Managing recreation on inland waters – a review of approaches

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Overview

Two issues:

1. Access to water – ownership and use
   rights

2. Management
   of users

Providing access to water: ownership and use rights

Traditional rights of use and access

- The European situation
- Wales

Statutory rights of use and access

- Alternative approaches

Creating rights of access: Statutory rights of navigation

Strengths	Weaknesses
• Clarifies the legal position of users	• Opposition from
• Avoids extensive negotiation with multiple landowners	• landowner and fishing interests
• Potential on public land	• Does not provide physical access to water
• Potential for time limited rights	• May not deliver what canoeists want
	• Increased bureaucracy
	• Many stretches of river already being used

Creating rights of access: Land reform

Strengths	Weaknesses
• Improves current situation for landowners	• Requires legislative change
• Clarifies responsibilities of users	• Requires a code of conduct
• Contributes to 'Climb Higher' aims	• Does not solve access problems
• Influence behaviour – lead to enhancement of countryside	• May result in more fencing of rivers
	• Potentially strong landowner opposition

Creating rights of access: Dedication of land

Strengths	Weaknesses
• Landowner has some control over activities	• Very few benefits to landowner
• Landowner absolved of liability	• Potentially expensive
• Some potential on public land	• May be conflict where fishing rights sold/leased
• Could be used to target 'hot spots'	• 'patchwork' approach

Creating rights of access: Statutory access agreements

Strengths	Weaknesses
• Local authorities could designate specific areas • Allows for enforcement • Potential for addressing specific sites or 'hot spots' of activity	• 1949 Act access agreements require compensation • Resource intensive – only capable of addressing one river or section of a river at a time • Local authorities lack resources

Creating rights of access: Water access agreements

Strengths	Weaknesses
• Can be tailored to specific areas	• Requires locally respected negotiator
• Can be negotiated at a local level	• Short term agreements create uncertainty, do not encourage investment
• Longer term agreements can deliver benefits to owners and users	• Large numbers of riparian owners
• Approach works well in the mountaineering community	• Lack of trust between interests

Management of users: zoning

- Time zoning
  - Protect sensitive areas
  - Prevent user conflicts
  - May increase participation

- Area zoning
  - Protect sensitive sites
  - Separates users
  - Requires active enforcement
  - Clarifies uses in each area

Management of users: canoe trails

- Provides a focus for local partnerships
- Manage conflicts
- Manage sensitive sites
- Inform and educate the public
- Marketing likely to increase participation
- Can be designed at different skill levels
- Potential for local economic development

Management of users: permits

- Control number of users
- Conflict management
- Potential for appeals process where conflicts occur
- May discourage users
- Requires national approach
- Requires enforcement or 'self-policing'

Management of users: fees and licences

- Support for restoration/improvement programmes
- Can pay for ranger/policing services
- Fee structure can be adjusted to favour certain activities/groups
- Licence/registration enables problem users to be identified
- Need to provide 'value for money'

Management of users: management planning

- Enables partnership work
- Improves communication between interests
- Recreation incorporated into more holistic management plans
- Can deal with conflict from local to catchment level

Discussion

- **Rights and access**
  - Potential to create a unique and innovative approach for Wales
  - Rights of use are limited without access
  - Institutional framework is important

- **Managing users**
  - One approach will not work everywhere
  - Requires a 'tool-box' of techniques
  - National/local/catchment options exist