

ACCESS & environment

Threat not just to boaters

Canal operators have been required to apply for water abstraction licences since 2017, prior to that being permitted to borrow whatever was needed to run canals. CRT has had to submit some 150 licence applications, each taking about half a day to prepare with no certainty of acceptance. One of the most seriously threatened is the Monmouthshire & Brecon Canal which could lose up to 90% of its supply, to be restored at exorbitant cost at a time when already reeling from slashing of its Government grant. The result is likely to be closing down of the canal during the height of the tourist season with knock on effects for tourist businesses, boat hire, accommodation and a cascade of damage to local services which rely on income from tourists. Reduced water in the canal will adversely affect wildlife, fish and the structural integrity of this canal, which already suffers from breaches as a result of the difficult geology. An appeal by CRT has already been lost, to the delight of Afonydd Cymru, whose sole interest seems to be having plenty of water in the River Usk, from which the canal is supplied at Brecon, to support the declining numbers of salmon which anglers want to catch. Although use of locks is a prime requirement for canal water, even canoeists who portage will have problems. An online petition to the Welsh Government needed to collect 10,000 signatures to initiate a debate. It reached 13,000 before Easter so a debate should now go ahead. The problem could be avoided by refunding the charge when the water is returned to the river.

Access questions increasing

Our MP until the General Election, James Gray (Con), wanted to see a reduction in the number of public footpaths, including objection to aspects of the English coastal path, and did not want to see improvement in the river access situation. He was on record as saying that Martin Salter, the MP most vehemently opposed to canoeing, was welcome in the constituency.

Like so many others, Gray was ousted at the General Election and was replaced by Dr Roz Savage (LD), whose major claim to fame has been rowing solo across



The UK and Welsh Governments have set up a £1,000,000 fund to investigate why the Wye is getting dirtier and wildlife declining. Farmers, environmental groups and citizen scientists will play a part in evidence gathering. Although there is no mention of recreational use of the river, a Welsh Government news release is headed by a picture including what could be a canoe on the river.

Q Asked by **Gareth Thomas** (Harrow West) Asked on: 15 June 2020
Department for Environment, Food and Rural Affairs C 59339

Rivers: Boats

To ask the Secretary of State for **Environment**, Food and Rural Affairs, under which statutes are users of small craft restricted from any Common Law rights to navigate freely the inland rivers of England and Wales.

A Answered by: **Rebecca Pow** Answered on: 23 June 2020

Those seeking to navigate inland rivers for recreational purposes where there is no navigation authority should establish that they have a legal right to do so, either through voluntary agreement with riparian landowners or otherwise.

Q Asked by **Gareth Thomas** (Harrow West) Asked on: 29 June 2020
Department for Environment, Food and Rural Affairs C 65901

Rivers: Boats

To ask the Secretary of State for **Environment**, Food and Rural Affairs, pursuant to the Answer of 23 June 2020 to Question 59339, whether there is not a statute or other legal restriction which inhibits the common law rights to navigate freely the inland rivers of England and Wales.

A Answered by: **Rebecca Pow** Answered on: 07 July 2020

It is not the Government's role to offer advice on such legal matters, and only the courts can determine whether a public right of navigation exists on a particular stretch of river.

My answer of 23 June 2020, to which the Hon. Member refers, sets out the current position with regards to navigation of inland rivers for recreational purposes where there is no navigation authority.

Question



Michael Fabricant

Conservative

Lichfield

Commons

To ask the Secretary of State for Environment, Food and Rural Affairs, with reference to the guidance for riparian owners published by the Environment Agency entitled *Living on the Edge*, what the legal basis is for the statement in that guide that there is no public right of navigation on most non-tidal watercourses.

[Hide full question](#)

Answer



Rebecca Pow

Conservative

Taunton Deane

Commons

Answered on

2 March 2021

The legal position is complex. It is the Government's view that those seeking to navigate inland rivers for recreational purposes where there is no navigation authority should establish that they have a legal right to do so, either through voluntary agreement with riparian landowners or otherwise.

the Atlantic, Pacific and Indian oceans. Her attitude to small boats is very different from his.

In the past we have had to go outside the constituency to put questions, policy not approved, and have received assistance from Gareth Thomas (Lab) and Michael Fabricant (Con), in particular, to get Parliamentary questions put and have been aware of Caroline Lucas

Some answers to questions put for us in the past. Compare the wording with the words offered by the current Government on the following pages.