

General Topics for Kayakers & Canoeists

[assembled: Bill R]

v 2021

Navigation Law - and access to water

[*A British Canoeing Research text is at the end of this general topic coverage*]

Access to rivers, lakes and canals

Access to the land surrounding a water body does not necessarily give you the right of access to the water, or to fish, launch a boat or swim.

There is no general right of access to river banks and towpaths - they all belong to somebody and that landowner may or may not choose to allow access.

However, many and other rights of way do run along river banks and towpaths, as these are often the routes people have used for many years.

A canal towpath or the bank of a navigable river is legally a part of the waterway.

In England and Wales, any questions about use of inland waterways – not covered here or with easily accessible answers - are probably best first addressed to the Environment Agency.

Access to, and ownership of beaches and the foreshore

Beaches are owned, although almost all beaches allow public access, often because of the practical impossibility of preventing it. However, there is no right to cross private land to gain access to a beach. If a beach is closed to the public there should be a sign saying so or a fence to prevent all access.

The *foreshore* is the area between the high water mark and the low water mark.

When the tide is in there is an absolute right to navigate through the water (although not necessarily a right to land a boat or launch one) and so it is not possible to fence off foreshore areas, as this would limit navigation.

All foreshore belongs to the Crown unless it has in the past been sold or given away.

This has occurred in a few places. However, there is no legal right of access to the foreshore. There are often bylaws prohibiting bait-digging on or near the foreshore, which is probably the most common reason for people to use such areas.

In any case such baitdigging is usually prohibited on an SSSI, although for the same reasons this is almost impossible to enforce.

It is sometimes suggested that there is a general right of access to the foreshore (similar to the right to use a public right of way or a village green). That this does not exist is obvious in that there are private foreshores where you can't go; although they are not common. If there was a general right of access then such things couldn't exist.

The Crown Estate gives what it calls a "general permissive consent" for "non-commercial public access along the foreshore" it controls. This also implies that such permission is necessary and that other landowners might not grant it. Approximately half of the UK foreshore and around half of the tidal riverbeds are owned by the Crown and managed by The Crown Estate, in addition to virtually the entire UK seabed out to 12 nautical miles.

The Crown Estate is governed by The Crown Estate Act 1961.

The Crown Estate is a landowner and not a regulatory authority.

The Crown is the prima facie owner of foreshore, or land between mean high water and mean low water, by virtue of prerogative right.

(Halsburys Laws Vol 12 (1), 1998 Reissue, para 242).

The same applies to seabed, being land below mean low water.

This, in effect, means that the Crown owns all of it unless it has in the past given it away or sold it.

Other owners of foreshore include, for example, the Duchies of Cornwall and Lancaster, Local Authorities, RSPB, National Trust, MOD and some is in the ownership of private individuals.

Rights of navigation on inland waters -

(* recently the topic of much discussion and legal wranglings initiated by kayakers and canoeists)

From CRN News Volume 4 Number 2 June 1996.

Catherine Etchell summarises the rights of water users in England and Wales

River

Under English and Welsh law there is, at present, no general right for one person to exercise rights over property belonging to another and there is no general public right of access to property belonging to another.

The right to fish and the right to navigate are governed by the same law.

The equivalent of a public right of way on land is the public right of navigation.

Historically, rights of navigation are based on commercial need and recreational navigation has followed more recently. In relative terms recreational navigation and canoeing in particular are young sports. Angling has a history going back hundreds of years. The result is that the law relating to fishing rights is well established whilst that for kayaking and canoeing is less well defined.

It is a general principle of English law that the owner of land bordering on a

watercourse also owns the bed of that watercourse up to an imaginary line drawn down the middle. The common law concerning trespass relates to water in the same way as it does to land. The owner of land fronting onto a watercourse can stop people travelling over or to that part of the watercourse owned by them in exactly the same way as they can stop people walking over their land without permission or fishing from their land into the watercourse without their permission.

A riparian owner can expressly dedicate a stretch of river under their control for public use although this appears to be quite rare. These forms of dedication are what make up the Common Law of navigation. A right of navigation where it exists is a right to use the river to its full capacity. There is no such thing as a limited right of navigation such as a right limited to canoes.

The creation of navigation routes over watercourses where no public rights of navigation exist without the consent of all persons having an interest in **the bed of** the river will involve changing the law by Act of Parliament, although it might be possible to do so using existing powers of compulsory purchase. Where a public right of navigation does not exist, agreements to use the river can be negotiated with the owner of the riverbank who controls the right to use the river.

If you are interested in the position in Scotland, read Scottish Natural Heritage's Access Review Research Report 'The Law of Access for Water Based Recreation', 1991. River Access and licences for canoes and kayaks in the UK

See "Action for Access" website (with map) >> <https://accessmap.riveraccessforall.co.uk/map>

(Additional interest reading

<https://link.springer.com/article/10.1007/s12685-017-0193-2>

[and as a pdf >>

https://research-information.bris.ac.uk/ws/files/109170333/art_3A10.1007_2Fs12685_017_0193_2.pdf

So in England and Wales – as a general rule - many landowners feel that the public should not have any automatic right of access to rivers. Whilst a few rivers have public access agreements, 96% of English and Welsh rivers do not. Where access agreements do exist, they can be highly restrictive, and often limit access to certain times of the year. –

The Canal and River Trust

The Canal and River Trust manages 2,200 miles of rivers and canals in the UK. These waterways have historically been used for navigation and are thus ideal for touring and recreational paddling.

A useful resource is the Waterscape website, (<http://www.waterscape.com/things-to-do/boating/guides>)) where you can download maps of every canal and some rivers in England and Wales. To download your map, visit the Waterscape website using the link.

Free navigation of these waterways is allowed all year providing your boat is licenced with the Canal and River Trust.

See <http://canalrivertrust.org.uk/news-and-views/features/getting-started> for more information.

An **easier way to obtain a licence** is to perhaps join British Canoeing – (<https://www.britishcanoeing.org.uk/>) (Canoe England ..etc. - - formerly known as the British Canoe Union (BCU). Membership automatically includes a British Waterways permit and third party insurance. Adult membership cost is currently £45.00 (2021) [£35.00 ‘Young Person - £27.00 –‘Youth’]. Many kayak/canoe clubs hold a BC licence which will cover their club boats.

Environment Agency

The Environment Agency (EA) is a Public Body which is responsible for protecting communities from the risk of flooding and managing water resources. The EA controls boat access to eight UK waterways, including the non-tidal River Thames (Cricklade Bridge to Teddington).

Canoeists and kayakers require a licence to paddle on EA waterways !

“A boat is:

- any vessel with or without a motor, for example a sailing boat, river boat, canal boat or houseboat
- any ‘open boat’ such as canoe, paddle board, rowing boat or dinghy“

The registration cost was £53.72 [as at 2019](but read on re BC membership !)
<https://canalrivertrust.org.uk/refresh/media/thumbnail/31391-long-term-licence-fees-2018-2019.pdf>

Alternatively, membership of British Canoeing (was ‘BCU’) automatically includes an Environment Agency permit. Most London clubs hold a “BC” licence which will cover their club boats, and many paddlers hold personal **British Canoeing** membership (£45 in 2021).

Access to the sea and tidal waters

In general, the public has a right to access the sea and tidal waters. This access extends to beaches below the high water mark. Above the high water mark, beaches may be privately owned.

- See more at: <http://www.kayarchy.co.uk/html/04environment/002legalaccess.htm>

See more at: <http://canoelondon.com/river-access/#sthash.RmC99Mse.dpuf>

Sea Kayaking

Summary of environmental impacts

The launching of craft from designated access points will have minimal impact on marine features.

The launching of craft from informal access points, which is relatively common for canoes and sea kayaks, may result in compaction of feature and damage to vegetation.

Disturbance can be caused to wildlife by the presence of sea kayaks and canoes in areas inaccessible to larger craft, including nesting sites. The impact will vary depending upon the type of activity, the time it takes place and the vulnerability of the wildlife. However, the representative body has a proven record of supporting voluntary restrictions in appropriate areas during the nesting season.

Disturbance is observable at feeding, mating and roosting times but the impact is extremely difficult to quantify, particularly as the activity is relatively rare.

Erosion to marine features may be caused by participants in immersion sports, such as sea kayaking and canoeing, making direct contact with the feature, although they will tend to avoid areas with underwater obstructions such as reefs.

Suggested Reading >> <http://www.riveraccessforall.co.uk/index.php>

| Issue | mSAC Feature | | | | | | | | | | | |
|--------------------------------------|------------------------|-------------------------|---------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------|---------------------------------------------|-------|---------|-----------------------------------------|-----------|-------------|--------------------|
| | Low flushing estuaries | Fast flushing estuaries | Mud and sand flats not covered by sea water at low tide | Sandbanks which are slightly covered by sea water at all times | Low flushing large shallow inlets and bays | Fast flushing large shallow inlets and bays | Reefs | Lagoons | Submerged or partly submerged sea caves | Grey seal | Common seal | Bottlenose dolphin |
| Launching ¹ | w | w | w | | w | w | m | w | | w* | w* | m |
| Noise disturbance | | | | | | | | | | m | m | m |
| Disturbance to wildlife ² | m | m | | | m | m | m | m | m | m | m | m |
| Erosion and turbidity ³ | m | m | m | | m | m | m | m | | | | |

Key to impacts

Blank Square - not applicable

m - minimal

w - observable, likely to be location specific

w* - observable at certain times, minimal at other times

l - appreciable

Notes

- trampling and scouring
- presence of activity in the vicinity of wildlife
- trampling

Sea Kayaking is an inherently environmentally friendly form of transport. Whilst we realise there are many challenges affecting the environment today, we seek to focus on tangible issues that we can address to ensure that our activities are sustainable and that we minimise the impact that we have on the environment and other people, including;

- Minimal group sizes.
- Encourage car sharing.
- Picking up litter to ensure sites look better than we found them.
- Support local businesses and encourage customers to shop locally.
- Endeavour to buy equipment from “gr equipment is well maintained to improve longevity.
- Try to influence and educate others

- Work closely with other organisations e.g. The Outdoor Charter Group, Marine Conservation Society, Wildlife Trust, Canoe Wales, National Trust and The National Park.

[<https://naturalresources.wales/days-out/the-countryside-codes/?lang=en>]

The Marine Code;

<https://www.pembrokeshiremarinecode.org.uk/>

A huge diversity of marine birds, ani coastline with us. Due to the rarity and importance of some of these species,

legislation exists to protect them and ensure the conservation of them and the marine environments they inhabit. All cetaceans (dolphins, porpoises and whales), basking sharks, turtles and wild birds are protected by law against intentional taking, killing or injuring. Other animals including seals and plant life also receive legal protection. Reckless disturbance of cetaceans, wild birds, seals, basking sharks and turtles is also an offence.

The Pembrokeshire Marine Code exists in addition to legislation as a voluntary agreement. The code has been agreed on by all major local wildlife tour boat operators, sub aqua diving organisations, jet ski organisations, sailors and sea kayakers.

In addition restrictions exist at certain times of the year (some areas all year round) for wildlife habitats which are particularly sensitive to disturbance.

Wild Camping Code of Practice;

This code is designed to enable us to enjoy the benefits of wild camping, whilst having minimal impact on the environment and other coast users.

Where camping at one site for more than one night groups would be better to make use of proper campsite facilities.

- Group size should be kept to a minimum 12 in total.
- Bivvying, (without the use of tents) predominately on beaches.
- Camping, It is advised that where possible groups should contact the local landowner and make use of land adjoining the coast.
- Groups should only erect tents over night and not leave tents up between consecutive nights unless with prior consent from the landowner.
- Litter; please ensure all litter is taken away.

- Human waste management, this should take place below the high water mark. Where this is not possible e.g. on public beaches waste must be buried. All toilet paper must be removed or burnt.
- Campfires, ground should be left as it was found, preferably below, or near to, the high water mark. Only use fallen wood.

Good Practice when Canoeing - the Basics

The UK has a wonderful network of inland and coastal waters that are among the best in Europe. To get the best canoeing experience:

- be considerate and respectful
- respect the freshwater and marine environment
- follow safety recommendations
- be seen as a welcomed visitor

Good Practice when Canoeing - Caring for the Environment

Your canoe or kayak is a traditional craft used throughout the world for exploring wilderness areas and quietly observing wildlife and flora. It causes no erosion, noise or pollution and leaves no trace of its passing. Canoeing at appropriate water levels is an environmentally benign activity and causes no damage to fish stocks.

By following the simple steps below you can ensure your presence is not detrimental to the freshwater environment, as well as minimise or avoid accidentally disturbing wildlife and their habitats.

- Find out about the area before you go, noting its sensitive places, species and breeding seasons.
- Leave no trace of your visit and take your litter home with you.
- When clearing litter left by others, handle it with care.
- Leave the environment as you find it.
- Keep noise to a minimum.
- Do not 'seal' launch or drag boats to avoid wearing away natural banks. Float your canoe for launching, lift out when landing and carry it to and from the water.

- Do not damage bankside vegetation when launching or landing.
- Where possible keep to any designated paths or launching points.
- On rivers, avoid paddling over gravel banks in low water conditions – they may contain fish spawn.
- On coastal waters take care on shingle beaches - they may be nesting grounds
- Avoid dragging canoes across rocky inter-tidal areas, through sand dunes and their grasses.

*(For more advice refer to Canoeing in general & on the Sea –
[A Guide to Good Environmental Practice](#)*

<https://www.canoescotland.org/access-and-environment/protecting-our-environment#qsc.tab=0>

- It's good practice when canoeing to paddle a safe distance away from wildlife to avoid causing disturbance and stress to otters, seal colonies - especially with pups present, and rafts of wildfowl and sea birds as well as their nesting, shelter and feeding areas e.g. mudflats, marshes and cliffs. Remember, basking sharks, dolphins and whales can also be a danger to you.
- Constantly assess wildlife. If you see signs of disturbance move away quickly.
- Note the bio-security measures to minimise the spread of invasive alien aquatic species and diseases in UK waters. Check, clean and dry canoes and equipment after use.

What is hypothermia:

"Hypo" means under. "Therm" is a unit of heat. The normal core temperature for you body is 98.6 degrees F. (37 degrees C)

"Core temperature" means the temperature of internal body organs, particularly the heart, brain, lungs, kidneys, stomach, and intestines.

An abnormally low core temperature is the condition of hypothermia. In this condition normal muscular and mental abilities are impaired. If the condition continues to deteriorate it will lead to death.

What causes hypothermia:

Hypothermia IS CAUSED by

- 1) sudden exposure to cold water or CAN BE CAUSED by
- 2) prolonged exposure to the cold conditions of temperature, water, and wind or by
- 3) a very slow and prolonged period of cold conditions AND prolonged fatigue, exhaustion, and lack of food which is not uncommon among adventure racers. In this last case shivering may never be a symptom, but there will be plenty of other signs.

When heat loss exceeds heat production and heat retention; hypothermia is the result.

When HEAT LOSS is greater than HEAT RETENTION and HEAT PRODUCTION...

Hypothermia is the Result

Heat is lost by the body to the conditions of the environment by...

Radiation (cold condition - temperature of the air) This is when the EXPOSED surface area of your skin is warmer than the surrounding air. This occurs in all air that is less than 96.8 degrees F and from all skin that is exposed.

So, wear clothes, but remember YOU will lose twice the amount of heat from your head as from the rest of your body, that is why head gear is SO important. Thus the old adage, "if your hands or feet are cold, put on a hat".

Conduction (cold conditions - temperature and water)

Heat is conducted from direct contact between your warm body and colder objects. The more dense the object the greater the ability to conduct heat. Heat is conducted from your exposed skin or through clothes; to the ground, to the air, to the kayak seat, from your feet to shoes to kayak hull, from your hands to gloves to paddles shaft, etc.

Since water is much more dense than air, heat will be conducted away from your body much faster (probably at least 5 times faster, but some sources quote the rate as 25 times faster) in water than in air.

Heat is conducted from the body through WET clothes much faster than through dry clothes. That is why the statement, **"to stay dry is to stay alive"**.

So, you must stay dry. Have the proper rain gear, storm gear, and spare dry clothes (that you do not allow to get wet).

Convection (cold condition - primarily wind)

Heat will be lost to moving mediums, the denser and faster the moving mediums the faster the heat loss. You will lose heat more quickly in fast current than in still water. You will lose heat faster the faster the air is moving, this is 'wind chill'. This is the importance of wearing something to 'break the wind', such as a paddle jacket, dry top, etc.

Evaporation

This heat loss is due to your body's processes of converting water from liquid to gas.

Perspiration is the evaporative process your body uses to cool itself during exercise. Insensible Perspiration is the evaporative process your body uses to maintain 70% humidity next to skin, which can be a lot of water particularly in a cold, dry environment. Respiration is the evaporative process that occurs when air is heated as it enters the lungs and is exhaled with moisture content from your body.

Evaporation processes are natural functions. There is nothing you can do to retain heat in regard to evaporation. But you can breath through a light covering over the nose and mouth to pre-warm the air that you are breathing.

Note: Knowing about the constant loss of water due to evaporation, it is important to stay hydrated.

Preventing hypothermia:

Retaining your heat and producing heat are how you prevent hypothermia.

More on heat retention:

There are FOUR ways to increase your body's ability to retain heat while kayaking.

- 1) Practice being in the cold. That's right, acclimate and become used to physical exertion in the cold. The body does a wonderful job of adapting to different conditions. If you spend all day and every day in the warm office, you are not going to be physically prepared for a vacation of long cold, wet days of kayaking.

By spending a few hours outside in the cold a few times a week, you can prepare yourself. This does not take a big science project. For instance, you'll notice when your hands, without gloves for say 20 minutes, are not as cold after several weeks of 'practice' as they were when you first started. Adventure race team Note: Let's say, it is June, you are from southern California and you are going to Poland for an expedition race in the Fall. Consider training at higher elevations at night during the summer, not for the altitude (which won't hurt anyway) but for the cold. Also, consider arriving in Poland a week ahead of the race start and hanging out in shorts and short sleeves a little bit.

- 2) Put on more body fat. Body fat is insulation. Insulation will prevent conductive heat loss. Fat, by the way, is not necessarily bad for you. In fact, your body needs certain fats for health. So, be wise about your nutrition, your diet, and your training.



Make your rescues proficient. Plan on being in the water! This means consider how long you might be in the water should you capsize. And do not assume that you are not going to capsize. That kind of decision is what causes hypothermia.



And if you have a good kayak roll, do not assume that you will be able to roll in cold water. The effects of fatigue, exhaustion, and the shock of cold water immersion will likely cause you to miss.



And if you are not real proficient at wet exits and re-entries – then practice some more. Again, the shock of cold water immersion and fatigue probably will cause a longer time than usual to sort out the rescue (getting back in the kayak). The less time in the water the less time for the rapid heat loss of cold water conduction.

4) Wear the right clothes for the water, which means dress for the water temperature and not the air temperature. Any water colder than 96.8 degrees F can cause hypothermia! [37 degrees C]

- Again, plan on being in the water and do not assume you won't capsize.
- And consider, given the possible conditions, how wet are you going to get while kayaking. Kayaking with a light wind is going to be a lot dryer than kayaking into 20 mph winds and the resulting waves.
- But do not assume that the weather is not going to change. This is another decision which causes hypothermia.
- The only way to know what clothes to wear for the water temperature is through practice. Everyone is different with different abilities to ward off the causes of hypothermia.

And there are two ways to retain heat while beached up.

- 1) Get in your dry non-paddling clothes (that you have brought in a dry bag). These clothes you never get wet and never paddle in.
- 2) Get inside your sleeping bag and use an insulating pad between your sleeping bag and the ground.

Heat production:

There are THREE ways to produce heat to prevent hypothermia.

- 1) The body produces heat by the digestion and utilization of food. This is the main fuel source for the body's furnace. While in cold conditions you have got to eat to stay warm. And to digest the food you have got to stay hydrated. You cannot digest food without water.
 - A little about food. Carbohydrates, with 5 calories/gram are quickly released into blood stream for sudden brief heat surge. Carbs are the best to use for quick energy intake especially for mild cases of hypothermia. Proteins, with 5 calories/gram are slowly digested and release heat over a longer period of time. Fats, with 9 calories/gram are slowly released but are good because they release heat over a long period, but it takes more energy and water to digest fats.

- 2 Heat is also produced during exercise, in our case paddling. But, you need to remain fuelled to continue paddling. Shivering is a natural mechanism that creates involuntary exercise and produces heat. But, if you are shivering, you are losing to hypothermia. You need to retain or produce more heat.
- 3 The body can also gain heat from external sources. These can include but are not limited to warm food and drink, chemical heat pads, fire, and of course the sun.
 - While paddling you can drink warm liquids that you have already prepared from a thermos. You can eat warm food that you have already prepared from aluminium foil or in the case of freeze dried foods, from the container they come in. Before you paddle, prepare a freeze dried meal with boiling water in its container, leave a spoon in it, and it's ready to eat and warm when you need it.
 - And while paddling you can utilize chemical heat pads by placing them inside your paddling jacket or pants (however, don't place them directly against the skin).
 - If you have beached up you can build an emergency fire, prepare warm food and drink, and use heat pads.

EQUIPMENT

Always wear a Buoyancy Aid

A buoyancy aid should be worn for every canoeing activity, regardless of how well you can swim. Should you capsize it will keep you afloat and unlike a lifejacket, you can easily swim to help yourself. No one has drowned from a canoe close to the bank on simple water, whilst wearing a buoyancy aid.

A buoyancy aid is probably the most imp so don't just rush out and buy the first you can find – a good one will last a long time.

Buoyancy Aid or Life Jacket?

Life jackets are designed to keep you floating the right way up but are generally too bulky to swim in, let alone paddle, so a buoyancy aid is the natural choice for the canoeist. Canoeing buoyancy aids are foam-filled not air-filled.

Helmet

Helmets are necessary for white water, shallow rivers, polo, slalom, river racing or surfing. There's more to fitting a helmet than just buying the one that matches your hat size or guessing at "small, medium or large. It should be made of a durable material and float. Helmets should be CE approved - CE1385.

See >> <https://www.paddleeducation.com/kayak-fishing-instruction/your-equipment/equipment-guide/safety-gear-clothing/the-helmet/>

Spray Deck

The spray deck is an elasticated 'ski kayak through the cockpit area. In rough water it is an essential item and in

cold weather it helps keep you warm. The quick release strap must be accessible, in case of a capsize. Spray decks can be made of tough fabric (cheap but not 100% waterproof) or neoprene (expensive but more watertight. Also harder to release)

On top of these essentials (often supplied by a club to beginners) whatever selection of kit you choose, it will probably be a variation on the insulating layer plus waterproof/windproof layer theme.

Other pieces of kit –boat, paddle, cagoule, canoe shoes, clothing

Paddles

Choosing a Paddle - Kayak paddles generally have their blades offset. This means you have to swivel the shaft in your hand on each stroke cycle. The paddle at the 'gripping hand end' is generally vertically aligned– this will determine whether you choose a right of left handed paddle. Most right-handed people usually prefer right-handed paddles and vice versa (although many left-handed people paddle with right-handed paddles). Many more expensive paddles are 'split' and therefore can be adjusted to suit both.

For a beginner, a general-purpose cheap and durable paddle might have a plastic or alloy shaft paddle with moulded plastic blades. If you become more specialized you may prefer a lighter-weight paddle. Different disciplines have different shaped blades and use different length shafts.

Paddle Length

Paddle lengths vary. A short paddle can accelerate your boat quickly (useful for freestyle and river running). A long paddle will be slow to accelerate but will make long distance paddling more comfortable (a good idea for sea-kayakers and marathon paddlers). Paddles for use purely on white water might be 190-200 cm while those used for flat water racing or touring might be 210-225 cm.

Clothing

In canoeing, it is important that clothing should protect the body without being too restrictive. There is a lot of expensive and technical kit on the market but there is no real need to rush out and buy everything all at once. Spend a little time considering what you want to use the kit for – Sea-kayaking? Competition? Touring the canals? When you hope to be paddling – balmy summer days? Or through the winter with ice on your paddles? And whether your chosen kit will be adaptable to various conditions? After-all no-one wants to earn the tag “no idea but all the gear”

1. An Insulating Layer –Insulation can come from several thin layers rather than one single thick layer. More dead air is trapped in and between thin layers than in one thick layer. A wetsuit can form part of this insulation, and so can synthetic thermals and fleeces.

2. A Water/Windproof Shell Layer –This is the crux of the system, ranging from waterproof (like a dry suit) for white water to a light shell for competition or fair weather.

Never canoe in bare feet - keep comfortable contact with the footrest.

Warm Weather Paddling

Specialist canoe kit is not essential on warm summer days. To start off with, wear a pair of shorts, which dry quickly when damp, a T-shirt and some form of footwear. A lightweight or short shell top will combat any wind chill. You may want to invest in some neoprene shorts, beach shoes and a synthetic thermal top.

Possible kit list for summer

Thermal vest, light fleece, synthetic top (such as for football)

Nylon tracksuit trousers

Trainers or beach shoes

Light-weight wind-proof/splash-proof top

Simply increase or decrease the layers until you feel comfortable.

Cold weather Paddling - Possible kit list for winter

Wetsuit (sleeveless) or dry trousers and thermal leggings

Thin thermal or warm fleece top (not cotton)

Wetsuit booties

Paddling Jacket (Cag)

The following clothing would be suitable:

Thermal vest

Light fleece

Tracksuit bottoms (**not cotton**)

Light water-proof bottoms

Trainers or beach shoes

SAFETY

There are basic safety rules that all boaters should follow

As with all recreational activities, there is always the possibility of injury or death. Always use common sense and follow all safety rules at all times.

Be aware of weather conditions and water temperature. Prepare for changes in weather and the possibility of a capsizing. If paddling in cold water, a wet suit or dry suit can keep you warm and comfortable. In warm weather, a long sleeve shirt can provide sun protection.

Invest in appropriate clothing for your climate. One advantage of sit-inside kayaks is that you can shield yourself from some of the elements, while sit-on-tops leave you more exposed. Dress for the day.

Beware of off-shore winds that make it difficult to return to shore.

Always follow the boating rules of the area you're in.

Never mix alcohol or drugs (prescription or non-prescription) with boating.

Never exceed the weight capacity of your boat and always check your equipment for wear and tear before you paddle.

Seek qualified instruction to learn proper paddling techniques, water safety and basic first aid. (**FSRT** courses are kayak/canoe specific]

Brush up on self-rescue first in calm, warm, shallow water, and again in more extreme conditions.

Most importantly, **WEAR YOUR PERSONAL FLOATATION DEVICE**. Some countries' Coast Guards regulations **require** that all kayaks have a 'lifejacket' on board. Wearing your BA/lifejacket will help keep your head above water and add insulation to your body, keeping you warmer in cold water. There are great PFDs designed specifically for paddlers. Buy one that fits well, and **always wear it while you paddle**.

Tell someone your paddle plan, which includes: where you are going, what you will be doing, how long you expect to be gone and how many people are in your party. Then stick to your plan.

Paddling in the surf zone or in rivers can be dangerous. Always wear a helmet.

Stay hydrated. Always bring plenty of water and food.

When paddling in a new area, check with the locals regarding currents, shoreline conditions and weather patterns. Plan an "escape" route - an alternative place to get off the water should environmental conditions dictate it. Abiding by these rules will help to make your kayak adventure safer and fun.

Edited from web resources :
Bill Richmond 2014 - 2021

This text (below) has been downloaded from British Canoeing General Access Research

**BC(U) website - Waterways & Environment – Access to Waterways – waterways and the law
Access Studies pdf**

The need for clarity on access issues: A legal right of access to rivers, canals and waterways would provide clarity and certainty of access. It would also lead to more recreational opportunities for people who want to use the water for recreational and educational purposes including canoeists, swimmers, anglers, walkers and boaters and members of the general public with consequential benefits for public health.

Improved access is needed: Canoeing is a clean physical activity enjoyed by over two million people each year causing no damage and minimal disturbance. Canoeing is also a sport which delivers Olympic and international medals. Canoeing is a sport and recreational activity for all regardless of age or ability. Water-related activities are on the increase and improved access would provide millions of people with the opportunity to enjoy water-based activities near their homes and on a variety of waters.

In pursuing improved access to water, there has been much research in to what can be done to improve access.

Historical Access Legislation

As long ago as 1892, the House of Commons first passed a Resolution on the need for legislation for the purpose of securing the right of the public to enjoy free access to uncultivated mountains and moorlands especially in Scotland, subject to proper provisions for preventing any abuse of such right. There was no mention of the similar need to secure the right of the public to rivers and other inland water.

When the issue was considered in an official Report in 1947, it was felt that generally rights of navigation existed on rivers up to some point governed by long standing custom or prescription, but that it was unusual to find any general right of navigation on lakes. Hence the Government was advised that on rivers and canals existing rights or customs of navigation were largely sufficient to meet the then public need, but that the maximum degree of public access to lakes should be secured by agreements.

However, a Government report in December 2001 indicated that on some 42,700 miles of rivers in England and Wales, less than 1,400 miles have formally-established navigation rights providing secure rights of access. In the last 40+ years only another 500 miles of highly restrictive access agreements have been achieved ; some are for as little as one day per year. As there are some 2 million canoeists, as well as other recreational users, the need to make further progress in strengthening and clarifying public rights of responsible access to water is clear.

More Recent Access Legislation

The Countryside and Rights of Way Act 2002 established in England and Wales a statutory public right of access on foot, subject to safeguards, in large areas of the countryside; and provided for this to be extended in the future to the coast, complementing the public rights of navigation and fishing which exist on non-tidal waters.

It had been hoped that this Act would extend to water as well, but it did not in fact do so, and indeed canoeing and other forms of water recreation were specifically excluded from the operation of the Act. This has resulted in a serious disparity by which the need for statutory public rights of access for land-based recreation on foot in much of the countryside has been recognised, but the similar need for statutory public rights of access for inland water-based recreation has not.

However, when the Land Reform (Scotland) Act 2003 was passed, it applied to both land and water with the result that a statutory public right of responsible access to most inland water in Scotland has been established, for recreation and education, and also for passage. This is supported by a Scottish Outdoor Access Code, approved by the Scottish Parliament, clarifying the operation of the right in a wide range of practical circumstances.

This was an important initiative, redeeming a pledge made by the UK Government in 1997 before devolution, and shows that it is quite possible in at least one part of the United Kingdom for the Administration to bring forward legislation providing for a statutory public right of access to water for recreation, education and passage.

However, it further emphasises the relative disadvantage of water-based recreation and other users in England and Wales who at present have no similar statutory rights.

Hence a Bill as a means of removing this disadvantage to the benefit of recreational users and the general public is required or the restoration of Historic Rights). A Bill would be based on the Scottish legislation and related Access Code in order to utilise the very considerable amount of work which has been carried out there, and the practical experience gained. Has not a precedent been set?

Access Research

Several studies have been commissioned by DEFRA in to considering access to water for canoeist. We have labelled them Brighton 1 to 3 as the same organisation has not only been commissioned to research them but also implement them.

- BRIGHTON 1 - WATER-BASED SPORT AND RECREATION: THE FACTS
- BRIGHTON 2 - WATER BASED SPORT AND RECREATION - Improving Access for Canoeing on Inland Waterways – A Study of the Feasibility of Access Agreements
- BRIGHTON 3 – Improving Access for Canoeing on Inland Waterways implementing the findings of Brighton 2

In the England (and Wales) the canoeist does not have an automatic right to launch on to any river. The legal situation is different from all other countries in the world, where canoeists are generally able to paddle large and small non-tidal rivers without seeking permission, as the beds of these rivers are not privately owned and not vested in riparian owners.

The Government commissioned report "*Water-Based Sport and Recreation – the facts*" published in December 2001 established:

- There are 4,540 kilometres of canal and rivers with navigation rights.
- There are in excess of 65,000 kilometres of rivers with NO RECOGNISED PUBLIC ACCESS.
- An issue to address is removing uncertainties about the legal position of public rights of navigation. Successive governments have encouraged canoeists to seek to negotiate access agreements. These have only achieved 812 kilometres of highly restricted access.

The Four Projects:

- **River Mersey:** 28 km from Stockport city centre to Carrington. This is, in fact, a realisation of an earlier scheme put forward by the British Canoe Union in 1994/5 and supported by the Environment Agency NW Region. A gain brought about by Local Authorities, who have a statutory remit to promote recreation. Access was uncontested by other interests, so the voluntary agreement could be considered a formality.

- **River Teme:** only 1 mile or 1.6km of white-water around Ludlow – including four weirs- This is highly restrictive with no access in June, July and August and considerably reduces access the rest of the year with a potentially unmanageable booking system. The current arrangement is for all year round paddling based on suitable water levels. The intervention of the Brighton Team has given the opportunity for locals to close down the paddling opportunities. This is not acceptable.

Of all the studies this is the agreement that shows that the Brighton research Team do not understand the market they are delivering for.

- **River Waveney:** 33 km from Brockdish (east of Diss) to Ellingham (east of Bungay) – This is nothing more than a duplication of the work undertaken by the British Canoe Union, Environment Agency, Local Authorities and the East of England Development Agency in 1999. This previous work was not identified by the EA and Brighton Team and as canoeing has taken place for many years access was not contested. The Paul Hiney Secret Rivers programme this month paddled it and traced navigation on it back to the Romans.
- **River Wear:** 9 km from Houghall south of Durham to the Sands north of Durham.- In reality this is probably 3 mile (5km) stretch around the Durham peninsula which has always been used by canoeists. The extra distance is taking in Houghall College. There is no certainty that this will be included, as they only own one of the riverbanks. In August 2006, the Environment Agency admitted that they had achieved nothing and could only claim success if the owner opposite to Houghall would agree access.

From 2006

On the 3rd October 2006 the Environment Agency published their report *“Putting pilot voluntary canoe access agreements in place”*. The work was carried out by the University of Brighton but commissioned by the Environment Agency (EA). Canoe England raised grave concerns over the piece of work and the manner in which it was undertaken.

The purpose of the study

On behalf of DEFRA the EA asked Brighton University to test and demonstrate the processes involved in negotiating voluntary agreements and to secure voluntary canoe access agreements on four rivers in England (Mersey, Teme, Waveney and Wear). These rivers had featured in an earlier feasibility study carried out by the Countryside Agency. The study concluded that additional access to rivers could be provided through voluntary arrangements, but that more advice and guidance was needed.

The study claims

- Demand in England for recreational access to inland waters is not widespread. (thought to be as at 2006) This claim contradicts the reality that canoe and kayaking is the most popular watersports for the 10 year running, with over 2 million paddlers participating and membership levels increasing month by month.

Furthermore, the Countryside Agency – Land Recreation and Access Report concerning National Parks (June 2005) – stated that there was a great unmet demand for white water canoeing in the National Parks.

- Approaches to securing canoe access by voluntary agreement are successful. Nearly half of the rivers access secured by this work was already in place. On one river the agreement is for a 1 mile stretch and for very restricted time periods. Given the popularity of canoeing, this is not successful, sustainable or acceptable. In fact on a couple of the pilot study rivers there is now less canoeing available than before the intervention of the work by the EA/Brighton University.

What has the study actually achieved?

Very little indeed, 72kms (45 miles) have allegedly been 'given' to paddlers, but in reality over 25 miles already had access agreements in place (the EA had sponsored a Canoeists Guide to one of the rivers). So in two years a meagre 20 miles of access have been secured, with some of that being highly restrictive and complicated.

There are over 41,000 miles of rivers (over 3 metres wide) with no access. At this rate gaining access, by this method, to rivers is too slow and certainly not adequate.

Just a few reasons why the study is flawed

- There was no consultation with the British Canoe Union, the National Governing Body of the sport, representing paddlers' interests.
- Rather than finding an innovative solution this study fuels the angling versus canoeing debate.
- In the light of the Scottish Land Reform Act and following example from other European countries, Canoeists are right to expect a more realistic approach to access.

Why rivers access agreements do not work

From over 66,000 kilometres of rivers in England and Wales without a public right of navigation, only 812 kilometres of highly restricted access has been negotiated. Some agreements are for just a few days each year adding very little (1.2%) to the 4% of inland waterways with a public right of navigation. Ultimately, access is in the hands of riparian owners. If they refuse to engage in negotiation, there is no way canoeists can make progress.

So this work has achieved very little expect spending a lot of money to show how difficult it is to negotiate access. In the report, where the EA could not contact all the landowners, they assumed a right of access anyway.

Notes :