

## Consultation on improving opportunities to access the outdoors for responsible recreation – Questions

Please return this form by post or email to reach the Welsh Government no later than 2 October 2015

### Consultation Response Form

Your name:

Organisation (if applicable): **B**

email / telephone number:

Your address:

**Question 1: What are your views on the principles outlined above [section 2]? If you would suggest changing them, please explain how and why.**

#### Comments

BOPA interest in the Access & Outdoor Recreation Green Paper is purely for the amicable access to the rivers of Wales. This BOPA have been achieving by negotiating with riparian owner, fishing interest, and other river users to arrange VAA (Voluntary Access Arrangements) with successful agreements for the rivers Wye and Usk with The Wye & Usk Foundation. More recently the Dee at Llangollen, and also have worked on the Upper Severn, Vyrnwy, and Banwy.

**Question 2: Tell us your views on the issues highlighted above [section 4], and whether there are other key challenges you believe need to be resolved?**

**Comments**

The principal problems we have found, is canoeist not accepting access agreements. There is a cycle of militant canoeist that appear every twenty, thirty year, at the present time we in the waning period created by Dr Rev Caffyn's paper on river access in England and Wales. Previous to this, back in the 1980's there was "CRACK" who organised a mass trespass on the river Seiont, and other militant actions.

**Question 3: What changes, if any, do you think need to be made to improve and simplify the procedures for recording, creating, diverting or closing public rights of way?**

**Comments**

We at British Outdoor Professional Association continue to assist with access negotiations, but in the past grant funding from "SPLASH" etc assisted these arrangements. If this funding could be reintroduced it would help considerable.

**Question 4: What changes, if any, do you think need to be made to improve and simplify the provisions available to local authorities for making improvements on the ground?**

**Comments**

As above, but with any funding available from local authorities

**Question 5: What non-legislative changes would you like to see in the meantime that you believe would help to improve the rights of way network in Wales and reduce the burden on local authorities?**

Comments

I was national access officer for WCA and negotiated the original canoe access agreement for the river Wye. Being on the same EA committee as Stephen Marsh-Smith, from the Wye Usk Foundation, seeing the way canoe access was going and anticipating the result of The Welsh Canoe Association petition, we set up talks to sort out a new agreement from the rescinded original one. This we achieved together with an access agreement for the Usk.

It is basically a simple arrangement, as fishing and canoeing interest are looking for different river conditions. Fishing the river is better when it is clear and at lower levels, and for canoeing the river is better in spate with higher water levels, so the river is available for canoeing in spate conditions and also available during the closed fishing season from October - March. Thus making water available for “white water” canoeing.

The arrangements we now have cover all canoeists as they are on a concession basis, so avoiding trying to sign up every canoeist. These VAA's have now been operating very successfully for several years

**Question 6: How should the number, role, membership, and purpose of local access forums be redefined?**

Comments

The above gave the basis of an agreement for all rivers, but depending on the nature, conditions, seasonal variations, and flow of the individual river can be used as the template

**Question 7: How should the rights and responsibilities surrounding dogs in the countryside be harmonised to provide greater certainty over what is acceptable and what is not, in a way that makes communicating messages about responsible dog ownership and handling more straightforward?**

Comments

Our experience does not cover to make a comment on this

**Question 8: How could current legislation be changed to make it easier to allow for a wider range of activities on existing and new paths?**

Comments

Our experience does not cover to make a comment on this

**Question 9: How could legislation better strike a balance between the various demands of motorised users, landowners and the natural environment?**

Comments

Our experience does not cover to make a comment on this

**Question 10: How should the need for new or improved access opportunities be identified, planned, and provided?**

Comments

The basic formula we have negotiated with the riparian owners, fishing interests and other river users is working well, With variations to accommodate the differences presented by other rivers. But nothing is “written in stone” we have meetings to discuss any problems, requests, or variations.

**Question 11: What are your views on the benefits and challenges of creating a right of responsible recreation to all land in Wales?**

Comments

This is dependant on what the land has to offer in particular areas, “honey pots” that could have many attractions that would present more problems, and may have to have agreements for their usage. We have a code of conduct covering canoeing and fishing.

**Question 12: What approach do you advocate to improve opportunities for responsible access for recreation on inland waters?**

Comments

The formula we have for canoe access, which was original, set up by our negotiations with Stephen Marsh-Smith and the Wye Usk Foundation has proved to work well over several years.

**Question 13: What approach do you advocate to improve opportunities for responsible access for recreation on the coast and in the marine environment?**

Comments

Due to the legal situation being total different on the coast and sea we do not have the problems that are encountered on inland rivers above the high tide mark

**Question 14: What would be the advantages and disadvantages of a statutory code of conduct for outdoor recreation in Wales?**

**Comments**

We have a code of conduct which I have attached to the Email

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

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