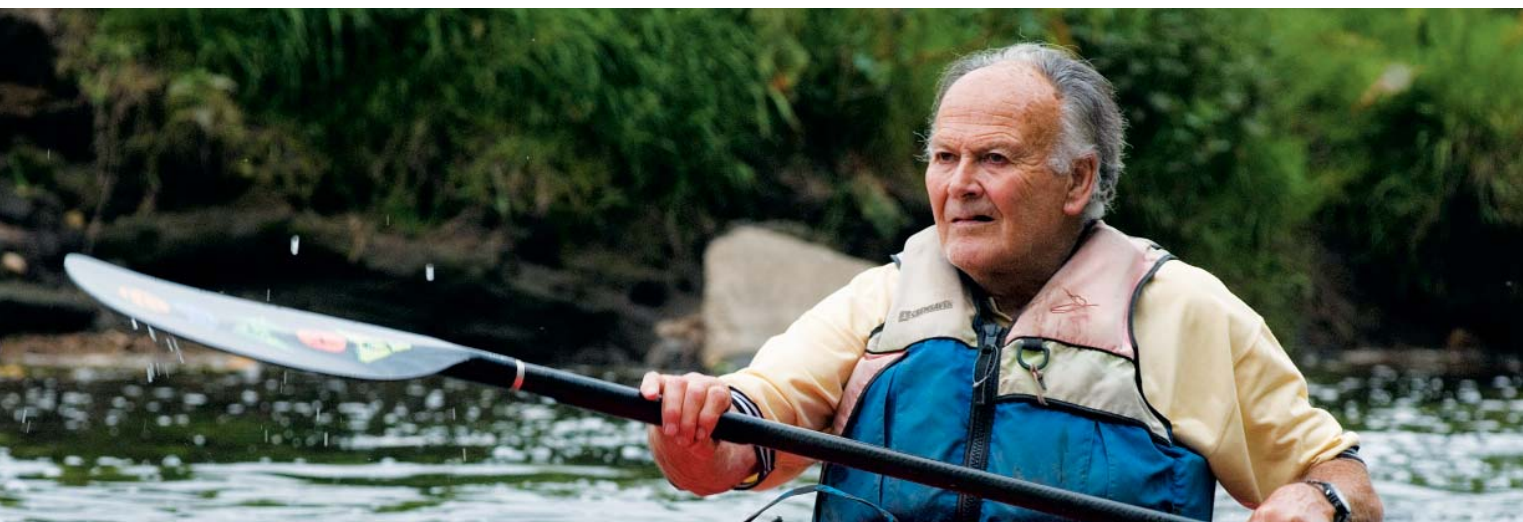


BELOW: CHRIS CLEAVER



ABOVE: DEK DAVIE PADDLES THE RIVER MERSEY IN STOCKPORT

One man's campaign to open up
the River Mersey to canoeists.

RIGHT TO FLOAT

Back in September 2004, an army of ramblers pulled on their Gore-Tex windbreakers and walking boots to take their first legal footsteps onto privately owned land across the Pennine moors.

Armed with flasks of tea and slices of fruitcake, it was an emotional moment for those who had fought for the right to walk freely across some of the most beautiful and rugged landscapes in the country.

A year later, more of the Northwest's privately owned land was opened up to the public as the Countryside and Rights of Way Act 2000 rolled out across the rest of the country. It was the culmination of a long and hard fought campaign by the Ramblers Association to gain access to countryside without prior written consent from often unpredictable landowners.

Now, 2.5 million canoeists are lobbying for the same rights to paddle on rivers, lakes and canals.

In England, canoeists are banned from using the waters without prior permission from landowners, unlike in Scotland and the majority of other countries in the world where they can paddle freely. In a series of unpleasant episodes, canoeists have reported having warning shots fired at them by disgruntled landowners. Canoeists currently have direct access to only two per cent of waterways in England and Wales, and face the daunting prospect of tracking down and contacting dozens of landowners in order to legally float along even a short stretch of water.

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So last year the British Canoe Union (BCU) handed in a manifesto, backed by 100 MPs, to rural affairs minister Jim Knight calling for primary legislation allowing canoeists to paddle legally. More than 70 canoeists ranging in age from teenagers to old age pensioners also carried out a mass protest paddle on the River Thames, calling for a change in the law. The BCU says legal clarity would promote canoeing as an outdoor sport – thus helping boost British success in the Olympics – and encourage healthier lifestyles among swimmers, boaters and gorge walkers.

But a number of influential anglers groups are lined up in opposition, claiming canoeists could damage fish stocks and bird-nesting sites on small streams and non-navigable rivers.

Now, in something of a conciliatory move, the government has called for the country’s rivers to be opened up in a series of voluntary agreements with riparian landowners. But despite brokering a number of voluntary agreements on short stretches of rivers across the UK, the BCU remains sceptical. It believes instigating voluntary agreements across the country would be a huge undertaking and would face opposition from some people owning land alongside rivers.

Nevertheless, it has put its reservations to one side to back a series of schemes that dip a metaphorical toe in the water. Sections of the River Mersey and three other rivers across the country are being opened up to canoeists in pilot projects carried out by the Environment Agency. The rivers Mersey, Waveney, Wear and Teme were each selected to examine the different problems that could arise from opening up rivers in rural and urban areas, or which have large fish populations. The River Mersey project was the brainchild of Chris Cleaver, the BCU’s voluntary Northwest officer, who has campaigned since 1999 for a canoe trail over an 18-mile stretch from Stockport town centre to Carrington. Cleaver says: “We consider canoeing to be the same as walking; we pass by without leaving any trace.

“Some rivers are paddled on with no objections, but it is an unsatisfactory situation if we are going places illegally, it reduces the enjoyment of the sport. We want rights of access to all rivers above a certain size; fishing rights have been subject to legislation for years.”

In the late 1990s, Cleaver realised he would have to establish an access agreement for the stretch before he could ask local authorities and the Environment

Agency to back a canoe trail. But juggling his investigations with a busy full-time job, he found it “almost impossible” to track down the more than 100 landowners for the relatively short stretch of water.

Initially, Cleaver contacted golf courses with land along the stretch and gained their permission, but he hit his first hurdle when he asked permission for rivers bordering land owned by Stockport, Manchester and Trafford local authorities.

“I realised with hindsight that I had been somewhat naïve,” he says. “The councils said they could not tell me what riverside land they

In a series of unpleasant episodes, canoeists have been shot at by disgruntled landowners.

owned, but said I could go and look at the plans of their land ownership, which meant time off work.

“They seemed reluctant to give permission... I realise now they may have been concerned over liability.”

Yet there was some progress. Importantly, the Environment Agency backed the scheme, and later so did the people behind the Mersey Flood Alleviation Scheme, although they could offer no financial support. In 2002 the Environment Agency agreed to build some access steps for canoeists at Northenden Weir as part of the flood alleviation scheme. Stockport Council also agreed to support an access point at the start of the trail, which is on its land.

But it was only several year later when the national debate on river access reached its peak that the possibility of Cleaver’s trail became a reality.

In 2001, the government commissioned Brighton University to find out just how many

rivers in the country canoeists already enjoy automatic access to. The answer was just two per cent.

Next, the academics in Brighton carried out feasibility studies on stretches of the four chosen rivers, the Mersey, Waveney, Wear and Teme. The River Mersey was picked to demonstrate how a series of voluntary agreements could be used to open up access to canoeists in an urban setting.

The project began in earnest in 2004, when university researchers and the Environment Agency began to track down the landowners along the river. Eventually more than 100 were contacted, including golf club proprietors, utility companies, local authorities and members of the public. Process and policy adviser Roger Goulding, from the Environment Agency’s Exeter office, oversaw the project.

“It has been a big undertaking,” Goulding admits. “We are dealing with around 100 landowners along the Mersey. As you can appreciate arranging agreements with that amount of people is a lengthy process.”

Some landowners dedicated “high rights” for unpowered crafts to use the waters, new legislation under Section 16 of the Countryside and Rights of Way Act. Others simply made no objections to the waters bordering their land being used.

Only one landowner objected to his land being used – claiming he had suffered from years of problems due to flood defence programmes. But there was a ‘get-out’ clause – the objector only owned one side of the riverbank, so canoeists could simply paddle on the other side of the river.

Goulding adds: “In general, we had few problems getting landowners to agree to access on the River Mersey, primarily because most of the land is owned by utility companies like water boards, or by councils or golf clubs.

“Other parts of the river border onto areas of regeneration, and there were no concerns raised there by landowners either. Even the anglers agreed to it.”

He points out that in other parts of the country on the other three rivers, residents living in large town houses with gardens bordering riverbanks had raised concerns about privacy, but says: “With the Mersey, we have had a huge amount of positive interest, perhaps because of the improving river quality and the fact there are signs of salmon and trout in the waters.

“The route from Stockport town centre to Heaton Mersey is actually very attractive; there’s a nice sandstone gorge. Apart from the occasional telephone wire, you wouldn’t realise you were in a heavily built up urban area.”

The Environment Agency has also put a number of signs along the riverbanks advising canoeists of their rights, along with health and safety advice. Steps are being built along the riverbanks, and the Environment Agency is funding portage for canoeists to carry their vessels around weirs. Once the scheme is underway, canoeists will also be able to download a guide of the route from the Environment Agency’s website.

One project that has already benefited from better canoe access is the new Mersey Vale nature reserve, a former piece of industrial land that is being transformed with

the help of the Mersey Basin Campaign. In January the Environment Agency built steps for canoeists to access the river from the nature reserve near Burnage Rugby Club in Heaton Mersey, Stockport.

Sarah Wallbank, European Project Manager for the Mersey Basin Campaign, explains: “We have been working in partnership with Stockport Council to develop the park, which has included a big community consultation with local people.

“The idea is for people to be able to go for walks on what was deserted industrial land, and to be able to use the river bordering the reserve for canoeing.

“As the Environment Agency were building flood defences on the river along this stretch of the river anyway, we managed to agree for the steps to be built at the same time. It is a good example of a joint project between Stockport Council, us and the Environment Agency.” Wallbank adds that further steps will be built at a nearby weir to allow canoeists to climb out of their boats and assess the water conditions further down the river.

By August, the whole 18-mile stretch will be legally open to canoeists for the first time. And when this happens, Cleaver has ambitious plans for the Mersey. He wants to organise a 12 mile canoe descent race to celebrate the achievement. As things stand, canoeists in the Northwest use canals for long marathon races, or instead enjoy shorter sprint races. Cleaver is certain that in time the new race will become a major addition to the region’s sporting calendar.

MORE INFORMATION:
www.bcu.org.uk
www.riveraccess.org

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60-second expert

- Canoeists, swimmers, boaters and gorge walkers currently only have lawful access to two percent of waterways in England and Wales. The British Canoe Union (BCU) wants automatic legal access to all rivers, lakes and canals – a right already approved by the Scottish Executive.
- A number of countries across the world have laws allowing unpowered craft to use rivers and other waterways. But under UK law, riparian landowners must agree to access to the rivers for watersports enthusiasts to legally use the waters bordering their land.
- The government is reluctant to bring in a new Bill and instead wants to instigate a series of voluntary agreements between the BCU and landowners. But the BCU is sceptical and believes it would take too much time and resources. Tracking down landowners can often take time.
- As a test case, an 18-mile stretch of the River Mersey is being opened up after the Environment Agency attained the agreement of more than 100 people owning land bordering the Mersey from Stockport town centre to Carrington.
- Canoeists argue that opening up all waterways would promote the sport to a wider audience and could even cultivate future Olympic stars for Britain. But anglers federations fiercely oppose such a move, claiming it could damage fish stocks. Anglers are subject to regulation and usually have to apply to local authorities for permits to gain the right to fish on riverbanks.