



## SUSTAINABILITY COMMITTEE INQUIRY INTO ACCESS TO INLAND WATER IN WALES – EVIDENCE FROM FORESTRY COMMISSION WALES

In 2007 the Welsh Assembly Government (WAG) made funding available to Forestry Commission Wales (FCW) and the Countryside Council for Wales (CCW) to implement a number of exemplar projects designed to explore improvements in access to inland water in Wales.

The Mawddach catchment, north of Dolgellau in the Snowdonia National Park was identified as one such suitable pilot area and in August 2007, FCW commissioned Snowdonia-Active (S-A) to undertake a project based in the Mawddach catchment that had two key objectives:

1. To develop opportunities for water based recreation for the Mawddach Catchment, North Wales;
2. To develop a toolkit planning process for the development of opportunities for water based recreation, to enable others to assess and facilitate opportunities where appropriate.

CCW provided funding for the project and FCW agreed to manage it. The work was put out to tender and an inception meeting was held on the 3<sup>rd</sup> September 2007 with the successful consultants; Snowdonia Active. The inception report contains a list of the required outputs of the project and recognised its contribution to a series of similar exemplar projects.

The Mawddach river catchment area was selected, on the basis that it:

- Provides a range of different land ownership areas, including a substantial area of Forestry Commission managed land (Coed y Brenin); short sections in private land ownership (above and below the forest); and an extensive estuary (down to Barmouth)
- Offers potential opportunities for a range of different abilities from white water experts (on Grade V river sections) to intermediates (on Grade II to III sections) and beginners and families (flat water tidal estuary)
- The whole river is has been designated as a SSSI
- Already has a wide range of facilities along the length of the river system, including parking, access tracks, and campsites
- Has a range of existing uses, including angling, unauthorised canoeing, off-road cycling and mountain biking, and walking.

The following outcomes were specified for the project:

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1. An increase in opportunities for water-based recreation
2. A robust management system that the Forestry Commission/public sector bodies can adopt and replicate on other sites.
3. An evaluation report on the process and impacts, that can be used to inform other public and voluntary bodies along with private sector landowners
4. Practical guidance notes for land owners / managers on implementation that can be used to inform the delivery of opportunities identified in the Environment Agency Wales' Strategic Plan for Water-based Sport and Recreation

Four steering group meetings were held between October 2007 and October 2008 to discuss this work but early in the life of the project there were two areas that were found to seriously hamper the work of the project:

Firstly there were difficulties with the organisations controlling the fishing rights throughout most of the catchment. They were simply not prepared to compromise what they saw as their right to exclusive use of the river. They made this clear and refused to co-operate and then to communicate.

Secondly, there were difficulties in securing the provision of species data and these were compounded with a lack of communication about the project and its aims within CCW. However, after some work CCW did produce the required information. Seeking to reach agreement on the level of water required in different locations to facilitate access without impacting on the conservation value was not progressed.

Given the intransigence of the anglers and the need to close this piece of work this project did not proceed any further and the final report from Snowdonia Active was signed off in March 2009. However, only the Executive Summary was suitable for general release. This is attached as an Appendix to this paper.

The majority of the material presented by Snowdonia Active takes the form of a draft report containing confidential species data and records of phone conversations, and meetings which given their content was not considered suitable for wider publication.

There is some concern that some of the original outcomes were not realised by this piece of work, for example:

- there has been no increase in opportunities for water-based recreation as has clearly been the case for the other exemplars;
- there is no management system that anyone can adopt and replicate on their sites. However, there is a tool-kit approach outlined as a means to agreeing management prescriptions to enable and manage access and along with the guidance notes these do go some way to inform the delivery of the EA's Strategic plan for Water-based recreation.

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- there is some analysis of the process, but given the lack of a finalised management system, its impacts have not been able to be analysed; and

## Conclusions

### **From a Forestry Commission Wales perspective several important lessons emerged:-**

1. Access to water is a complicated issue. Angling rights do not generally align with those of land ownership and might be let or reserved to previous owners. In only exceptional circumstance does the right to fish rest exclusively with those who are able to permit access to the riverbank.
2. In the absence of legislation (such as the Scottish Land Reform Act) voluntary access agreements are unlikely to be widely accepted. Anglers are unlikely to relinquish what they see as their exclusive right to dictate what activities can take place on the water.
3. Conservation issues are important to consider when creating access to water. However, the relevant species information can be made available (though not without some costs) and based on experience elsewhere it is usually possible to devise a management system that can accommodate these. There is no empirical evidence to prove that that paddle-sport access is detrimental to conservation value.
4. The Mawddach exemplar project has clearly demonstrated that by developing, agreeing and applying appropriate management and mitigation tools it is possible to address concerns over the potential damage caused by recreational activities in even the most environmentally sensitive sites in Wales.
5. The process identified and the toolkit produced as part of this project represent valuable outputs, which can be employed by land owners/managers to make informed decisions on whether they have the capacity to manage and promote sustainable opportunities for water based recreation.
6. Whilst land owners and managers may be willing to provide opportunities for sustainable water based recreation, they are compromised by the fact that they may not own, or have leased out, other property rights which prevent them from being able to move forward as they might wish. Being in the position of land manager brings with it few bonuses in the area of creating extra access to watercourses.
7. If water levels are to provide a credible, practical and workable solution for managing a wide range of recreational activities, a programme of infrastructure development and monitoring will need to be undertaken.

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8. WAG and its statutory bodies need to develop, capture and create mechanisms for sharing a scientifically robust understanding of the effects of different types of recreation on specific habitats and species within the riparian corridor. If this information is more widely understood, the process of developing water based recreation opportunities could be streamlined considerably.

In summary the project highlighted the importance of effective co-ordination and partnership working in the development of opportunities for water based recreation. Where these two elements were positively combined, in the shape of the Steering Group, a huge amount of value was added to the project. Where these two elements were lacking there were time and progress implications to the project. It is the reconciliation of differences that is key to increasing recreational opportunities.

**Forestry Commission Wales  
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