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Craft identification on the River Wye

Wye navigation policy consultation

Starting date: 1 January 2010

Closing date: 31 March 2010

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Craft identification for the River Wye

Background information

Historically, the River Wye was an important commercial waterway. Today however, boating on the river is mostly canoeing and rowing, with some passenger sightseeing boats operating around Symonds Yat. A public right of navigation extends from Bigsweir Bridge upstream to Hay Town Bridge.

We are the navigation authority for the River Wye. The Wye Navigation Advisory Committee (WNAC) help us to develop sustainable recreation and navigation on the river.

At present, there is no voluntary or compulsory requirement for craft identification on the Wye although some user groups operate their own voluntary craft identification scheme.

Dane Broomfield

Lower Wye Environment Management Team Leader

1 Proposed policy on craft identification for the River Wye – we want your views

What this consultation covers

This consultation covers craft identification on the River Wye only.

Why are we consulting?

Following guidance from WNAC, we believe that the most appropriate and effective way to address the problem of craft identification on the River Wye is by securing a voluntary scheme with the commercial canoe operators, rowing clubs and pleasure trip boats on the River Wye.

However, we need your input. We want to take account of your views before we make any policies or decisions that may affect you. We want to consult openly and inclusively with a wide range of interested parties.

How to respond to this consultation

You have until **31 March 2010** to send us your comments.

Please respond by completing the form on page 6-7 and return it by email to:

lynn.bulbeck@environment-agency.gov.uk

or by post to:

Lynn Bulbeck
Wye Navigation Officer
Environment Agency Wales
Hadnock Road
Monmouth
NP25 3NQ

How we will use your information

We will use your information to help determine a policy for craft identification on the River Wye.

We will publish all responses after the consultation has closed, unless you have specifically requested that we keep your response confidential. We will not publish names of individuals who respond. We will publish the name of the organisation for those responses made on behalf of organisations. Please indicate on your response if you want us to treat it as confidential.

If you respond online or provide us with an email address, we will acknowledge your response and send you a summary of responses after the consultation has closed. We will also publish the summary of responses on our website.

Confidential responses

We may publish or disclose information you provide in your responses to this consultation, including personal information, in accordance with the Freedom of Information Act 2000 (FOIA). If you want us to treat your information as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals with obligations of confidence.

In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request to disclose the information, we will take full account of your explanation, but we cannot give an assurance that we can maintain confidentiality.

in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, in itself, be regarded as binding by the Environment Agency.

Code of Practice on Consultation

We are running this consultation in accordance with the criteria set out in the Government's Code of Practice on Consultation.

If you have any queries or complaints about the way this consultation has been carried out, please contact:

Cath Beaver, Consultation Co-ordinator
Environment Agency
Rio House
Waterside Drive
Aztec West
Almondsbury, Bristol BS32 4UD
Email: cath.beaver@environment-agency.gov.uk

2 Advantages and disadvantages of the options available

Voluntary craft identification scheme

This would be a non-charging scheme. It may rely on the co-operation of specific owners/groups to display a unique identification mark on their craft.

A voluntary craft identification scheme for the River Wye would apply to the commercial canoe operators, rowing clubs and pleasure trip boats on the Wye.

Advantages

- A voluntary craft identification scheme could bring about the same benefits as a formal registration.
- A voluntary craft identification scheme could help us to investigate some of the alleged breaches of the Order/byelaws and ensure that everyone is using the river in a safe and responsible way.
- The scheme would be relatively easy and cheap to implement.
- The majority of boats on the river (such as hired canoes) would be covered by the scheme.

Disadvantages

- Those who breach the Order/byelaws may not be part of a voluntary craft identification scheme.
- It would rely on the co-operation of specific owners/user groups.

Formal craft registration scheme

This is a chargeable licensing scheme that permits the use of craft for certain stretches of water. There are various craft registration schemes in place throughout England and Wales. Typically, a scheme would apply to motor cruisers, sailing cruisers, narrow boats, houseboats and open vessels such as canoes or rowing boats. There will be an annual charge which is normally determined by the size of the craft.

Advantages

- A registration scheme could apply to all or parts of the Rivers Wye and to the upper rivers and tributaries.
- It could require appropriate insurance for craft to be in place.
- It could help ensure that only appropriate craft navigate the river, having regard to the physical characteristics of the river and the size of craft that might damage protected species/sites.
- It could help us to investigate some of the alleged breaches of the Order/byelaws and ensure that everyone is using the river in a safe and responsible way.
- Any income generated from a formal registration scheme would be used to cover the cost of administration and could provide some seed funding for access management improvements/works.

Disadvantages

- Implementing a formal registration scheme on the Wye may require new byelaws which could be costly and take considerable time.
- Implementing and administering a formal registration scheme would require further resources.
- There are few suitable places on the Wye, such as locks, that provide an easy location to check compliance with a registration scheme.
- Craft owners who breach the Order/byelaws may not have registered their craft.
- Craft owners would not receive any additional benefit from paying to register as there is no navigational infrastructure to invest in.
- Exact details of a registration scheme for the Wye are unknown.

Do nothing

Advantages

- There would be no additional cost or need for extra resources.
- People would be able to exercise their right to navigate the River Wye without the need to register.

Disadvantages

- It would be harder to identify those responsible for alleged breaches of the Order/byelaws.

3 YOUR RESPONSE

Please respond by completing this form and return it by email to:

lynn.bulbeck@environment-agency.gov.uk

or by post to:

Lynn Bulbeck
Wye Navigation Officer
Environment Agency Wales
Hadnock Road
Monmouth
NP25 3NQ

Personal details

Name: Andrew Green	
Organisation (if applicable): Canoe England	
Address: Canoe England 18 Market Place Bingham Nottingham NG13 8AP	
Email: Andy.Green@canoe-england.org.uk	
Your area of interest:	Please tick (one only)
Canoeing - individual	
Canoeing - commercial	
Canoeing – representative organisation	✓
Boating - individual	
Boating – commercial	
Boating – representative organisation	
Angling - individual	
Angling - club	
Angling – representative organisation	
Fishery owner (non-club)	
Other fisheries organisation	
Conservation organisation	
General public	
Other (please specify)	

Questions

1a	Do you believe that there should be a form of craft identification for the River Wye?	Yes/No
1b	<p>If yes, please explain:</p> <p>N/A</p>	
1c	<p>If no, please explain:</p> <ul style="list-style-type: none"> • Canoe England does not believe that this document adequately, justifies the need for craft identification, if there are problems with specific user groups on the river Wye, then these need to be adequately described and substantiated. Even if it is proven that there are issues relating to specific groups, we believe that user education is a fairer and far more cost effective mechanism for delivering long term benefits to all. • Canoe England believes that craft identification for the River Wye would create an extra layer of Bureaucracy, which in our opinion would not only be un-enforceable but would also have the effect of putting off visitors to the river Wye and its surrounding area, to the detriment of the local economy. • Our research in response to this consultation suggests that there are nearly 500,000 users of the river Wye each year, and that there have been only 74 complaints logged, furthermore we have been unable to discover whether any of these complaints have been substantiated. There is also an inadequate complaints mechanism put in place for other water users (including canoeists). We therefore consider that not only is the response disproportionate to the problem, but that a culture of discrimination against canoeing interests is being allowed to develop and that craft identification can only strengthen this position. • This scheme is targeting a limited number of users; Canoe England considers that for an identification scheme to have any validity in a recreational context that all recreational users should be included. If this is not possible for whatever reason then the scheme should not go ahead. • While the activities of commercial operators are independent of Canoe England, it is our opinion that commercial operators provide a clear pathway into canoeing and that this clearly contributes to Government targets for creating a healthier nation and sporting excellence. Again we cannot see how an additional layer of bureaucracy can assist with this or that it would prevent less scrupulous commercial concerns. • Environment Agency boundary changes lead us to dispute whether Environment Agency Wales is now the relevant body to be undertaking this work. • Canoe England has been advised that identification of such a limited group of users undertaking an activity "As of Right" (Wye Navigation order (2002)) is likely to be against European Human Rights legislation, and the European Sports Charter both of which the UK is a signatory to, as it would identify a specific group of people undertaking a legal activity. Canoe England will be investigating this position and would suggest that the Environment Agency also seeks advice on this. 	

2	Please score 1, 2 or 3 for each policy option in order of preference. 1 = most preferred option and 3 = least preferred option.	
	A voluntary craft identification scheme	2
	A formal registration scheme	3
	Do nothing	1

**Would you like to find out more about us,
or about your environment?**

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08708 506 506*** (Mon-Fri 8-6)

**email
enquiries@environment-agency.gov.uk**

**or visit our website
www.environment-agency.gov.uk**

incident hotline 0800 80 70 60 (24hrs)
floodline 0845 988 1188

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