

Val Lloyd AM/AC
Chairwoman
Petitions Committee
National Assembly for Wales
Cardiff Bay
CARDIFF CF99 1NA

- 9 MAR 2009

Mar 2nd 2009

Dear Madam,

Canoeists' Petition

I am not sure whether your Committee is taking submissions on this matter from private individuals, but in the hope that you are, may I offer some observations. I am also copying this letter for information to Rhodri Glyn Thomas in whose constituency I live.

I should explain that members of my family own and farm land along the River Towy, on which they also have fishing rights. In addition, though I am writing in a personal capacity, I am the (non-executive) President of the Carmarthenshire Fishermen's Federation (the CFF).

The CFF has some 11,000 members, either in their own right or through affiliated clubs to which they belong. Collectively they have fishing rights on most of the Towy, its tributaries and other rivers in the area, and they do a substantial amount of voluntary unpaid work in maintaining the fishery in good condition - and have been doing so for many years. They also support a private hatchery which, advised by the Environment Agency, provides young fish to maintain stock levels in the river and elsewhere.

So much being said, one can have some sympathy for the canoeists, many, if not most, of whom are not local, do not understand either the local situation or fishing in general, and who see apparently little-used waters on which they might follow their sport. And one must acknowledge that canoeing can be a delightful activity which I, my children and grandchildren have often enjoyed (though only on waters where navigation rights exist!).

But such considerations do not constitute a reason for permitting access to canoeists wherever and whenever they might wish. As with any other activity, due account must be taken of the interests of others who might be affected.

In this case three groups of interest should be considered. Firstly, there is the general public: many Welsh rivers, including the Towy, are Sites of Special Scientific Interest or Special Areas of Conservation, enjoying statutory protection for the benefit of threatened creatures. The habitats and environmental conditions in which these creatures can survive would undoubtedly be disrupted, possibly destroyed, by the passage of water craft in any numbers, with serious loss to biodiversity.

Secondly, there are those who farm or own the land through or over which rivers flow. There is no general right of access to farmland, and farmers are entitled to conduct their operations without disturbance. There is also the question of liability for accident or injury to anyone on private land without permission, especially where disturbance to livestock may be concerned.

Thirdly, there are those with fishing rights. These are valuable assets and a substantial annual fee must be paid to exercise them. It would be unjust for them to be damaged or their value diminished through the actions of those who have no ownership interest in, or responsibility for, them.

Despite these concerns, I believe most fishermen and landowners would be willing to enter into voluntary agreements with canoeists, which made suitable provision for protecting their rights and interests. I believe that this is the Minister's preferred approach, but it seems that canoeists are not prepared to accept it. Where agreements have existed, they are refusing to renew them, and are refusing to enter into new ones elsewhere.

One can only speculate as to why they are taking this intransigent line. It may be a tactical move while they are pursuing unrestricted access. Or it might be that agreements will need to include restrictions on timing or location, and the representative bodies realise that they have no powers to ensure that these are observed – moreover, because canoeists are not licensed or registered, there is no way of establishing how many belong to a representative body in the first place. Restrictions are, however, necessary to preserve habitats and environmental conditions – there have been far too many cases of unsuitable behaviour, ranging from dumping rubbish on river banks to violence – and some form of supervision, with appropriate sanctions, will be essential.

I hope these thoughts will be helpful, and do please come back to me if you would like to discuss the matter further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'B.P.M. Rooney', written in a cursive style.

B.P.M.Rooney