

Ms Virginia Hawkins,
Clerk to the Committee,
Sustainability Committee,
Welsh Assembly,
Cardiff Bay,
Cardiff CF99 1NA

19 August 2009

Dear Sirs,

Access to Inland Water

Following the Welsh Canoeing Association's (WCA) efforts to persuade the Assembly to change the law to allow paddlers completely free and unfettered access to all rivers in Wales at all times of the year, I feel compelled to write with my thoughts opposing this campaign.

I mainly enjoy fishing on the Upper Wye and Usk. I enjoy fishing for both coarse and game fish.

As an angler and a citizen I understand and respect my legal rights when obtaining access to beats on these (and all other) rivers. Indeed, I know that unless you have the owner's permission, it is a trespass to go on a river above the tide which is in private ownership. Since this is the law, I abide by it 100% and feel strongly that this legal position should be upheld.

My fishing has regularly been disturbed by canoeists on the Wye. Where they have permission and respect for the fisherman, by avoiding the areas that are sensitive, I do not have a problem with sharing the water, especially where courtesy is displayed. Too often there is none of the latter, rather rudeness and what appears deliberate disturbance of areas which hold fish. This not only significantly reduces the chances of catching fish, but also ruins the day's experience.

There are a number of other points of which I am aware:

- The Salmon and Freshwater Fisheries Act (1975) protects spawning fish and in particular the redds of migratory fish, from disturbance. This is law, is respected by anglers and should be by all others including canoeists.
- If canoeists are suggesting that they have little or no access to water in Wales, then they should note that there is free navigation on all tidal stretches of rivers and Wales has the second highest tidal reach in the world! The tidal stretches of some rivers can easily amount to a quarter of their whole length.
- I am also told that the WCA has withdrawn from some perfectly good access agreements to try to show the Assembly that they don't have enough water, whilst still continuing to give ingress and egress points on maps in their website, so inciting trespass. How can that be acceptable?
- If the WCA will not accept any restrictions to their paddling (which apparently is their stance) then it can't be surprising that they do not have more water within which to canoe. Unfortunately the WCA have pressurised local canoeing clubs to adopt the same intransigent attitude. A possible solution is that canoeing takes place in the winter months avoiding the spawning grounds, when fishing is more limited.
- Riparian owners and angling clubs have to endure almost constant trespass by canoeists who seem to think that they should be rewarded for their unlawful behaviour by the law being changed in their favour. This is not how a democracy should work and a key tenet of our way of life should be upheld on this point.
- Anglers and riparian owners put a significant amount of time, work, care and finance into Welsh rivers to improve the habitat and water quality. This seems to go unnoticed. It is certainly unappreciated by the vast majority of people. Anglers pay

twice in order to fish: once to the EA (£68 per annum for a migratory fish rod licence) and again in club fees or whatever to be able to fish a certain river or stretch of river. From my understanding, canoeists do not put anything positive back in to rivers.

- Anglers do not pay to be able to take fish (which canoeists constantly maintain); they pay for the enjoyment of using someone else's asset. This is proved by the fact that coarse fishing clubs who return 100% of their catch usually pay an annual rental to the riparian owner. I know of only one instance where coarse fishing clubs fish for free and that is due to the generosity of the owner and the fact that the clubs show the utmost respect to the river and river bank.
- If open access is to be granted in Wales, then proper, considered research should be conducted in Wales itself. Reliance should not be on Scottish precedence, because the situations are different. In any case, I understand that the Scottish system is not the success it professes to be, at least not amongst those who lose out – inevitably the fishermen.

If the law was altered as canoeists wish, riparian owners and angling clubs would quite rightly require very large amounts in compensation from the Assembly for the reduction in value of their assets and the derogation of their leases respectively.

I am not suggesting that anglers should have exclusive rights to rivers to the detriment of canoeists. The corollary is that canoeists should not therefore have free, unfettered access to all Welsh rivers. The WCA's approach is therefore unacceptable and it will be a very sad reflection of today's government if the angling community's concerns are not listened to and more importantly accommodated.

I would be grateful if you could confirm safe receipt of this letter and I look forward to hearing of a considered, well researched and fair resolution to the issue.

Yours faithfully,



Harry Chichester