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Deputy Minister for Housing and Local Government.
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<Electronic copy only>

Dear Deputy Minister,

I am writing to you in my capacity as Chairman of the National Access Forum Wales, following the reporting of the Access to Water Sub-Group. I would like to take this opportunity to update you on the significant progress that has been made to meet the requirements set out in your Outline Policy Intent on Access to Inland Waterways of April 2019 and to seek advice as to how to proceed.

The Sub-Group's membership comprises the key stakeholders representing Land and Riparian ownership, The Rivers Trusts, as well as angling and paddle-sport (recreational and commercial) interests. The team has engaged openly and worked co-operatively to try to find a pragmatic solution for Wales. This has culminated in the members at their last meeting unanimously agreeing a model that would facilitate increased access to water.

Historically, access to water for paddlers has been negotiated through Voluntary Access Arrangements (VAA's). From the 1980's to date, numerous attempts were made to negotiate VAA's on more than 300 rivers in Wales; with a total of 14 agreements being made, of which only 7 remain today. The public sector has invested hundreds of thousands of pounds on various grants pilots and schemes, which unfortunately have not delivered the sustainable outputs desired. The nature of voluntary agreements, and the ability for their permissions to be altered or withdrawn at any time has not delivered the hoped-for sustained increase in access to water.

It is therefore very encouraging that the Sub-Group has agreed the following guiding principles to develop a new and sustainable model for shared river use:

1. Any model must be equitable to all vested interests and be sustainable, economically, socially and environmentally.
2. It should provide rights to both anglers and canoeists, but as far as possible avoid conflicting use.
3. All users should provide a financial contribution to maintain, improve and develop the resource.
4. All users should be subject to regulation in order to manage access, use and protection of the environment.
5. Land and riparian owners should receive a financial contribution for the use of their asset.
6. Liability should be removed from land and riparian owners.

A summary of the discussions and the progression of the group's work can be seen in the minutes. Whilst this is still work in progress, the Sub-Group members have asked me to formally request your considered response as to the acceptability and delivery of the following mechanisms necessary to deliver this new model.

1. A water payment, maybe as a component of the Rural Payment Scheme, recognising that "access to" and "use of" rivers lies in private riparian ownership. This "use" often having been sold or leased.
2. The reduction of land / riparian owner liability. One possible mechanism to achieve this could be the Welsh adoption of the Marine and Coastal Access Act with an extension to include inland waters.
3. The creation of a River Users Licence, with all users being required to have 3rd party liability insurance. A bye law to put this in place could be created under *Schedule 25(1) of the Water Resources Act 1991*). The proceeds derived would provide a financial contribution to maintain, improve and develop the rivers. This River Users Licence could be incorporated within Canoe Wales' membership, with members benefitting from both access to canals, 3rd party insurance and a river users / boat licence. For occasional users, a temporary River Users licence, including 3rd party insurance, could also be available in the same way as administered by the Canal and Rivers Trust.
<https://canalrivertrust.org.uk/enjoy-the-waterways/canoeing-and-kayaking/licensing-your-canoe>
4. Environmentally sustainable levels of use by canoeists may need to be set and regulated by enforceable bye-laws. This could be delivered via booked slots hosted on-line using an adaptation of the Anglers booking system, (www.fishpal.com).
5. The greater use of Welsh lakes and reservoirs for paddle sports. It is considered that with climate change and the resultant environmental pressure on rivers that Welsh lakes and reservoirs can provide an alternative recreational opportunity to reduce the demands on Welsh rivers. As such, the Sub-Group has requested that the Deputy Minister might write to Dwr Cymru inviting it to join the group.

Clearly next steps are contingent on your approval. With this, the Access to Water Sub-Group can proceed with this work. Next steps will include the piloting of this process model on one or more suitable river catchments, the results of which can be reported to you by March 2021.

A collaborative approach to delivering a novel, equitable and sustainable solution for shared and increased access to water in Wales has already demonstrated great value. It is, in my view, the only truly sustainable way of approaching this issue.

I look forward to your response.

Yours faithfully,



Howard Davies

Chairman, National Access Forum Wales