally navigable (including 56 km of the Rivers Wye and Usk which are subject to a voluntary access agreement).

8. The report also highlights the extent to which inland water is used in Wales by 'water related recreation'(WRR)[6]

> "At least one of the many WRR activities takes place on the vast majority (97-98%) of canals, coasts and estuaries in Wales. The use of rivers and enclosed waters is considerably lower. WRR activities occur on 71% of the total river length but only 4% of the length has a right of navigation and a further 2% is covered by signed or pilot canoe access agreements. Only 59% of the area of enclosed waters is used and this space is mainly on larger lakes and reservoirs."

9. This evidence highlights the problems facing people wanting to use inland water in Wales for canoeing or rafting – they can only do so legally on 6% of the total river length and just over half of the enclosed water.

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[4] http://www.assemblywales.org/bus-home/bus-committees/bus-committees-scrutiny-committees/bus-committees-third-sc-home/bus-committees-third-sc-agendas/sc20090603qv_-_sc_3_-10-09.pdf?langoption=3&ttl=SC%283%29-10-09%20%3A%20Transcript%20%28PDF%2C%20253KB%29

[5] A Strategic Plan for Water Related Recreation in Wales – University of Brighton 2008. http://www.brighton.ac.uk/waterrecreation/files/wales_plan.pdf

[6] Water related recreation (WRR) activities are defined in this plan as those (sports and recreation activities) that make direct use of natural and artificial outdoor water resources

10. A report by the University of Gloucestershire[7] commissioned by the Countryside Council for Wales (CCW) also highlights the increase in demand for water related recreation in Wales.

> "Increased leisure time and technological developments have both made water based recreational activities accessible to a wider population……Increased numbers, new activities and extended range of existing activities brings with it conflict over a limited resource."

11. The same report also highlights the fact that England and Wales are almost unique in Europe where, in most countries, there is a customary or statutory right of access for fishing, boating and other activities.

12. In terms of a right of access, we are looking at two issues in this report:

- access along or on inland water; and
- access to stretches of inland water.

Both of which are needed for water related recreation but have different issues associated with them.

The legal position in Wales

13. Public Rights are those that are exercisable by anyone. The right of navigation has been described by Courts as 'a right to pass and re-pass over the whole width and depth of water, and the incidental rights of loading and unloading.[8]

14. All waters which are tidal and which are navigable are subject to a public right of navigation.

15. The position in relation to non-tidal waters is different. The public right of navigation that exists on tidal waters does not apply to non-tidal waters, and consequently there is no general common law right of public navigation either in non-tidal rivers, or on inland lakes.

16. The soil in the case of non-tidal rivers is vested in the riparian owners, and in the case of inland lakes in the adjoining proprietors.

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[7] http://www.assemblywales.org/bus-home/bus-committees/bus-committees-scrutiny-committees/bus-committees-third-sc-home/bus-committees-third-sc-agendas.htm?act=dis&id=137873&ds=7/2009

[8] Tate & Lyle Industries Ltd –v- Greater London Council (1983) 2 AC 509 at 537

17. The riparian owner is the owner of land abutting water, and the general presumption is that the ownership of the bed of a non-tidal river or stream belongs in equal halves to the owners of the riparian land. This presumption applies whether the river is navigable or non-navigable. The riparian owner does not own the water but owns the title to any fishery in respect of which they own the soil.

18. Despite the general rule, a public right of navigation may exist in the case of non-tidal rivers and inland lakes and the existence of the right is established by evidence similar to that which is required to establish a public right of way over land.

19. Such a right can arise most commonly by:

- Immemorial Usage;
- Acts of Parliament or Orders made under Authority of Act of Parliament;
- express grant or dedication by the owner of the soil of the river.

20. The general public has no common right to fish in waters that are non-tidal even if such waters happen to be navigable. As previously explained the riparian owners would own the right to take the fish unless they sell such rights. Such rights are also often subject to lease and licence agreements.

21. A fishery may include rights in the soil beneath it, but does not have to.

22. Unless a public right of navigation exists, or the owner of the river bed, and/or owner of the fishing rights where appropriate has given permission, then anyone who travels along the stretch of water is committing trespass.

23. Access over land to enable access to the water is a necessary consideration, however, as the legal position in relation to land ownership, and public rights of way is, in general, accepted and more widely known, the Committee have not set the position out in this paper.

24. At present some legislation exists which could facilitate public access to inland water.

25. Under Section 64 of the National Parks and Access to the Countryside Act 1949, Local Authorities can negotiate public access to private water and land which falls within the definition of 'open country', [9] usually in return for consideration. Access Orders can be made, under Section 65 of the Act by Local Authorities (subject to ministerial confirmation) where it appears to the authority that making an access agreement is impracticable.

26. In practice, however, this piece of legislation appears to have been little used, the University of Brighton report says:

> "In practice, agreements have been difficult to make, even in areas where they have been relatively well received, such as the Peak District (Peak District National Park Authority 1998). Despite this, few orders have been made. By 1989, the area of land subject to access agreement totalled only 35 000 hectares, more than half of which were in the Peak District. Parker and Ravenscroft (1999) assert that this figure has changed little over the past 10 years. Notwithstanding specific provisions for access agreements and orders over water contained in the Countryside Act 1968, there is little evidence of such mechanisms being used to improve access to inland water."

27. Under Section 16 of the Countryside and Rights of Way Act 2000, landowners can dedicate their land (which includes land under water) for public access. However the restrictions in Schedule 2 (which include the restriction on using a vessel or sailboard on any non-tidal water) would need to be relaxed or removed, otherwise, there would be no gain to recreational users from water dedicated under section 16. Such dedication however relies on the goodwill of the landowner.

28. Whilst The Transport and Works Act 1992 has also been used to make for example, the Wye Navigation Order 2002, the legislation is not intended to be used as a general means for facilitating public access to inland water.

[9] 'mountain, moor, heath, down, cliff or foreshore' (see section 59(2)).

Evidence gathering

29. From the outset of the inquiry, the committee agreed that

> "everybody who is interested in this matter has a right to give evidence, and to feel that we have listened to what they have to say, even if they do not agree with our conclusions in the end. …… It will take time, because there is a lot of evidence to get through, and many people will want to give evidence".[10]

30. In addition to our usual evidence gathering in the form of calling for written evidence and holding oral evidence sessions, the committee also held a meeting at the Royal Welsh Show and carried out vox pop sessions on the Assembly bus where members of the public could record their views.

31. We had a large number of written responses (491 published on our website) which arrived during the consultation period and another 100 or so which arrived after the consultation had closed (and were, therefore not taken into account by the committee). A breakdown of the responses to the questions asked in the consultation letter can be found at Annex A.

32. A total of 215 people visited the Assembly bus in Bettws y Coed, Wrexham, Carmarthen and Merthyr Tydfil and 185.people recorded messages for the committee on the bus.

33. The committee held 8 oral evidence sessions taking evidence from academics, government agencies, representatives of water users groups and the Ministers for Environment, Sustainability and Housing; Rural Affairs and Heritage.

[10] http://www.assemblywales.org/bus-home/bus-committees/bus-committees-scrutiny-committees/bus-committees-third-sc-home/bus-committees-third-sc-agendas/sc20090603qv_-_sc_3_-10-09.pdf?langoption=3&ttl=SC%283%29-10-09%20%3A%20Transcript%20%28PDF%2C%20253KB%29

2. The issues for Wales

34. Although the committee received a large number of written submissions and oral evidence, there were only a small number of issues that came out of the evidence:

- the sustainability of the current situation;
- the environmental impact of water use;
- the role of voluntary agreements;
- the funding of access, maintenance and environmental work to and along inland water;
- the quality and availability of information about water usage.

The sustainability of the current situation

35. The majority of the evidence we received pointed to the fact that the situation as it exists was unsatisfactory to many of those who owned the riverbed, or had rights over it, or to those who used the water.

36. In their evidence to the committee, the Environment Agency Wales and the Sports Council for Wales both acknowledged that there is high demand for access to water in Wales for various types of recreational use and that, in some areas, that demand is not being met by supply.

37. There is evidence that demand for access has increased in recent years and that the increase may continue into the near future.

38. This has led to a perceived increase in conflict between competing recreational uses which has been exacerbated by the breakdown in voluntary agreements and disputes about the clarity of the law regarding access to inland water.

39. We do not, however, regard the legal position, as explained in section 1, as being, in practice, at all ambiguous or uncertain.

40. It is true that some witnesses have suggested that ancient rights of navigation and access exist on all rivers that are physically navigable. There is however, no modern judicial precedent which supports this, and whilst we have considered the views of these witnesses with interest, we cannot, for the purpose of our inquiry, base our

recommendations on a view of the law which is at odds with the one that is generally accepted.

41. The issue with the current situation is those water users who use inland waters, where there is no public right of navigation, without permission from the owner of the river bed, and/or fishing rights therefore commit the offence of trespass. This is an issue not only for landowners but also for those who have been granted fishing rights by the landowner.

42. The issue of identification of whom to seek permission from can be confusing for a water user, who may have to deal with several riparian owners and fishing clubs to negotiate access to one stretch of water.

43. The issue is not seen as a serious one by all land owners or owners of fishing rights and some are happy for the water to be used for waterborne recreation. These arrangements are, however, often informal and not widely known or publicised. The issue is also not found on all stretches of inland water, with a few 'hot spots' becoming the main focus of water based recreation.

44. The Federation of Welsh Anglers said:

> "What we do object to most strongly is the unrestricted, unlawful access which is happening at the moment on many Welsh rivers, which involves trespass on a large scale, which has resulted in conflict between user groups, mainly anglers and canoeists, and between riparian owners and canoeists, and which, in many instances, is likely to be ecologically damaging to sensitive areas of these rivers."

45. Canoe Wales had a different view of the situation saying:

> "The reintroduction of recreational paddlesport post World War II saw the emergence of challenges to access to water. At this time the Governing Body for Canoeing was led to believe by riparian owner that agreement was needed to use the water. And acting in good faith this was done. Canoe Wales now recognises that in creating private agreements with private individuals we may have been mislead and as a result an unwelcome position over Wales' natural resources has developed which has been shown by other countries to be unnecessary."

46. The status quo does not seem to be a workable situation and the entrenched views of the two main representative organisations would indicate that a solution to the issue is not achievable under the current system. It also seems likely that the situation may get worse as the demand for water based recreation grows.

The environmental impact of water use

47. An area of contention highlighted in the evidence we received was that of the environmental impact of waterborne recreation.

48. In their paper, the Environment Agency Wales stated:

> "Recreational activities take place throughout the year and may have adverse impacts on the spawning success of individual fish, the quality of the spawning substrate and the survival of eggs. However, there is little empirical scientific evidence, either way, to demonstrate that significant damage does occur as a result of most activities. When water levels are high in a river, simple passage of canoes over spawning areas is likely to pose less of a risk than, for example, an angler, canoeist or swimmer walking in a river for their activity, however even these activities may be negligible compared to the many natural forms of disturbance e.g. during flood conditions."

49. The Welsh Salmon and Trout Association said in its evidence:

> "……Dick Shelton whose research into Salmon is revered world wide. His research papers show that irresponsible activities on rivers at spawning time will result in salmon not being able to fulfil their spawning activity. This research has been supported by others and at this precarious time for our wild salmon it would be detrimental to future stocks to allow anything or anybody to disturb salmon during spawning time."

50. Fishing is regulated so that the fishing season does not interfere with the time when fish are spawning. It is illegal to fish out of the designated season for each species so as to protect their spawning grounds and fish.

51. Waterborne recreation such as canoeing and rafting generally takes place in conditions of high water as low water conditions would pose a danger of grounding. The high water levels preferred for canoeing mean that there would be little disturbance to the river bed.

52. The majority of evidence of environmental damage caused by waterborne recreation was anecdotal and came from those representing fishing interests.

53. Evidence of the lack of environmental damage came from the example of the National White Water Centre which is largely on a closely monitored Site of Special Scientific Interest. No evidence of environmental damage to the river or its flora and fauna has been found as a result of the creation of the National White Water Centre.

The role of voluntary agreements

54. There were varying opinions about the role and value of voluntary access agreements in the evidence we were given.

55. Voluntary agreements exist or have existed in three main areas:

- access across land to get to a stretch of water or river bank;
- access on a river bank, mainly for fishing purposes;
- access along a stretch of water.

56. The majority of fishing clubs who do not own their own stretches of river bed have voluntary access agreements with the land owners on whose land they fish, in order to be able to access the river. These are in addition to the fishing rights which they usually lease.

57. Some landlords give formal or informal access to their water through voluntary agreements usually made with individual water user groups.

58. Until recently, Canoe Wales entered into voluntary access agreements with landowners on behalf of canoeists from Wales and those who come to Wales to use stretches of Welsh water.

59. The success of voluntary agreements and the perception of their success varied throughout the evidence.

60. The Federation of Welsh Anglers said:

> "The current position of government, both Welsh Assembly and Westminster is to support agreed access through local voluntary access agreements involving all interested parties, landowners/riparian owners, user groups, e.g., anglers and

canoeists, even local authorities where relevant. The Federation of Welsh Anglers supports this position, local agreements recognise the rights of landowners and address local requirements and the needs of the respective user groups. Although agreement appertaining to the latter is generally through compromise, it alleviates the conflict which arises through one side seemingly 'having it all' and the other seemingly 'wanting it all', as is the current situation in respect of angling and canoeing."

61. The Minister for Environment, Sustainability and Housing said:

> "Our approach is built on practical action and on building consensus between the different interests on what activities can sensibly take place and when, on the different water locations. As a direct result of Welsh Assembly Government support, we now have new voluntary access agreements on extensive stretches of the Rivers Wye and Usk, and we are looking to build on that through the round table on water access, which is exploring the scope for similar agreements on other main rivers in Wales."

62. The view of other water users was different, however. Rebecca Cadbury from the Narberth Canoe Club said:

> "There are two points on the voluntary agreements. There are certain large organisations, such as the one at Llandysul, that can take agreements and they can work. However, for a small club like ours, they are largely irrelevant. Agreements can create confusion about the legal situation, and agreements can simply evaporate."

63. Kate Rew from the Outdoor Swimming Society said:

> "We do not think that the agreements would be practicable for swimmers. If you wanted to set up an outdoor swimming club and just swim in the one place, then, clearly, negotiating access is the way to go. However, a lot of it takes place on an ad hoc basis; people roam, they are movable, and, just like people who go for a walk, where swimmers go depends on the weather and the wind direction. I do not see families getting up in the morning, thinking it is a great day and deciding to go for a swim and then being able to negotiate access so that they can take their kids out. I cannot see that working."

64. Concern was also expressed about how voluntary agreements are policed and how they can be enforced. Anglers were worried that waterborne users had no form of identifying markings so anyone breaking an agreement could not be identified and punished.

65. The Wye and Usk Foundation have a widespread voluntary access agreement which gives anglers and other water users access to the Wye and Usk rivers at certain times of year and in certain conditions. This agreement was put in place to extend the stretch of river that was navigable above its legally navigable limits. Although set up primarily as a conservation tool, the access agreements on the Wye and Usk seem to address many of the issues raised during the inquiry

66. The Tir Gofal Scheme makes provision for access to be granted by landowners across their land where rights of way do not already exist. This does not require express agreement with any of the users of the land, those using the access enter into the terms of the agreement by the simple fact of using the access rather than entering into a formal, signed agreement. A model combining the Wye and Usk access arrangements and the Tir Gofal type of granting of access by a landowner could be used to resolve many of the issues with access to inland water.

The funding of access, maintenance and environmental work to and along inland water

67. Many people gave us evidence during the inquiry about the amount of resources put into conservation work on waterways by landlords and fishing interests. They gave examples of how the monies raised from fishing rents are used by landlords to maintain and enhance the river landscape as well as being used by individual fishing clubs to maintain habitat and conserve fish stocks.

68. Income from the compulsory purchase of rod licenses funds the policing of the rod licenses and fishing practices.

69. There were three main funding issues raised:

- that landlords and fishing interests had put a lot of resources into maintaining and enhancing the river environment for their own enjoyment. It was felt that other river users had not put resources in and so are enjoying the river ‘for free’;

- that giving more access to and along inland water would cause fewer fishing clubs to put resources into their maintenance and may result in fewer fishing clubs wanting to lease fishing rights that they see as being degraded by other water users;
- that some form of licensing should apply to all river users and that money could then be used to maintain waterways for everyone's enjoyment.

70. The Garway Flyfishing Club said in their evidence:

> "We have to purchase an annual rod licence from the Environment Agency to fish any water and have to pay landowners substantial amounts to gain access to the river. In our case our annual membership, in addition to the rod licence, is £375 per annum.
>
> Without angling clubs, such as ours, being prepared to take long fishing leases on our rivers it would be impossible for many landowners to carry out necessary river improvements and maintenance. As a club we also hold regular work parties to clear litter and debris from the river bank to allow everyone to have easy access to the water.
>
> If others are to be granted rights to the river then suitable licensing arrangements and landowner fees should also apply. To allow them to use the same water as anglers without doing so will be clearly unfair. It also absolves them of the responsibility of care for the river."

71. Many of the fishing interests and some of the other water users were in favour of a licensing system which would cover all water users providing not only a source of income but also a system of accountability.

72. Some water users were in favour of no licensing for anyone using inland water, including abolishing the rod license.

73. Some water users were in favour of maintaining the status quo arguing that passage along the water should be a free and natural right and that rod licenses and fishing leases were part of a regulatory system for fishing.

74. The amount of money brought into Wales by angling tourism was also emphasised – the Federation of Welsh Anglers estimated around £150 million per year. They felt that this income could be threatened by increased usage of the water.

The quality and availability of information about water usage

75. One of the main issues raised by many of the non fishing water users was that of the lack of availability of reliable, widespread and up to date information about which stretches of water they are able to use.

76. Several water users suggested that information about where access arrangements are in place should be widely publicised as well as information on river water levels and other environmental conditions. Andy Shan said:

> "What is required is…..
> -a recognised code of conduct for responsible access. This can be provided by WCA/BCU……
> - information from the Environment Agency on river levels. Currently the EA does not provide real time, or near real time river level information on-line to the public (apart from angling sites!). This information is vital to allowing canoeists and kayakers to behave responsibly and only paddle when it is appropriate.
> - information from the Environment Agency on sensitive areas eg spawning grounds, to be avoided at certain times of the year or at certain levels. Clearly there are some areas that they cannot publicise, eg freshwater pearl mussel beds."

77. Several people also pointed to the Scottish Outdoor Access Code as an example of good practice which is widely disseminated through web sites, outdoor organisations, government sponsored bodies and the water companies. The code highlights the rights and responsibilities of all those using the water for outdoor recreation as well as landowners. It is widely adhered to by water users in Scotland and provides a framework and guidelines against which potential disruptive behaviour can be measured.

78. Several witnesses considered that if good quality, up to date information and a code of conduct was published widely, it would encourage increased responsible use of inland water in Wales and contribute to increasing tourism in Wales.

The Land Reform (Scotland) Act 2003

79. Many witnesses cited the Land Reform (Scotland) Act 2003 as a model for access legislation which could be adopted in Wales.

80. Part 1 of the Act establishes a right to be on land (including inland water) for recreational, educational and certain other purposes and a right to cross land. The rights exist only if they are exercised responsibly. Part 1 also imposes certain duties on local authorities in relation to access on and over land in their areas and, in particular, requires them to draw up and adopt a plan of core paths in their areas.

81. The access established by the Act is underpinned by the Scottish Outdoor Access Code which outlines the rights and responsibilities of users and landowners. Many of those who cited the Act as an example of good practice, emphasised the key role that the access code plays in ensuring that the terms of the Act are adhered to.

82. In considering the extent to which the Land Reform (Scotland) Act 2003 could serve as a model for legislation relating to Wales it needs to be borne in mind that its reforms took effect within an existing legal framework which was very different to that which applies to Wales. In particular, the attitude taken by Scots law to access to land (including rivers and lakes) without express permission was already much more liberal than that of the present law of trespass in England and Wales.

3. Conclusions and recommendations

83. We have, at times, been surprised by the strength of feeling that we have encountered during this inquiry.

84. Although we have tried to concentrate on the wider issues during the inquiry, much of the evidence we have received has focussed on conflicts experienced.

85. We received large numbers of submissions from both sides but were disappointed by the lack of variety of evidence and, in many cases, the negative and sometimes aggressive attitudes that were shown. We were also disappointed with the accusations that were made to the committee that we were not giving adequate opportunities for people to have their voices heard.

86. The number of responses to our calls for evidence is the largest we have ever received for a Sustainability Committee inquiry and yet, the topic of the inquiry affects fewer people than any other inquiry we have held.

87. We consider, from the evidence we have heard, that the current situation regarding access to inland water is unsustainable and is likely to worsen with an increase in demand for water related activities.

88. We believe, if the issues we have discussed above are addressed and a practical, workable solution to them found, that both people living in Wales and Welsh tourism can benefit.

89. The health benefits of increased participation in outdoor recreation and the financial benefits of increased tourism are two of the main reasons that we are making our recommendations.

90. Having said that the current situation is unsustainable, however, we do not believe that legislating for free and unrestricted access to inland water in Wales for all is the answer.

91. We do not believe that the Land Reform (Scotland) Act 2003 model can easily be applied to Wales given the fundamental differences which already existed between the law of trespass in Scotland prior to the Act and the current law of trespass in Wales.

92. We are also conscious that the introduction of a blanket right to access on or along water would be limited in its usefulness without a complementary general right of access over land to access water.

93. A further difficulty is that creating such a general right whilst in some ways the simplest option, could give rise to arguments as to compatibility with Article 1 of the First Protocol to the European Convention on Human Rights, unless the right in question was qualified to such an extent, that in practice it became very difficult to exercise.

Access agreements

94. Many people pointed to access agreements as the way forward. We were, however, concerned that, in the type of access agreements that currently exist, not all interests come to the table as equals and the agreements can be seen as putting the needs of fishermen first whilst controlling and limiting access to other water users.

95. We acknowledge the issues raised over the ability of Canoe Wales to enter into access agreements on behalf of river users that they have no control over and we see this as a barrier to the type of access agreements that currently exist.

96. Access agreements across land, however, are not new in Wales and are actively encouraged by schemes such as Tir Gofal and its successor, Glastir. These agreements need only the agreement of the landowner to grant access across his or her land, those using the access enter into the agreement by the simple fact of using the access. The Countryside Code sets out rights and responsibilities for users along with accompanying guidance for farmers.

Recommendations

97. In our view, the following recommendations offer a set of workable solutions to the issues raised during the inquiry which will bring benefits for all the stakeholders we have heard from.

98. Our recommendations will not apply to all inland waters in Wales as we do no think that this would be appropriate.

99. We recognise that not all stretches of inland water in Wales are suitable for water based recreation and that on those that are, there are not always conflicting uses. Our recommendations are aimed

chiefly at those stretches of water which are currently popular for a number of uses and where there is a potential for those uses to come into conflict. They are also aimed at those stretches of water where, if usage was to increase, potential conflicts could arise.

100. We also believe that two key factors will help to ensure that the actions contained in the recommendations are effective:

- the principle that access should be granted by a land owner in consultation with all those with an interest in using that access rather than by a multi party agreement as is currently the case. The granting of access and the consultation process should be facilitated by a designated body (see recommendations 5 and 6);
- access should be underpinned by an agreed national code of conduct which sets out the rights and responsibilities of both the users and owners of the access.

101. We do not currently have the powers to produce a legislative solution to the issues raised during the inquiry. The Ministers for Environment, Sustainability and Housing, Rural Affairs and Heritage have all indicated that they are not minded to ask for the powers to legislate on access to inland water at the moment.

102. The following recommendations therefore indicate what we think should be done now, in the near future and for the long term.

What can be done now

Access

103. We believe that the Minister for Environment, Sustainability and Housing has already put in place a mechanism for starting to address some of the issues with her round table group of water users.

Recommendation 1: That the Minister for Environment, Sustainability and Housing strongly encourages and promotes the setting up of voluntary access agreements by landowners, through the existing 'Round Table' group of water pursuits interests and actively encourages land owners such as public bodies (e.g. the Forestry Commission, local authorities) and large charities (e.g. the National Trust) to pilot the type of access agreements outlined in this report.

104. The access agreements reached under this recommendation should contain a clear description of the times of year and states of the water when certain activities may not take place and a clear indication of any ingress and egress points created or existing along the stretch of water.

105. The agreements should be drawn up after consultation with all those parties who have an interest in the stretch of water. As well as the land owner and any recreational users or potential users, this may include local authorities and businesses and community and conservation interests groups.

Recommendation 2: That the Minister for Environment, Sustainability and Housing targets Splash funding at these pilot projects. The effects of the pilot projects should be closely monitored and the outcomes widely disseminated.

Recommendation 3: That access agreements be sought under the Glastir scheme where appropriate for ingress and egress points, any associated facilities such as car parking and changing facilities and access across land to any body of inland water over or on which access rights have been granted.

Environmental quality

106. There was agreement on all sides that the quality of the environment of Welsh inland water is one of the main reasons why it is such a popular recreational resource. Despite allegations from some witnesses, we do not believe, from the evidence that we heard, that there are any water users who would wilfully seek to damage that quality.

107. We do consider, however, that the quality of the water and its biodiversity and that of adjacent land is of the utmost importance and its preservation and enhancement should be at the heart of any access agreements. Any access agreements would also need to take into account the relevant legislation relating to inland water particularly where Sites of Special Scientific Interest (SSSIs) are involved.

Recommendation 4: That all access agreements should be subject to the monitoring and assessment of the environmental quality of the water covered by the agreement at regular intervals.

Recommendations for medium and longer term solutions

108. Several organisations currently have responsibility for looking after inland water and access such as the Environment Agency, Countryside Council for Wales and Local Authorities. We believe that the experience and expertise of one or more of these organisations should be used to implement the following medium and long term recommendations.

Recommendation 5: Legislation should be introduced to identify a lead authority for the identification of particular areas of inland water where access agreements are appropriate and for the negotiation of voluntary access agreements for non motorised recreational purposes in those areas. That body will be placed under a positive duty to facilitate more voluntary access agreements, including a power to finance associated works.

109. We believe that everyone with an interest in inland water will be committed to contributing to the process of establishing these access agreements and helping to arrive at a solution that is workable for everyone.

110. There may, however, be a few areas where access cannot be agreed for various reasons. We believe that, for these areas, when all attempts to produce an agreement to grant access under recommendation 5 have failed, further measures are needed.

Recommendation 6: The legislation referred to in recommendation 5 should also place power on a lead authority to designate such bodies of water as ones to which access rights would be compulsorily attached if no voluntary agreement could be reached.

111. The implications of any proposed legislation on the European Convention on Human Rights would need to be considered, in particular Article 6, which provides for a process of impartial determination of civil rights, Article 8, which provides for respect for the individual's right to enjoy reasonable private enjoyment of his property, due respect to his private life and his home, and Article 1, Protocol 1 which protects the individual's right to property from unwarranted interference.

112. In order to guarantee compliance with these rights, any legislation which enabled rights of access to be imposed compulsorily on landowners and others such as the owners of fishing rights would need to include a right to object to a designation and for the objection to be considered in detail, and for compensation to be assessed and paid where loss was demonstrated.

Recommendation 7: In order to guarantee compliance with the European Convention on Human Rights there would need to be a right to object to a designation and for the objection to be considered in detail (e.g. at an inquiry) and there would need to be provision for compensation for compulsory interference with property (including fishing rights) where that interference could be shown to have caused loss.

Recommendation 8: We recognise that neither the Welsh Ministers nor the Assembly currently have legislative competence to implement recommendations 5-7 and recommend that such legislative competence is sought as soon as possible.

Policing and enforcement

113. Our recommendations will not be without costs and the policing and enforcement of them will need to be funded once the agreements are in place.

114. We received evidence that the use of water by groups such as canoeists and rafters may become, for the large part, self policing as peer pressure is brought to bear not to use the water illegally. This has happened amongst mountain bikers who, once provided with access and defined and challenging legally accessible routes, now regard use of areas where access has not been granted as unacceptable.

115. We consider, however, that some form of policing and enforcement will be needed and that this will need to be funded. The rod license currently paid by those wishing to fish currently funds the work of the Environment Agency in policing the licences.

Recommendation 9: That organisations who make a profit out of water related recreation should pay a fee to be licensed and that their craft should be registered and clearly marked.

Recommendation 10: That a licensing system for those using unpowered craft on inland water should be introduced.

116. We suggest that the current system used to license canoes and other unpowered craft using British Waterways water is used as a model. In this way, the cost of licenses could be covered in the membership fees paid to Canoe Wales.

117. People from outside Wales wishing to use Welsh inland water subject to an access agreement and occasional users would be able to purchase short term licenses locally.

118. We consider that, if the access agreements contain clear information about any restrictions on the use of the water, policing should only be needed at these times rather than all year round.

Information and guidance

119. We believe that, for access agreements to work to the benefit of all, it is important that accessible, reliable, up to date information about them is made available.

120. Currently, the majority of fishing and canoeing clubs and organisations provide information for their members and we think that local information is best provided by them.

121. Information for those people who are not members of clubs or are coming from outside Wales, however, is not always available, especially for canoeing and other water borne recreation.

Recommendation 11: That the Minister for Environment, Sustainability and Housing commence the drafting and consultation process on a national code of conduct for using the water to be used in those areas where access is granted.

Recommendation 12: That any code of conduct should make explicit the rights and responsibilities of users and access owners and should be promoted and advertised by all organisations involved in giving or using access to inland water as well as national organisations such as the Welsh Government, CCW, Environment Agency Wales, Visit Wales and the Sports Council for Wales.

Recommendation 13: That a national website should be set up, containing details of all the stretches of water in Wales where access has been agreed and containing up to date information on current and predicted water levels, events taking place which may restrict access and any other information which would help users to access the water safely and legally.

Benefits

122. We believe that the 13 recommendations listed above will provide many benefits.

123. The agreement of access to and along stretches of water will benefit all water users and address the issues raised during the inquiry about the legality of using a stretch of water.

124. The setting up of a designated body to facilitate the setting up of agreements will help to ensure that all those with an interest in a stretch of river will have equal voices in the debate on access.

125. A code of conduct will clarify the rights and responsibilities of all users and land owners and provide a framework against which usage could be judged.

126. The monitoring of the environmental quality of stretches of water subject to access agreements will benefit both users and land owners and help to monitor the terms of the agreement.

127. The licensing of craft using the river will benefit all users as additional resources will be available for the environmental monitoring work as well as policing of the agreements. It will also help all users to identify anyone who is not abiding by the terms of the agreement or the code of conduct.

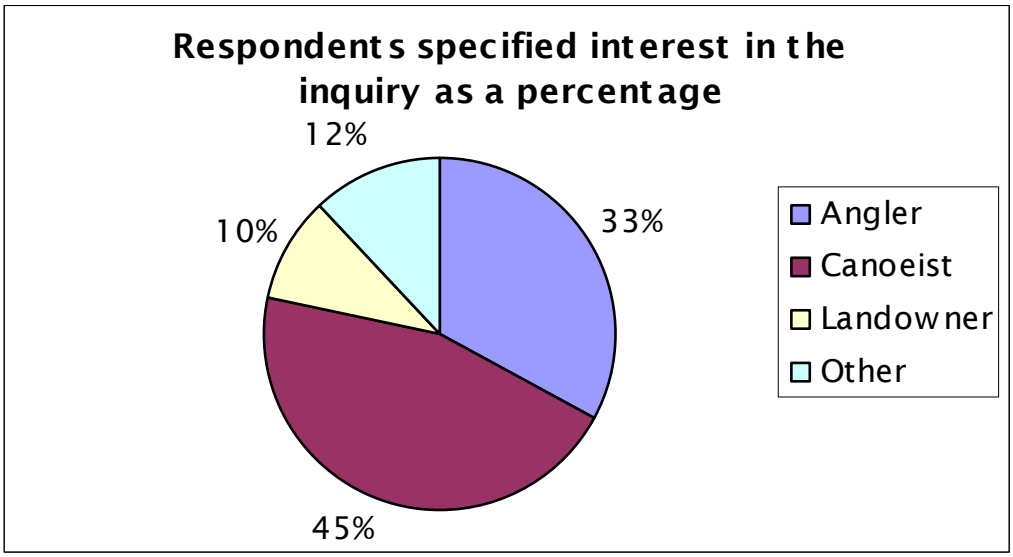
128. The increased availability of accurate and up to date information about where access has been agreed, the terms under which the water can be used and accessed and the state of the water in those areas will help not only water users from Wales but also those coming from outside the country. This could also stimulate tourism and benefit local businesses.

Annex A

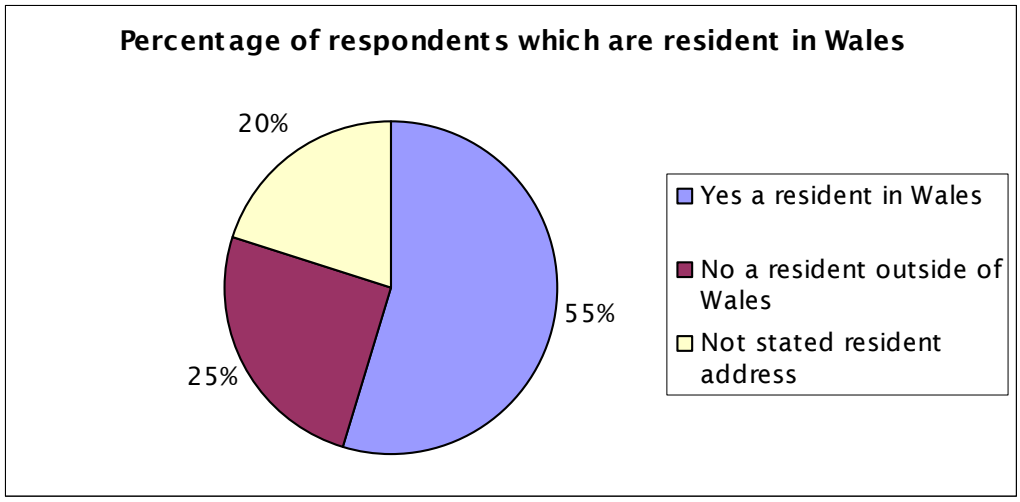
Analysis of responses to the 'Access to inland water in Wales' inquiry

In July 2009 the Sustainability Committee launched an inquiry into access to inland water in Wales. The Committee requested views from people with an interest in the subject.

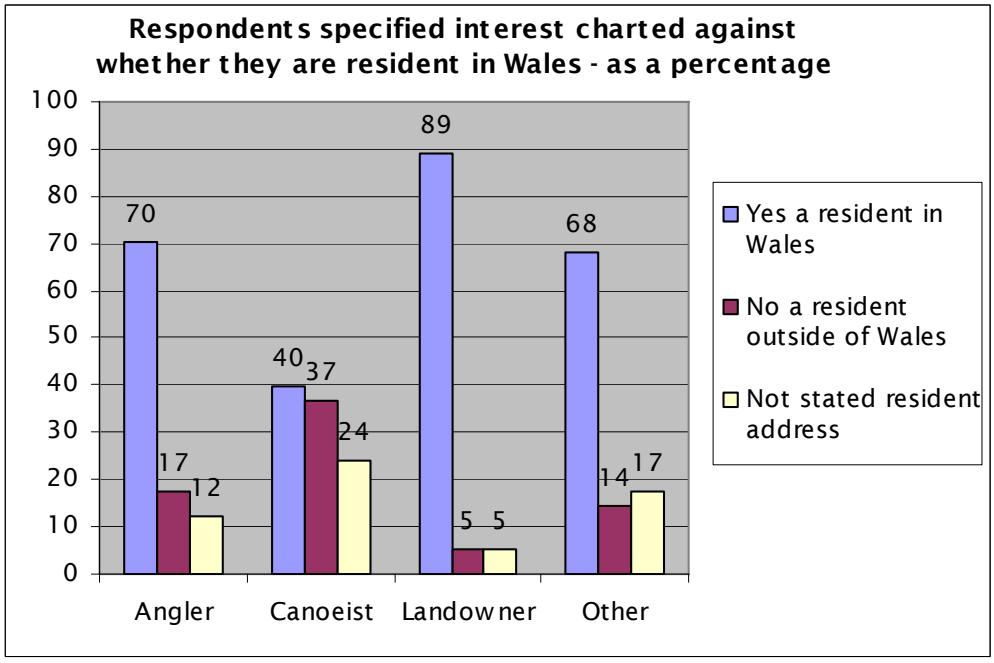
We received a total of 489 responses. Of these 189 respondents specified their interest in the inquiry as being an Angler, 260 as a Canoeist, 55 as a Landowner and 69 respondents were classified into the category Other. The Other category includes respondents who specified their interest in the inquiry as being swimmers, residents with an interest or in the tourism trade. It should be noted that some respondents specified a number of interests and therefore the total added up is greater than the 489 respondents. The pie chart below shows that the majority of respondents were anglers or canoeists.



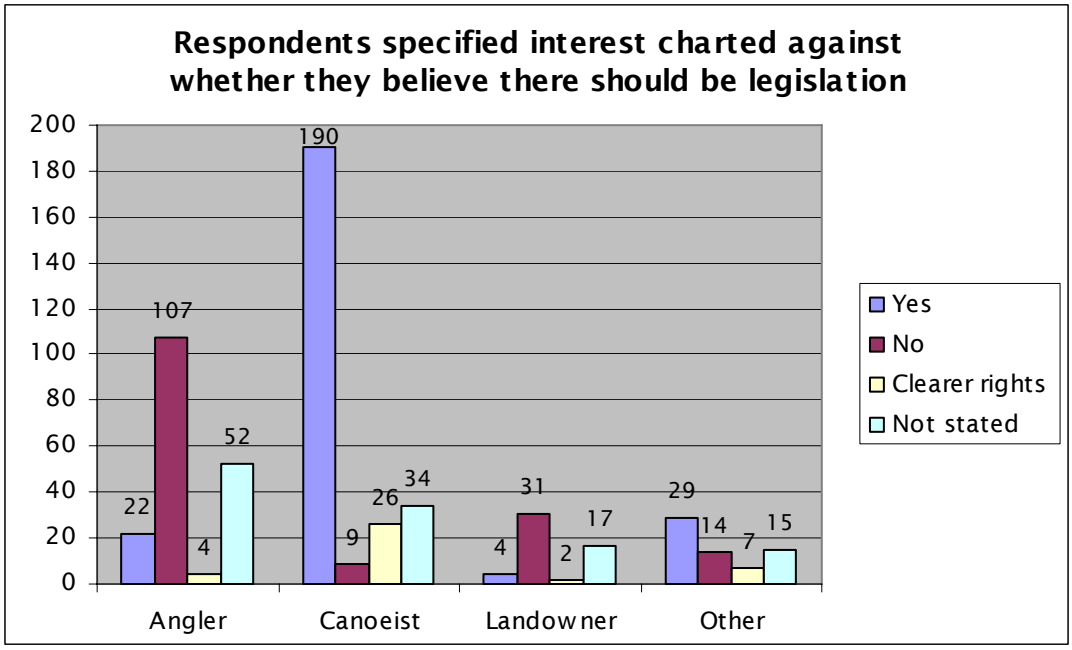
Of the 489 respondents 267 were resident in Wales, 123 were resident outside of Wales and 98 did not state their resident address. This equates to 55 per cent being resident in Wales, 25 per cent are resident outside of Wales and 20 per cent did not state their resident address.



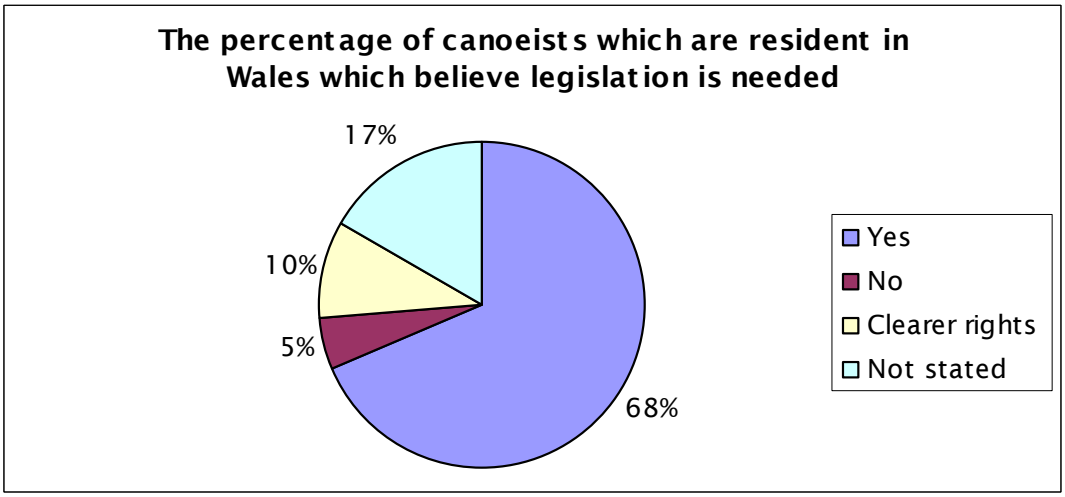
When analysed further it shows that 70 per cent of the anglers that responded, 40 per cent of the canoeists that responded, 89 per cent of the landowners that responded and 68 per cent of the others that responded are resident in Wales.



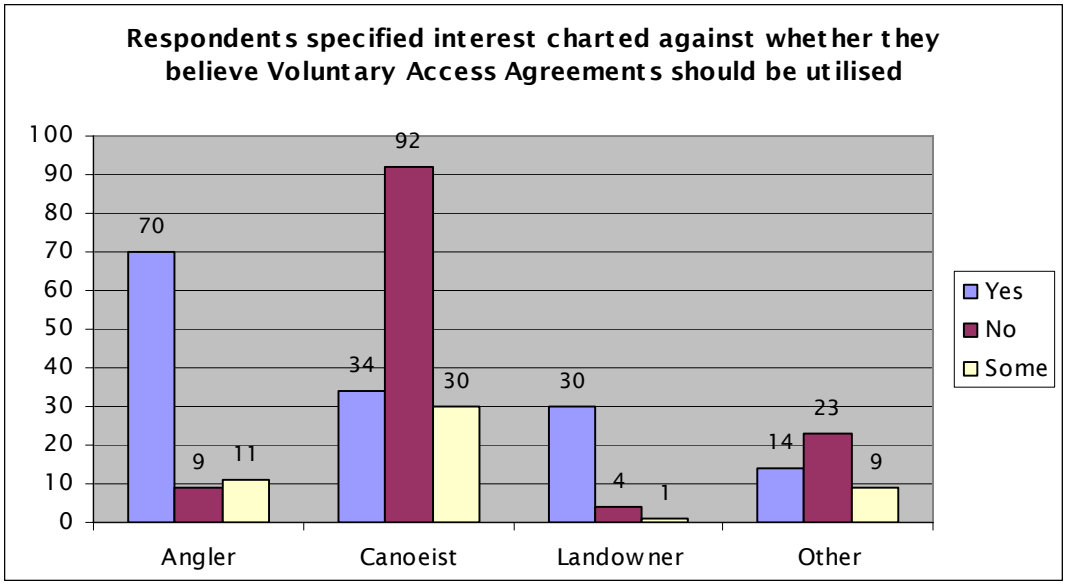
In the responses received many respondents specified whether they wanted legislation or not. Some specified that the rights of water users should be clarified but that this might not necessarily have to be done through legislation. When the data is analysed it shows that the majority of anglers and landowners that responded do not want legislation while the majority of canoeists and others that responded do want legislation.



Further analysis of the data shows that of the canoeists that are resident in Wales 68 per cent believe legislation is needed.

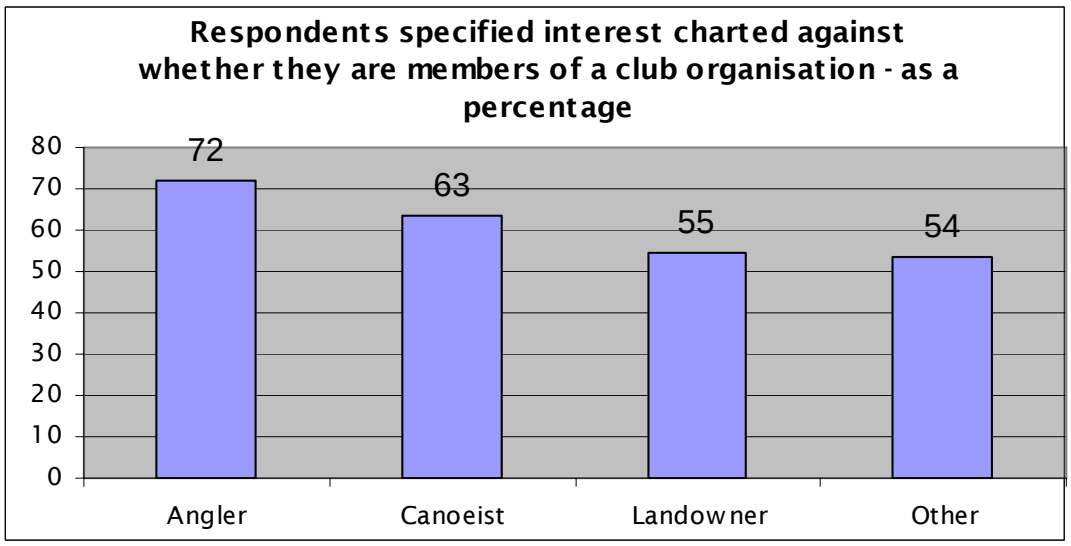


With regards to the respondents that stated a preference on whether Voluntary Access Agreements (VAA) should be utilised the majority of anglers and landowners that responded think that VAA should be used in some form while the majority of canoeists and others that responded do not think they should be used as they are inefficient. Some respondents specified that VAA should be used to some extent.



Of the respondents that specified whether the water resource should be shared between users, whether through open access or through access agreements of some form, the majority of all categories (Angler, Canoeist, Landowner and Other) agreed that it should be shared. With regards to whether canoeists should be licensed, of the respondents that specified, the majority of all categories (Angler, Canoeist, Landowner and Other) agreed that they should be.

In the responses received many respondents specified whether they were members of club organisations (e.g. Canoe Wales, Welsh Salmon and Trout Angling Association, Outdoor Swimming Society etc). Of the respondents 72 per cent of anglers, 63 per cent of canoeists, 55 per cent of landowners and 54 per cent of others stated that they were members of a club.



Witnesses

The following witnesses provided oral evidence to the Committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed in full at http://www.assemblywales.org/bus-home/bus-committees/bus-committees-scrutiny-committees/bus-committees-third-sc-home/bus-committees-third-sc-agendas.htm

21 July 2009

Professor Andrew Church	University of Brighton
Dr John Powell	University of Gloucestershire

24 September 2009

Ceri Davies and Andy Schofield	Environment Agency
Ashley Charlwood and Richard Harvey	Canoe Wales

8 October 2009

John Watkins	Countryside Council for Wales
Chris Bond, Gary Davies and Max Coventry	Federation of Welsh Anglers

5 November 2009

Dafydd Jarrett	National Farmers Union Cymru
Richard Vaughan and Rhian Nowell Phillips	Farmers Union Wales
Sarah Andrews and David Jones Powell	Country Land and Business Association
Andrew Stumpf	British Waterways

Dusi Thomas and Paul Henderson	Welsh Water

12 November 2009

Charles Mathieson	Pembrokeshire Coast National Park
David Liddy	Forestry Commission
Andy Shan	
Chris Randall	Open Canoe Association
Rebecca Cadbury	Narberth Canoe Association
Kate Rew	Outdoor Swimming Association
Peter Blackburn	
Peter Wood	
David Evans	
Peter Bursnall	
Pam Bell	

3 December 2009

Huw Jones and Rachel Hughes	Sports Council Wales

21January 2010

Jane Davidson	Minister for Environment, Sustainability and Housing
Alun Ffred Jones	Minister for Heritage
Elin Jones	Minister for Rural Affairs
Gerry Quarrell	Welsh Assembly Government
Arfon Williams	Welsh Assembly Government

Jon Benyon	Welsh Assembly Government
Manon Davies	Welsh Assembly Government

28 January 2010

Stephen Marsh-Smith	Wye and Usk Foundation
Tony Rees and David Griffiths	Welsh Salmon and Trout Association
Rachel Evans	Countryside Alliance
Jane Pritchard	Perth and Kinross Council

List of written evidence

The following people and organisations provided written evidence to the Committee. All written evidence can be viewed in full at http://www.assemblywales.org/bus-home/bus-committees/bus-committees-scrutiny-committees/bus-committees-third-sc-home/inquiries_sd/sc_3_-access_to_inland_water_-_main/sc_3_-access_to_inland_water_-_responses.htm

Organisation	*Reference*
University of Brighton	SC(3)-15-09: Paper 1
University of Gloucestershire	SC(3)-15-09: Paper 2
Environment Agency	SC(3)-16-09: Paper 1
Canoe Wales	SC(3)-16-09: Paper 2
Countryside Council for Wales	SC(3)-17-09: Paper 1
Federation of Welsh Anglers	SC(3)-17-09: Paper 2
National Farmers Union Cymru	SC(3)-20-09: Paper 1
Farmers Union Wales	SC(3)-20-09: Paper 2
Country Land and Business Association	SC(3)-20-09: Paper 3
British Waterways	SC(3)-20-09: Paper 4
Welsh Water	SC(3)-20-09: Paper 5
Merthyr Tydfil Angling Association	SC(3)-20-09: Paper 6
Pembrokeshire Coast National Park	SC(3)-21-09: Paper 1a
Forestry Commission	SC(3)-21-09: Paper 1b
Peter Blackburn	SC(3)-21-09: Paper 2
Peter Wood	SC(3)-21-09: Paper 3
Andy Shan	SC(3)-21-09: Paper 4

David Evans	SC(3)-21-09: Paper 5
Pete Bursnall	SC(3)-21-09: Paper 6
Mike Ellias	SC(3)-21-09: Paper 7
Pam Bell	SC(3)-21-09: Paper 8, 8a, 8b, 8c
Open Canoe Association	SC(3)-21-09: Paper 9
Narbeth Canoe Association	SC(3)-21-09: Paper 10
Outdoor Swimming Association	SC(3)-21-09: Paper 11
NFU Cymru	SC(3)-22-09: Paper 10
British Waterways	SC(3)-22-09: Paper 11
Welsh Water	SC(3)-22-09: Paper 12, Annex A
Pam Bell	SC(3)-22-09: Paper 13, Annex a, b, c
Narberth Canoe Club	SC(3)-22-09: Paper 14, Annex a, b, c
Andy Shan	SC(3)-22-09: Paper 15, Annex a
Sports Council Wales	SC(3)-23-09: Paper 1
Open Canoe Association	SC(3)-23-09: Paper 3
Welsh Assembly Government	SC(3)-03-10: Paper 1
Welsh Salmon and Trout Association	SC(3)-04-10: Paper 1
Countryside Alliance	SC(3)-04-10: Paper 2
Wye and Usk Foundation	SC(3)-04-10: Paper 3
Dominic Parkes	SC(3)-AIW01
Simon Joinson	SC(3)-AIW02

Marc Musgrove	SC(3)-AIW03
Geoff Tetley	SC(3)-AIW04
Neil Upton	SC(3)-AIW05
Nuala Dunn	SC(3)-AIW06
Ian Kennett	SC(3)-AIW07
Kevin Davies	SC(3)-AIW08
Doug Reid	SC(3)-AIW09
Nick Winder	SC(3)-AIW10
Steve Wilford	SC(3)-AIW11
John Walker	SC(3)-AIW12
Peter Ball	SC(3)-AIW13
Nik Mason	SC(3)-AIW14
Angus Riddell	SC(3)-AIW15
Rheana Colyer	SC(3)-AIW16
Lawrence Parker	SC(3)-AIW17
Llangadog Angling Ltd	SC(3)-AIW18
Tim Jepson	SC(3)-AIW19
Tim Smith	SC(3)-AIW20
John Saunders	SC(3)-AIW21
Peter Brundret	SC(3)-AIW22
David Walton	SC(3)-AIW23
Seiont Gwyrfai and Llyfni Anglers' Society	SC(3)-AIW24
Gethin Thomas	SC(3)-AIW25
Betws-y-Coed Anglers Club	SC(3)-AIW26

David Roberts	SC(3)-AIW27
Owen Hayward	SC(3)-AIW28
Chris Eastabrook	SC(3)-AIW29
Dave Grimes	SC(3)-AIW30
James King	SC(3)-AIW31
Neil Hopkins	SC(3)-AIW32
Richard Retallick	SC(3)-AIW33
Meridian Canoe Club	SC(3)-AIW34
Peter Wood	SC(3)-AIW35
Adam Jeff	SC(3)-AIW36
Dave Miles	SC(3)-AIW37
Rory Fyffe	SC(3)-AIW38
Brian Taylor	SC(3)-AIW39
Robin Scott	SC(3)-AIW40
Chris Wright	SC(3)-AIW41
Chris Clarke Williams	SC(3)-AIW42
Joel King	SC(3)-AIW43
Harry Watson	SC(3)-AIW44
Bob Andrews	SC(3)-AIW45
Paul Wilkinson	SC(3)-AIW46
Ben Brisbourne	SC(3)-AIW47
Mark Karen Rebecca and Robert Hayes	SC(3)-AIW48
David Butler	SC(3)-AIW49
Jason Morley	SC(3)-AIW50

Sally Smith	SC(3)-AIW51
Phil Davies	SC(3)-AIW52
Dr Matt Creed	SC(3)-AIW53
Jamie Ewen McNeil	SC(3)-AIW54
J Meeke	SC(3)-AIW55
Dan Tattersall	SC(3)-AIW56
Sam Dwyer	SC(3)-AIW57
Maesteg canoe Club	SC(3)-AIW58
Chris Hurley	SC(3)-AIW59
Jonathan Wood	SC(3)-AIW60
Gareth Lambert	SC(3)-AIW61
Garway Flyfishing Club	SC(3)-AIW62
Peter Cornes	SC(3)-AIW63
Paul Stabler	SC(3)-AIW64
Paul & Anita Stewart	SC(3)-AIW65
John O'Connell	SC(3)-AIW66
John Danter	SC(3)-AIW67
Louise Tully	SC(3)-AIW68
Neil Williams	SC(3)-AIW69
Craig Lunn	SC(3)-AIW70
Denise Marriott	SC(3)-AIW71
ProAdventure Ltd	SC(3)-AIW72
Michael Moxon	SC(3)-AIW73
Dean C Holland	SC(3)-AIW74

Bob Llewelyn	SC(3)-AIW75
Plas Pencelli Outdoor Education Centre	SC(3)-AIW76
Matthew Bishop	SC(3)-AIW77
Surf-Lines Ltd	SC(3)-AIW78
Stephen Banks	SC(3)-AIW79
Will Smith	SC(3)-AIW80
Steven Mackay	SC(3)-AIW81
Spike Green	SC(3)-AIW82
Graham Burns	SC(3)-AIW83
Richard Witheridge	SC(3)-AIW84
Bruce Roberts	SC(3)-AIW85
Angus Myles	SC(3)-AIW86
Tim Lambert	SC(3)-AIW87
Ray Hind	SC(3)-AIW88
Eifion Jenkins	SC(3)-AIW89
Tim Limon	SC(3)-AIW90
James Pullen	SC(3)-AIW91
Gareth Thomson	SC(3)-AIW92
Basingstoke Canal Canoe Club	SC(3)-AIW93
Tony Bostock/ Brian Rooney	SC(3)-AIW94
Dr Andy Williams	SC(3)-AIW95
David Evans	SC(3)-AIW96
Nick Bates	SC(3)-AIW97
Richard Froud	SC(3)-AIW98

Richard Townsend	SC(3)-AIW99
Richard Andrews	SC(3)-AIW100
Anita Adam	SC(3)-AIW101
Stuart Teal	SC(3)-AIW102
Stuart Fisher	SC(3)-AIW103
William J Lawrence	SC(3)-AIW104
Iain Porter	SC(3)-AIW105
Eifion Morgan	SC(3)-AIW106
Carmarthenshire Fishermen's Federation	SC(3)-AIW107
Philip Woodhead	SC(3)-AIW108
Vivienne Archer	SC(3)-AIW109
Simon Allfree	SC(3)-AIW110
Jonathan Sykes	SC(3)-AIW111
Peter Harrod	SC(3)-AIW112
Lynne Medlock	SC(3)-AIW113
Hugh Woods	SC(3)-AIW114
Phil Hadley	SC(3)-AIW115
Mark Hobley	SC(3)-AIW116
Jason Ratchford	SC(3)-AIW117
Joe Casey	SC(3)-AIW118
Andy Shan	SC(3)-AIW119
Crickhowell Fishing Club	SC(3)-AIW120
Frances Bateman	SC(3)-AIW121
Ian Campbell	SC(3)-AIW122

Rhys Park	SC(3)-AIW123
Mark Brockway	SC(3)-AIW124
Carolyn Bird	SC(3)-AIW125
Huw Evans	SC(3)-AIW126
Betty Lee	SC(3)-AIW127
Sean Taylor	SC(3)-AIW128
Llangollen Angling Club	SC(3)-AIW129
Anonymous	SC(3)-AIW130
John Bell	SC(3)-AIW131
Rebecca Good	SC(3)-AIW132
Colin Asquith	SC(3)-AIW133
Nona Thomas	SC(3)-AIW134
John DW Cox	SC(3)-AIW135
Andy Walters	SC(3)-AIW136
Gino & Janice Vasami	SC(3)-AIW137
Max Coventry/ Tony Bostock	SC(3)-AIW138
The Federation of Clwyd Angling Clubs	SC(3)-AIW139
Ray & Christine Prince, Robert, Lynn, Huw & Rhys Davies	SC(3)-AIW140
Dr Rebecca Cadbury	SC(3)-AIW141
Wilhemina Wilson	SC(3)-AIW142
Peter Huntington	SC(3)-AIW143
Stephen Gale	SC(3)-AIW144
Chris Porteous	SC(3)-AIW145

Neil Farmer	SC(3)-AIW146
Gavin Bailey	SC(3)-AIW147
Kerr Sinclair	SC(3)-AIW148
Welsh Salmon and Trout Angling Association	SC(3)-AIW149
Ruari Fangman	SC(3)-AIW150
DR D.T. Roscoe	SC(3)-AIW151
Anonymous	SC(3)-AIW152
Edward Fitzwilliams	SC(3)-AIW153
Rhyl & St Asaph Angling Association	SC(3)-AIW154
Mark Benson	SC(3)-AIW155
R. Jones	SC(3)-AIW156
Upper Dee Angling Federation	SC(3)-AIW157
Canoeists	SC(3)-AIW158
J.K. Heminsley	SC(3)-AIW159
Harry Chichester	SC(3)-AIW160
T J Rosselli	SC(3)-AIW161
Ross-on-Wye Angling Club	SC(3)-AIW162
Alan Francis Sanders	SC(3)-AIW163
Ribble Fisheries Consultative Association	SC(3)-AIW164
Adrian Cooper	SC(3)-AIW165
Paul Fernee	SC(3)-AIW166
Michael Stirk	SC(3)-AIW167
Sam Wort	SC(3)-AIW168
Dr Alan Edwards	SC(3)-AIW169

R J Foulkes	SC(3)-AIW170
Owain Rowley - Conwy	SC(3)-AIW171
Dr Richard M Lucas	SC(3)-AIW172
Hugh, Priscilla, Ben and Joanna Llewelyn	SC(3)-AIW173
Llandysul Angling Association	SC(3)-AIW174
Ron Miers	SC(3)-AIW175
Prysor Angling Association	SC(3)-AIW176
Dolgellau Angling Association	SC(3)-AIW177
Hoylake Fisheries	SC(3)-AIW178
B.P.M. Rooney	SC(3)-AIW179
Rhayader & Elan Valley Angling Association	SC(3)-AIW180
Maelor Angling Limited	SC(3)-AIW181
Salmon & Trout Association	SC(3)-AIW182
Ian G Harmond	SC(3)-AIW183
Brian Moore	SC(3)-AIW184
Chris Beckley	SC(3)-AIW185
Andrew Darby	SC(3)-AIW186
Ffynnon Taf Angling Club	SC(3)-AIW187
Deb Barnes	SC(3)-AIW188
J A Mellis	SC(3)-AIW189
Seiont Gwyrfai and Llyfni Anglers Society	SC(3)-AIW190
Islwyn & District Anglers	SC(3)-AIW191
Ian Kitson	SC(3)-AIW192
Open Canoe Association	SC(3)-AIW193

Claire Rosselli	SC(3)-AIW194
Petronella Matson	SC(3)-AIW195
D A Morgan	SC(3)-AIW196
J A Mellis	SC(3)-AIW197
The National Trust Wales	SC(3)-AIW198
Campaign for the Protection of Welsh Fisheries	SC(3)-AIW199
Rod & Anna White	SC(3)-AIW200
Simon Morse	SC(3)-AIW201
Rev'd Douglas Caffyn	SC(3)-AIW202
Merthyr Tydfil Angling Association	SC(3)-AIW203
Guy Williams	SC(3)-AIW204
Chris Vian	SC(3)-AIW205
Clare Price	SC(3)-AIW206
Professor David Clough	SC(3)-AIW207
B Harrison	SC(3)-AIW208
Adam Harmer	SC(3)-AIW209
Ed Pethick	SC(3)-AIW210
Dwyryd Anglers	SC(3)-AIW211
Karl Midlane	SC(3)-AIW212
M I Holroyd	SC(3)-AIW213
N Earnshaw	SC(3)-AIW214
David Tiddy	SC(3)-AIW215
Emma Aldridge	SC(3)-AIW216

Mike Butters	SC(3)-AIW217
Paul Hopwood	SC(3)-AIW218
John Morgan	SC(3)-AIW219
Crickhowell District Angling Society	SC(3)-AIW220
C.Weeks	SC(3)-AIW221
Mark Laird	SC(3)-AIW222
Gereint Mortimer	SC(3)-AIW223
Wye and Usk Foundation	SC(3)-AIW224
Norman Humphreys	SC(3)-AIW225
Lynn Hughes	SC(3)-AIW226
Joseph King	SC(3)-AIW227
Rachel Harvey	SC(3)-AIW228
Geoffrey Southall	SC(3)-AIW229
Welsh Wild Swimmers	SC(3)-AIW230
Imperial College Canoe Club	SC(3)-AIW231
Peter Hayes	SC(3)-AIW232
Bob Walker	SC(3)-AIW233
Cowbridge & District Angling Club	SC(3)-AIW234
John Philips	SC(3)-AIW235
Ffynnon Taf Angling Club	SC(3)-AIW236
Richard Garland	SC(3)-AIW237
Teifi Trout Association	SC(3)-AIW238
Michael Seager	SC(3)-AIW239
Neil Andrews	SC(3)-AIW240

Tim Burne	SC(3)-AIW241
Ian McDonald	SC(3)-AIW242
Emeritus Professor P H Leng	SC(3)-AIW243
Garw Valley Fishing Association	SC(3)-AIW244
John Lewis	SC(3)-AIW245
Gwaun Cae Gurwen Angling Association	SC(3)-AIW246
Rossett and Gresford Flyfishers Club	SC(3)-AIW247
Teifi Trout Association	SC(3)-AIW248
T S Dallaghan	SC(3)-AIW249
Patrick John Tiddy	SC(3)-AIW250
R. Jones	SC(3)-AIW251
Brian Bury	SC(3)-AIW252
Robert Dubsky	SC(3)-AIW253
The New Dovey Fishery Association	SC(3)-AIW254
Cefni Angling Association	SC(3)-AIW255
Llandovery Angling Association	SC(3)-AIW256
Llandysul Angling Association	SC(3)-AIW257
Nigel Collis	SC(3)-AIW258
The Welsh Rivers Preservation Society	SC(3)-AIW259
Lowri Taylor	SC(3)-AIW260
The United Usk Fishermens Association	SC(3)-AIW261
Hugh Waller	SC(3)-AIW262
P.N. Nash	SC(3)-AIW263
Paul Thomas	SC(3)-AIW264

Peter Wilkins	SC(3)-AIW265
Brian Powell	SC(3)-AIW266
Mike Mayberry	SC(3)-AIW267
John Pette	SC(3)-AIW268
The Trustees of the Dolanog Estate Trust	SC(3)-AIW269
Charles Scola	SC(3)-AIW270
Andy Turner	SC(3)-AIW271
Snowdonia Society	SC(3)-AIW272
Lee Evans	SC(3)-AIW273
C.D. Coxwell	SC(3)-AIW274
T.E.L. Jones	SC(3)-AIW275
Trewern Outdoor Education Centre	SC(3)-AIW276
Paul King	SC(3)-AIW277
Alan Johnson	SC(3)-AIW278
Mark Yorke	SC(3)-AIW279
David Jones Powell	SC(3)-AIW280
D. Eric Davies	SC(3)-AIW281
Susan Digges La Touche (Dr.)	SC(3)-AIW282
Kevin Jackson	SC(3)-AIW283
Lloyd Allin	SC(3)-AIW284
Jonathan Bradley	SC(3)-AIW285
Doug Matthews	SC(3)-AIW286
Peter Medlicott	SC(3)-AIW287
White Water Consultancy	SC(3)-AIW288

Nat Hone	SC(3)-AIW289
Welsh Salmon and Trout Angling Association	SC(3)-AIW290
The Conwy Valley Fisheries & Conservation Association	SC(3)-AIW291
David A Thompson	SC(3)-AIW292
Dr AW Pattullo	SC(3)-AIW293
Bryan Llewelyn Loyd Jones	SC(3)-AIW294
Ian Tordoff	SC(3)-AIW295
Tony Godbert	SC(3)-AIW296
Andy Wilson	SC(3)-AIW297
Matt Oseman	SC(3)-AIW298
Gareth Digges La Touche	SC(3)-AIW299
Narberth Canoe Club	SC(3)-AIW300
Nathan Pearce	SC(3)-AIW301
Dr Steven Penfield	SC(3)-AIW302
Elaine Meider	SC(3)-AIW303
Ian Patterson	SC(3)-AIW304
Bangor University Canoe Club	SC(3)-AIW305
Colin Chapman	SC(3)-AIW306
Alan Tomsett	SC(3)-AIW307
Geoff Hemus	SC(3)-AIW308
David Evans	SC(3)-AIW309
Chris Bolton	SC(3)-AIW310
Moya Neale	SC(3)-AIW311

Katie Fisher	SC(3)-AIW312
Katie Fisher-Annex 1	SC(3)-AIW312
Katie Fisher-Annex 2	SC(3)-AIW312
Owen Struthers	SC(3)-AIW313
Gerallt Griffith.	SC(3)-AIW314
E. Rimmer	SC(3)-AIW315
Anthony Collins	SC(3)-AIW316
Craig Pritchard	SC(3)-AIW317
Stephen Marks	SC(3)-AIW318
M.R.Buckley-Jones	SC(3)-AIW319
Countryside Alliance	SC(3)-AIW320
Martin Doyle	SC(3)-AIW321
Robert Wheatcroft	SC(3)-AIW322
Diane Whittingham	SC(3)-AIW323
Mike Leggett	SC(3)-AIW324
Jean Perraton	SC(3)-AIW325
Mick Clark	SC(3)-AIW326
Peter Burnsall	SC(3)-AIW327
Lee Watts	SC(3)-AIW328
Bob Mackay	SC(3)-AIW329
Tim Jarvis	SC(3)-AIW330
Paul Edlington	SC(3)-AIW331
John Penman	SC(3)-AIW332
John Hewitt	SC(3)-AIW333

Rohan Barker	SC(3)-AIW334
Welshpool Canoe Club	SC(3)-AIW335
R E Yorke (Dr)	SC(3)-AIW336
Noel Eaton	SC(3)-AIW337
James Russel	SC(3)-AIW338
Pam Bell (Amended)	SC(3)-AIW339
Alex Yorke	SC(3)-AIW340
Steve Brooks	SC(3)-AIW341
Pete Searle	SC(3)-AIW342
British Waterways	SC(3)-AIW343
Steve Davies	SC(3)-AIW344
Jules Hoult	SC(3)-AIW345
M J Donohue	SC(3)-AIW346
Tom Parker	SC(3)-AIW347
Peter Bamford	SC(3)-AIW348
Ogmore Angling Association	SC(3)-AIW349
Country Land & Business Association Ltd	SC(3)-AIW350a
Country Land & Business Association Ltd	SC(3)-AIW350b
Country Land & Business Association Ltd	SC(3)-AIW350c
Andrew Spittle	SC(3)-AIW351
Roger Cooper	SC(3)-AIW352
Mark Goddard	SC(3)-AIW353
James Gordon	SC(3)-AIW354
Bill Gray	SC(3)-AIW355

G Davies	SC(3)-AIW356
Robert Neil Matthias	SC(3)-AIW357
Ross Taylor	SC(3)-AIW358
Bucks. County Scout Canoe Club	SC(3)-AIW359
Sports Council for Wales	SC(3)-AIW360
John Taylor	SC(3)-AIW361
Canoe Camping Club	SC(3)-AIW362
Ian Mills	SC(3)-AIW363
The UK Rivers Guidebook	SC(3)-AIW364
Caerphilly County Borough Council	SC(3)-AIW365
Frank Faulkner	SC(3)-AIW366
George Pickup	SC(3)-AIW367
Rob Bourn	SC(3)-AIW368
Charles Hopkinson	SC(3)-AIW369
Neill Morrison	SC(3)-AIW370
Andrew Quick (Mold Canoe Club)	SC(3)-AIW371
Edwyn Lewis, Chairman, Welsh Salmon and Trout Angling Association	SC(3)-AIW372
Paul Thomas	SC(3)-AIW373
John Norris	SC(3)-AIW374
Ms O Hardwick & Mr J V Bradshaw, Llyn-y-Fan Hatchery	SC(3)-AIW375
Andrew Rowbottom	SC(3)-AIW376
C H Williams	SC(3)-AIW377

John Bagby	SC(3)-AIW378
Dewi Roberts	SC(3)-AIW379
G.T.Owain-Ashbrook	SC(3)-AIW380
Rob Pickering	SC(3)-AIW381
Keith Day	SC(3)-AIW382
Enfys Howells, Abergwili Angling Club	SC(3)-AIW383
Julie Morgan	SC(3)-AIW384
Rev'd Allan Smith FRSA	SC(3)-AIW385
Kathryn Warren	SC(3)-AIW386
Prince Albert Angling Society	SC(3)-AIW387
Chris Stephens	SC(3)-AIW388
Heather Rainsley	SC(3)-AIW389
Emma Moonlight	SC(3)-AIW390
Rhodri Anderson	SC(3)-AIW391
David Ingerslev	SC(3)-AIW392
Nigel S Ayers	SC(3)-AIW393
C J Jenner	SC(3)-AIW394
Katrina James	SC(3)-AIW395
Alan Greenhalgh	SC(3)-AIW396
Greg Pycroft, Welsh Policy Officer - Welsh Association of National Park Authorities	SC(3)-AIW397
Jennifer Roberts	SC(3)-AIW398
Mike Elias.	SC(3)-AIW399
Merthyr Tydfil Angling Association	SC(3)-AIW400

Dave Addis	SC(3)-AIW401
C Evans	SC(3)-AIW402
Liam Roseblade	SC(3)-AIW403
Phillip Thomas, Cardiff Canoe Club	SC(3)-AIW404
Jonathan Williams	SC(3)-AIW405
Jonathan Williams	SC(3)-AIW405a
Jonathan Williams	SC(3)-AIW405b
Kevin East, Canoe England	SC(3)-AIW406
Graham Stradling	SC(3)-AIW407
Ezra Watts	SC(3)-AIW408
Sarah Houle	SC(3)-AIW409
Steve Maskell	SC(3)-AIW410
Martin Bloomer	SC(3)-AIW411
John Tomlinson, President of Birmingham University Kayak Club	SC(3)-AIW412
Steve Maskell	SC(3)-AIW413
Mike Clark	SC(3)-AIW414
Chris & Sue Pierce	SC(3)-AIW415
Andrew Thomas	SC(3)-AIW416
Alfred Pope, Wye and Usk Foundation Trustee	SC(3)-AIW417
John Hicks	SC(3)-AIW418
Robert Melvin, Dan-y-Parc Fishery	SC(3)-AIW419
The Carmarthenshire Rivers Trust	SC(3)-AIW420

The Carmarthenshire Rivers Trust	SC(3)-AIW420a
Sandra P Bishop	SC(3)-AIW421
David Addis	SC(3)-AIW422
Louise Beetlestone	SC(3)-AIW423
Geraint Anderson	SC(3)-AIW424
Nathanael Rice	SC(3)-AIW425
Andrew Boothman	SC(3)-AIW426
Hazel Wheatley	SC(3)-AIW427
Suzanne Howell	SC(3)-AIW428
Michael Horswill	SC(3)-AIW429
the Outdoor Swimming Society	SC(3)-AIW430
Graham Wilford	SC(3)-AIW431
Alan Greenhalgh	SC(3)-AIW432
Farmers Union of Wales /Undeb Amaethwyr Cymru	SC(3)-AIW433
Nigel Braunton	SC(3)-AIW434
George Stephenson	SC(3)-AIW435
Mrs Astrid Inglis	SC(3)-AIW436
Llain Activity Centre	SC(3)-AIW437
D M Rees	SC(3)-AIW438
Kathy Lewis	SC(3)-AIW439
Anonymous	SC(3)-AIW440
Stuart Fullwood	SC(3)-AIW441
Crickhowell and District Angling Society	SC(3)-AIW442

Anonymous	SC(3)-AIW443
Anonymous	SC(3)-AIW444
Lord Rowlands CBE	SC(3)-AIW445
Clive Easton	SC(3)-AIW446
The New Dovey Fishery Association	SC(3)-AIW447
Lembit Opik MP	SC(3)-AIW448
Max Coventry	SC(3)-AIW449
Anonymous	SC(3)-AIW450
Alan Lewis	SC(3)-AIW451
John Coombs	SC(3)-AIW452
Dr John Elfed Jones, CBE, D.L	SC(3)-AIW453
Myddleton Angling Club	SC(3)-AIW454
DD Mathews	SC(3)-AIW455
John Seel	SC(3)-AIW456
Max Coventry	SC(3)-AIW457
Vice Admiral Sir Iwan Raikes KCB, CBE, DSC, D.L	SC(3)-AIW458
RFCA Calder Catchment Group	SC(3)-AIW459
Usk Town Water Fishery Association	SC(3)-AIW460
Lee Watts	SC(3)-AIW461
Crickhowell and District Angling Society	SC(3)-AIW462
Andrew Smith	SC(3)-AIW464
Peter Medlicott	SC(3)-AIW465
John R Anthony	SC(3)-AIW466

John Ross - JoneS	SC(3)-AIW467
Max Coventry	SC(3)-AIW468
Osprey Fly Fisher's Association (Incorporating Pontypridd and District Angling Society)	SC(3)-AIW469
Mark Ryan	SC(3)-AIW470
Glaslyn Angling Association	SC(3)-AIW471
A Furley	SC(3)-AIW472
R S L Price	SC(3)-AIW473
Angling Trust	SC(3)-AIW474
Clwb Godre'r Mynydd Du	SC(3)-AIW475
Michael Devancey	SC(3)-AIW476
Afan Valley Angling Club	SC(3)-AIW477
Mr P K Jones	SC(3)-AIW478
Lawrence Jones	SC(3)-AIW479
Andrew Budden	SC(3)-AIW480
Eurig Davies	SC(3)-AIW481
John Baylis	SC(3)-AIW482
D Emyr Jenkins	SC(3)-AIW483
Paul Hughes	SC(3)-AIW484
National Farmers Union Cymru	SC(3)AIW485
Jonathan Williams	SC(3)AIW486
Pontardawe and Swansea Angling Society	SC(3)AIW487
Andrew Peate	SC(3)AIW488

Gary Owain-Ashbrook	SC(3)AIW489
Denbigh and Clwyd Angling Club	SC(3)AIW490
Snowdonia National Park	SC(3)AIW491