

## **Code of conduct for commercial operators launching canoes from Upper Glas-y-Bont common, from 1<sup>st</sup> April 2017 – 30<sup>th</sup> March 2018 inclusive:**

### **Introduction:**

Upper Glas-y-bont Common is owned by Powys County Council. Arrangements for canoe access have been made in liaison with the owners of the land downstream and fishing rights. They relate only to the section of the river Wye from Glasbury to Hay-on-Wye; there is no confirmed public right of navigation along this stretch of the river.

The Council's permission to launch and Natural Resources Wales consent require that commercial operators sign up and adhere to this formal Code of Conduct.

The Council permits launching of canoes (including kayaks) from the common, **between the hours of 10am and 4pm**. Operators should ensure that journeys are planned to make sure that their clients are off the section of the river Wye between Glasbury and Hay **no later than 5pm**.

The River Wye and most of its tributaries have been designated a Site of Special Scientific Interest (SSSI) and also a Special Area of Conservation (SAC.) These sites are strictly protected by European law and are environmentally important.

This Code of Conduct is about safety, protection of wildlife and the environment and respect for landowners and other river users. You could find yourself in breach of European environmental law if you do not abide by these arrangements.

### **Code of conduct:**

#### **1. Membership of a quality assurance scheme:**

Operators launching from Upper Glas-y-bont Common must be a member of a quality assurance scheme; acceptable schemes are:

- Licenced to provide paddlesports by the Adventure Activities Licensing Authority (AALA);
- British Canoeing Quality Mark scheme;
- Adventuremark.

At the time when the operator signs up to the Code of Conduct, they must be able to provide evidence (e.g. a certificate) that they either:

- Have current accreditation / are licensed by the scheme;
- Are registered with AALS / British Canoeing / Adventuremark to work towards accreditation.

**NB.** Operators who are working towards accreditation are expected to have achieved their accreditation or licence within one year of first signing the Code of Conduct. Permission to launch will be withdrawn from operators who do not achieve accreditation after that period, until such time accreditation is in place.

AALA guidance note 6.17 offers some Top Tips and Handy Hints for canoe hire operators. A copy is attached to this Code of Conduct.

## 2. Identification:

All operators must make sure that the name of the company or centre and a contact telephone number are clearly marked on both sides of all canoes, together with a number by which individual canoes can be identified.

The name of the company, canoe identification number and contact phone number must be clearly readable at a distance of 10 metres away from the canoe.

Please ensure that the contact phone number on each canoe is one that will be answered at all times when your clients are likely to be on the river – it can then be used to contact and inform you if there is an emergency involving your clients.

## 3. Launching and landing points and points for planned landing on the journey:

These are shown on the map (appendix 1) and marked on the riverbank with the following symbol:



Place where you can land

Place where you must not land (oxbow lake)

Unless there is an emergency (i.e. capsize and rescue), please do not:

- Use other launching or landing points without the prior consent of the owner,
- Land at the oxbow lake site that is highlighted on the map under any circumstance, between 15<sup>th</sup> March and 15<sup>th</sup> August each year. Landing during this period may disturb protected species of birds when nesting.

## 4. Rubbish:

Operators must:

- Provide clients with a suitable container for rubbish, which can be secured into their canoe.
- Ensure that clients are aware that no glass bottles should be carried when on the river. Other containers should be secured into the boat, not loose.
- Ensure that clients are aware of where they can dispose of, or recycle waste.

## 5. Alcohol:

Operators must ensure that clients are aware that:

- They must not canoe whilst under the influence of alcohol or drugs;
- No alcohol is to be carried in canoes down the river.

It is the operator's responsibility to assess whether clients are, or appear to be under the influence of alcohol and decide whether to permit use of their canoes or not.

**Please note** that in the event that canoeists are observed on the river under the influence of alcohol, the police can take action under welfare powers, as this is considered to be a serious safety issue.

6. Safety:

Operators must ensure that their clients are aware of:

- Commonly encountered hazards on the river, including trees;
- Correct use of their canoe and other safety equipment;
- The relevant emergency contact telephone numbers;
- Known phone signal 'blackspots.'

Operators must remind their clients that they take part in canoeing at their own risk. The owners and occupiers of land and fishing rights along the river accept no responsibility for the safety of canoeists.

7. Awareness of other river users:

So that anglers and others can enjoy their time on the river too, operators must:

- Make sure that clients are aware that anglers and others, including swimmers and walkers, may be present in the water or on the river banks;
- Stress the need for respectful behaviour – including changing out of public view, keeping noise levels to a minimum, ensuring that language is not offensive and trying to avoid collisions where possible.
- Make clients aware of the need to observe and avoid fishing lines and take care to avoid collisions where swimmers or anglers are present in the water.
- Remind their clients to keep noise to the level of normal conversation at all times. There may be an angler just around the corner; excessive noise and shouting when approaching or passing them will disturb them.
- Remind their clients to keep water disturbance to a minimum by not loitering, splashing or paddling upstream near anglers.
- Make their clients aware that they must follow directions from anglers who will signal how, which side and when they want canoeists to pass them, as this does vary.

Canoeists should take special care not to disturb beds of waterweed and gravel beds, particularly by trampling and launching / landing on gravel beds when the water levels are low.

8. Camping and open fires:

Other than at formal camp sites, lighting of open fires and camping are not permitted on Upper Glas-y-Bont common, or on the banks of the River Wye between Upper Glas-y-Bont common and Hay-on-Wye.

9. Types of craft to be used:

Use of improvised, or motorised craft is not permitted on the river between Upper Glas-y-Bont common and Hay-on-Wye. Permission to launch from Upper Glas-y-Bont common is for recognisable canoes and kayaks only.

10. Hygiene:

Please ensure that clients are aware of the location of toilet facilities (i.e. at Glasbury and at Hay-on-Wye) and the need to use these, as far as reasonably possible.

11. Fishing from canoes:

Fishing from canoes is not permitted, without a valid Environment Agency rod licence, landowner consents and the relevant fishing permits for the stretch of river concerned.

12. Equipment:

Invasive species, which can cause harm to the river environment, can be transferred on canoes and other equipment. Operators must ensure that canoes and equipment that have been used at other sites are clean and dry, before use on the stretch of the River Wye between Glasbury and Hay.

13. Canoeing in large groups:

If large groups (i.e. more than 3 canoes) are travelling downriver together, operators should encourage their clients to keep together as a group and not spread out more than necessary. That is important both for ensuring that all group members are safe and to minimise disturbance to other river users.

14. Protection of river banks, plants and other wildlife:

The river environment and wildlife are part of the enjoyment of the river journey and need to be looked after. Operators must remind their clients:

- To use agreed landing points only;
- To take care not when landing and launching to minimise erosion and other damage to river banks and vegetation;
- Not to go into the fields adjoining the river;
- Not to pick plants.

A (waterproof) camera is a great way to remember the journey and enjoy the wildlife, without causing disturbance or damage!

15. Parking and unloading of vehicles and trailers at Upper Glas-y-Bont common:

Parking space in the car park beside the common at Glasbury is very limited and is shared with other members of the public, so respect is needed.

The gateway onto the common must be kept clear, as it is needed for private access and importantly, for access to the riverside in an emergency. If a member of the public on the common needs emergency assistance, an ambulance or other emergency vehicle will need to be able to get to, or through the gate.

Because of that, operators must ensure that:

- Vehicles and trailers are only parked in the car park for the minimum time necessary to unload canoes and ensure that clients are on the river safely;
- If pre-trip briefings need to be given at the riverside, the vehicle and trailer are moved and parked at another location during the briefing;

- Vehicles and trailers are not left unattended in front of the access gate, or in front of the toilet block, for more than the absolute minimum amount of time needed to unload or load canoes;
- Trailers are not unhitched from vehicles and left unattended in the car park at any time.

**Activities outside this code of conduct:**

Nothing in this code of conduct prevents individual owners of land or fishing rights from granting express permission for activities outside of this code of conduct, as long as they have the legal power to grant that permission and are not in breach of the law.

However, permission must be obtained by the operator in advance of carrying out that activity and it is the operator's responsibility to be able to provide proof that all relevant permissions or consents have been granted. In particular, please note that as the river is designated as a SSSI and SAC, Natural Resources' Wales consent may be required in addition to that of the owner of land or fishing rights.

Specific permission for activities that are outside this code of conduct and taking place on, or in front of Upper Glas-y-Bont common can be sought from Powys County Council. To seek permission, please contact Powys County Council's Countryside Services team, during office hours, on 01597 827500 or by email at [cefngwlad@powys.gov.uk](mailto:cefngwlad@powys.gov.uk)

However, this does not include canoeing downstream of Glasbury Bridge or above the Afon Llynfi confluence, outside of the launch times of 10am-4pm.

The Council's consent must be sought no less than 2 weeks in advance of the activity taking place, to allow time for officers to consider the request and seek additional information if needed. If the Council is content to grant permission, then it will be provided in writing. Again, it is the operator's responsibility to be able to provide proof that consent has been both sought and obtained before activities are carried out.

**Agreement to abide by the code of conduct for commercial operators for launching of canoes from Upper Glas-y-Bont common, from 14<sup>th</sup> April 2017 – 30<sup>th</sup> March 2018:**

**Name of company:**

**Address of company:**

**Contact person:**

**Contact phone number:**

*(If emergency contact details are different to the normal contact number, please give both and advise which should be used in an emergency e.g. by the police)*

**Contact email address:**

I (*name*)\_\_\_\_\_ agree, on behalf of (*company name*)

\_\_\_\_\_ to abide by this Code of Conduct in respect of launching canoes from Upper Glas-y-Bont common, Glasbury. I understand that if there is a breach of the Code of Conduct involving this company or its clients, then the Council's consent to launch from the common may be withdrawn. I understand that launching from the common without the Council's consent is in breach of the Natural Resources' Wales consent for launching and as such, legal action may be taken.

**Signature:**

**Print name:**

**Position in the company:**

**Date:**

**Data Protection Act 1998**

Information about commercial operators who have entered into the Code of Conduct will be used in the following ways:

- A list of the names of the operators who have signed up to the Code of Conduct each year will be made available to the public and to Natural Resources Wales. If the operator wishes, a phone number and / or website address can also be included;
- Emergency contact details for each operator will be provided to the police, so that they can make contact with the relevant operator quickly if needed.
- This signed agreement will be held by Powys County Council.

**Launching and landing arrangements map:**

Locations of:

- Agreed landing sites;
- Oxbow lake site; no launching and landing 15<sup>th</sup> March - 15<sup>th</sup> August each year.

