



**Canoe England response to:
National Assembly for Wales Sustainability Committee**

Inquiry into access to inland water in Wales

18 September 2009

Canoe Wales together with Canoe England, Canoe Association of Northern Ireland and the Scottish Canoe Association are the respective UK national bodies for canoeing. They form the British Canoe Union (BCU) that represents canoeing interests through coaching, competition and campaigning for increased access to Britain's waterways for canoeists.

The BCU represents the interests of all who go canoeing, including over 450 affiliated clubs and 145 approved centres. The vast majority do so under a watchful eye of one of the 11,000 BCU Qualified coaches or as part of an affiliated organization. Canoeing is a sport and recreation with Olympic disciplines that requires access to water as the natural resource for the pursuit.

Canoe England endorses the principle of rights to access inland waters with responsibilities to respect the environment and the activities of others; and recognises the Land Reform (Scotland) Act 2003 as an exemplar of suitable modern legislation. Scotland legislated to enshrine a public right to inland waters. Elsewhere in the world where there is an accepted right to inland waters.

The Canoe Wales submission to the Sustainability Committee to establish public rights to inland waters in Wales is fully supported by Canoe England.

The unsatisfactory degree of public rights and uncertainty of access to inland waters in Wales and England can be assessed by reference to:

“Water based sport and recreation: the facts”, University of Brighton that determined more than 96% of inland waters in England and Wales had disputed public rights. (Canoe England disagrees that there is not an unmet demand for access).

historic research by Douglas Caffyn “The Right of Navigation on Non-tidal Rivers and the Common Law”. This paper argues that in common law there is a public right on all non-tidal rivers.

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