

EA-MIDLANDS

Getting afloat

in the Midlands

A GUIDE TO USING WATERWAYS IN THE REGION



ENVIRONMENT
AGENCY

Can there be a more relaxing way to spend your leisure time than floating through the countryside, through interesting towns and villages, away from the hassle and noise of road traffic, with friendly places to stop around almost every bend? Gently cruising, boating or canoeing down a river or canal sounds idyllic. However, not all waters capable of carrying a boat or canoe can legally be used for navigation.

A GUIDE TO USING WATERWAYS IN THE REGION

You need to know where you can go and which individuals or organisations you need to contact first. Here are a few basic tips on where to get started.

The following section outlines the principles behind rights of navigation, and later in the booklet individual midlands' rivers are discussed.

Front cover: Shropshire Union Canal

Below: Trent & Mersey Canal



Rights of navigation

Access to waterways and navigation rights on rivers, streams, canals and lakes throughout England and Wales are often very confusing. Indeed, the rights of navigation relating to a particular river may change several times over its length. To stay within the law and avoid conflict, you need to be aware of the legal situation before attempting to use any form of craft on individual waters. Although some large rivers such as the Severn and Trent have reaches with public or statutory rights of navigation, many rivers and lakes have no such rights or their existence is disputed.



Tidal waters

Coastal and tidal waters including most estuaries have a public right of navigation. This means any person may navigate these waters without needing permission. This right dates back many centuries and includes the right for craft to pass and re-pass, and temporarily anchor. However, for safety reasons, boaters should be aware that maritime laws and local navigation directions and byelaws might apply. Vessels must be suitable for the passage undertaken, be properly equipped with navigation and safety equipment and be controlled by a competent skipper and crew. The Severn estuary in particular is noted for its high tidal range, and can often be subject to rough water and exposed weather conditions.



Above: Purton
Left: Torksey Lock

Statutory rights of navigation

Some rivers have navigation rights established through acts of parliament, called statutes. These statutes were often created where in-stream structures such as weirs and locks are needed to provide sufficient depth of water for navigation. The acts empower navigation authorities to construct and maintain such structures, and control boat movement on these busy waterways. Navigation authorities are allowed to raise revenue by selling licences to any vessel wishing to use their waterway. If you want to go boating on any of these waterways you need to buy a boat licence in advance. Licence holders agree to abide by byelaws that apply to these waters such as speed limits and mooring restrictions. You will also need permission from riverside landowners to launch, land or moor any craft on adjacent land, unless on a public landing site or slipway. Similarly, the riverside landowners often hold the fishing rights of their stretch of river, and you will need their permission to fish either from a boat or the bank, as well as a rod fishing licence. Most canals

were also established through acts of parliament and are therefore statutory navigations where a boat licence is needed.



Public rights of navigation

Some rivers have a public right of navigation but no navigation authority. These rights have evolved for a number of reasons such as long-standing historical use, or express dedication by the riverside landowner. No licence is required to boat on these waters although you will need permission from the riverside landowner to launch, land or moor any craft on adjacent land unless this is a public

landing site or slipway. In freshwater the riverside owner often holds the fishing rights and therefore you will need their permission to fish from a boat or the riverside, as well as a rod fishing licence.

Private rights of navigation

Under English law all land, including the bed of a river or lake, belongs to someone - for instance a private individual, local authority, corporate body or the Crown. Where there are no public or statutory rights of navigation it is usually the riverside landowners that control the right to navigate on rivers or lakes that are on, or cross, their property and therefore their permission is needed to use these as waterways. The riverside owner usually holds the fishing rights and therefore you will need their permission to fish from a boat or the riverside, as well as a rod fishing licence. Water sports are often available through clubs based at lakes situated in country or city parks run by local authorities.



River Severn

There is a statutory right of navigation on the Severn from the weirs at Gloucester to Gladder Brook near Stourport. British Waterways is the navigation authority and anyone wishing to navigate this part of the river should contact them for licence details and other navigation information. From Stourport to Pool Quay near Welshpool there is assumed to be a public right of navigation but no navigation authority. Gloucester Harbour Trustees administer the public navigation within the tidal reach. From Gloucester Weirs to a point seaward of the Second Severn Crossing, Gloucester Harbour Trustees is the navigation authority, and anyone wishing to navigate this part of the river should contact them for byelaw details and other navigation information.

River Trent

There is a statutory right of navigation from Gainsborough to Shardlow south of Nottingham. British Waterways is the navigation authority and anyone wishing to get afloat on this part of the river should contact them for licence details and other information. There is



assumed to be a public right of navigation but no navigation authority from Shardlow to Burton-on-Trent. Associated British Ports administer the public navigation on the tidal reach below Gainsborough.

River Soar

There is a statutory right of navigation from the confluence with the River Trent to Leicester. British Waterways is the navigation authority and anyone wishing to get afloat on this part of the river should contact them for licence details and other navigation information. From Aylestone, navigation continues on the Grand Union Canal (British Waterways).

River Avon

There is a statutory right of navigation from the confluence with the River Severn at Tewkesbury to Alveston near Stratford. The navigation is administered by two authorities - Tewkesbury to Evesham by the Lower Avon Navigation Trust and Evesham to Alveston by the Upper Avon Navigation Trust - and they should be contacted for licence

details and other information.

River Idle and Ryton

The Idle has a common law right of navigation from its confluence with the River Trent to Bawtry and continues along the River Ryton to Blyth. The Idle also has a statutory right from Bawtry to East Retford, although the statute relating to improving navigation was never acted upon. The river entrance is blocked by a large tidal floodgate and a pumping station gate and arrangements to enter from, and exit to, the River Trent must be made in advance with the Environment Agency office in Gainsborough.

Canals

An extensive network of operational canals, that are statutory navigations, is administered by British Waterways and they should be contacted for licence details and other navigation information. British Canoe Union members are issued with a licence to canoe on canals as part of their membership arrangements.

WATERWAYS IN THE MIDLANDS REGION

All other rivers and lakes

On all other freshwater rivers not mentioned specifically here, and all lakes in the region, there is either an assumed private right of navigation associated with riverside landowner property rights or in some cases the legal position may be unclear. Occasionally organisations like the British Canoe Union negotiate river access agreements with landowners on behalf of their members. These agreements often restrict access to members only and contain clauses prohibiting use of the river at certain times of the year and under certain river flow conditions. The Environment Agency, on behalf of the Angling and Canoeing Liaison Group, publishes a useful booklet on the subject entitled 'Agreeing access to water for canoeists'. However, some riverside owners may not wish to grant navigation rights to others for reasons of privacy or the protection of other rights such as fishing.



- The Midlands Region of the Environment Agency stretches from the Humber Estuary in the north, to the Severn Estuary in the south and from the Welsh borders into the East Midlands.
- With over 7000km of river, almost 1000km of canal and an increasing number of stillwaters, the region contains an extremely varied and nationally important environmental and leisure resource.



Stratford-upon-Avon



Rugby - Hillmorton



West Stockwith

Useful contacts

British Waterways

Willow Grange, Church
Road, Watford, WD1 3QA
tel. 01923 226422
www.british-waterways.org

Lower Avon Navigation Trust

Mill Wharf, Mill Lane, Wyre
Piddle, Pershore, Worcs,
WR10 2JF
tel. 01386 552517

Upper Avon Navigation Trust

Bridge 63, Harvington,
Evesham, Worcs,
WR11 5NR
tel. 01386 870526

Inland Waterways Association

PO Box 114,
Rickmansworth, WD3 1ZY
tel. 01923 711114
www.iwa.waterways.org.uk

Gloucester

Harbour Trustees
Sevenside House,
The Docks, Sharpness,
Berkley, GL13 9UD
tel. 01452 413009
www.fewb.org.uk/ght/

Associated British Ports

Harbour Masters Office,
Port House, Corporation
Road, Hull, HU5 5PQ
tel. 01482 27171
www.abports.co.uk

British Canoe Union

John Dudderidge House,
Adbolton Lane, West
Bridgford, Nottingham
tel. 0115 982 1100
www.bcu.org.uk

Royal Yachting Association,

RYA House, Romsey Road,
Eastleigh, Hants, SO5 4YA
tel. 01703 627400
www.rya.org.uk

IMPORTANT

**The Environment
Agency is not a
navigation authority in
the Midlands Region.
This leaflet has been
produced to help those
wishing to navigate on
waterways within the
region. However, it is
the responsibility of
those wishing to use a
boat or other craft on
any waterway to be
assured of the legal
position and check with
the appropriate
authority or landowner.**

MIDLANDS REGION ADDRESSES

REGIONAL OFFICE

Environment Agency
Sapphire East
550 Streetsbrook Road
Solihull
West Midlands B91 1QT
Tel: 0121 711 2324
Fax: 0121 711 5824

UPPER SEVERN

AREA OFFICE

Environment Agency
Hafren House
Welshpool Road
Shelton
Shrewsbury SY3 8BB
Tel: 01743 272 828
Fax: 01743 272 138

LOWER SEVERN

AREA OFFICE

Environment Agency
Riversmeet House
Newtown Industrial Estate
Northway Lane
Tewkesbury GL20 8JG
Tel: 01684 850 951
Fax: 01684 293 599

UPPER TRENT

AREA OFFICE

Environment Agency
Sentinel House
Wellington Crescent
Fradley Park
Lichfield WS13 8RR
Tel: 01543 444 141
Fax: 01543 444 161

LOWER TRENT

AREA OFFICE

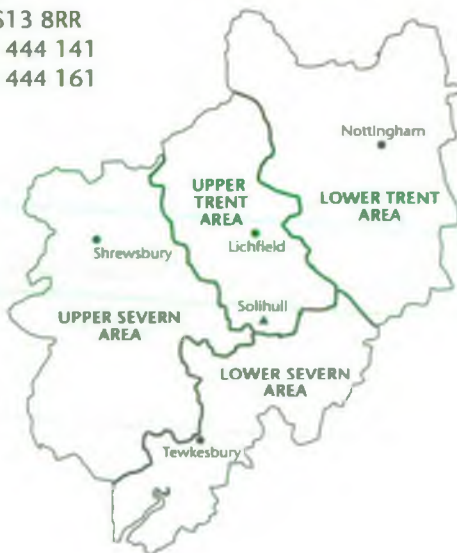
Environment Agency
Trentside Offices
Scarrington Road
West Bridgford
Nottingham NG2 5FA
Tel: 0115 945 5722
Fax: 0115 981 7743

— Area Administrative Boundaries

— Regional Boundary

● Area Office

▲ Regional Headquarters



www.environment-agency.gov.uk

ENVIRONMENT AGENCY
GENERAL ENQUIRY LINE

0845 933 3111

ENVIRONMENT AGENCY
FLOODLINE

0845 988 1188

ENVIRONMENT AGENCY
EMERGENCY HOTLINE

0800 80 70 60



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