

Question



Lord Browne of Ladyton

Labour

Life peer



To ask His Majesty's Government what assessment they have made of the merits of the Land Reform (Scotland) Act 2003, and the viability of introducing similar provisions for England.

Answer



Lord Benyon

Conservative

Life peer



Answered on

10 April 2024

With regard to access to the countryside, England has a comprehensive network of public rights of way and the public has the 'right to roam' over many areas of wild, open countryside. The Countryside and Rights of Way Act 2000 currently provides the public with a right of access to areas of mountain, moor, heath, down, registered common land and coastal margin in England. There are no plans to change this.

The Government recognises the importance of providing access to the outdoors for people's health and wellbeing and is committed to ensure that everyone lives within 15 minutes' walk of a green or blue space. As part of this we are completing work on the 2,700 mile King Charles III England Coast Path, and delivering the £16m Access for All programme across our protected landscapes, national trails, forests and the wider countryside to make access to green and blue spaces more inclusive.

Oxford flood scheme opposed

The EA's £175,000,000 flood relief channel proposal for Oxford (Nov, p14), 5km long and 60m wide, removing 4,000 trees, lowering ground to create 20ha of new wetland and 16ha of floodplain, has been opposed by those who think it overengineered. Hinksey & Osney Environmental Group petitioned for dredging of existing watercourses before giving any permissions which would spoil 54ha of Greenbelt and require 500,000t of sand and gravel to be brought in by lorry. They called for the clearing of rivers and streams that have not been maintained for 40 years and unblocking the floodplain outlet near the old Abingdon road before deciding whether any further action is required. A five week public inquiry took place.

'We all recognize the benefits of being *near* water and appreciating nature - and, goodness me, we all need to get a little bit more active' (our italics in each case). So says the Minister for carrying the can for preventing it.

Varied fish passes

More fish passes are being installed as part of Great Yorkshire Rivers to allow fish to reach rivers that they have not been able to reach for centuries, if at all. None of them are combined canoe chutes/fish passes as they would be on the Continent. Security fences are still being placed where they block use of rescue throwlines for canoeists or anyone else trapped in the water below weirs.

There are three on the Don. Niagara Weir in Sheffield now has a canoe portage route in place of the previous simple portage area. Fish passes are also being installed at Stocksbridge and Cheesebottom Weir, Thurgoland.

A fish pass is also being installed at Meadowgate in the Rother Valley Country Park. A rock ramp has been installed at Watson Mill in Sowerby Bridge and a weir has been removed from the Black Brook at Bowers Mill near Huddersfield.

The removal of four dams from Oregon's Klamath River is the world's largest such exercise at a time when removing dams is running at nearly 100 per year in the USA and increasing. This is reverting from reservoirs to the original free flowing rapids and giving long continuous runs. The problem this is throwing up is that water is uncontrolled once again. You go when it is there and that is frequently in the spring when the weather can be cold, a situation similar to the Alps, Himalaya or many other parts of the world. Later in the summer flows can be low. This contrasts with the former situation when canoeists could take runs on reliable white water in warm weather but these were shorter runs between dams. Hardest hit have been outfitters offering customers packages with enjoyable day trips or shorter.

Loss of public footpaths

The Countryside & Rights of Way Act 2000 proposed deleting any public rights of way in England that had not been registered before 2026. That date has now been moved to the end of 2030 but is thought to include 66,000km of paths, often used by canoeists to reach rivers. There is a backlog of 10,000 footpaths waiting for registration, some for as long as 20 years, and no resources to be made available for registration and the inevitable buildup as the deadline looms. A debate in the Lords was almost totally opposed to the process with many probing questions, including why there needed to be any deadline at all. Defending the process was Lord Benyon, who has been one of those most opposed in recent years to river access for canoeists.

In answer to Julian Knight (Solihull, Ind) on another occasion Rebecca Pow stated that there had been 21 appeals in 2023/4 for modifications to the footpath planning map with 19 decisions announced.

Bathing water quality

Bathing water quality at official locations has been recorded as Excellent, the highest grade, at 80 of 109 Welsh locations tested in 2023. This includes Tenby North and Aberdyfi, each up a grade. Two newly designated bathing locations were recorded as Poor.

In Scotland 84% of bathing waters were Good or Excellent, 98% reaching Sufficient.

Britain has a pitifully small number of official inland water bathing sites. The Government invite further applications. However, there were only 16 of these in 2022, of which two on Rutland Water, one at Waldringfield on the tidal River Deben and Frestone Bay in Plymouth Sound were approved. The others were rejected. Thirty applications were made from January 2023 to February 2024. For a site to be accepted it must have at least 100 bathers per day during the Bathing Season, May 15th-Sep 30th, to be proved by two surveys during the season, and there must be toilet facilities within 500m of the site. If you want a quiet swim these are not places to go.

The university rowing Boat Race event drew further attention to sewage discharges into rivers, increasing as populations increase. As well as rowers being sick, they were told to forgo the usual practice of throwing coxes in after the races.

And I quote...

'My hon Friend made the point that green finance, flooding and climate change are split between portfolios. However, I want to reassure him that all Ministers in the Department work closely together. There is no silo mentality in Defra' claimed Parliamentary Under-Secretary of State for Environment, Food & Rural Affairs Robbie Moore. Our Nov 2021 issue, p13, shows three scrappy bits of paper that Defra said was the sum total of what they knew about the legal situation on river access. This was in answer to our Freedom of Information request to Defra, for which a reply was required legally, the basis for their policy adversely affecting millions of members of the public over a number of decades. The EA are part of Defra.

Access islands

While 8% of England is designated as Open Country, open to the public, this includes 27km² of land which cannot be reached without crossing private land. The Country Landowner Association's president, Victoria Vynyard, said that walkers already had enough land they could use and that they should not cross anywhere private.

In canoeing we have seen places where a public footpath runs along the top of a riverbank above tidal water but a landowner has tried to stop canoeists from stepping from one to the other to launch because he owns the intermediate bank, such as at Bigsweir on the River Wye.