

Using Inland Water Responsibly: Guidance for All Water Users

Developed in Partnership
with



SRPBA
SCOTTISH RURAL PROPERTY AND BUSINESS ASSOCIATION

SCA 
Scottish Canoe Association

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Scottish Rowing



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This Guidance is intended to assist all water users to share inland water in Scotland in such a way that the interests of all are considered and respected. The Guidance, developed through a process of consultation and consensus building, aims to demonstrate how the different interests of water users can be responsibly, proactively and positively integrated. It is hoped that commercial and educational guides, coaches and instructors, riparian owners, fishing proprietors or their agents, fishing associations, ghillies etc, who regularly use inland water (lochs, rivers, canals and reservoirs) with clients, will brief them on the good practice guidelines in this document. It is also hoped that clubs and individuals will follow this guidance.

While it may not be possible for every aspect of the Guidance to be applied to an individual set of circumstances, the intention is to foster mutual understanding and respect and to find practical ways of sharing rivers, lochs, canals and reservoirs responsibly. This document does not aim to cover the full range of potential environmental impacts that may be associated with the use and management of inland water; nor does it specifically cover users of areas around inland waters (e.g. walkers, bird watchers, shooting proprietors), however elements of this Guidance may be appropriate to them.

By following the Guidance it will be possible to demonstrate that water based shared use issues have been approached in a responsible and respectful manner, in accordance with the principles of the Land Reform (Scotland) Act 2003 and the Scottish Outdoor Access Code. The Act and the Code can be viewed in full via www.outdooraccess-scotland.com .

Part 1 Land Reform (Scotland) Act 2003

The Land Reform (Scotland) Act 2003 (the Act) has fundamentally altered the legal basis for outdoor access in Scotland. The public now have access rights to most land and inland water, subject to behaving responsibly. The Act defines responsible behaviour for those taking access as not unreasonably interfering with the rights of others. If someone acts irresponsibly, the right of access is automatically withdrawn. The Act also places obligations on landowners to manage land and inland waters in ways that take proper account of the right of responsible access. The Act defines responsible behaviour for land managers as not unreasonably interfering with people's access rights. The Scottish Outdoor Access Code gives guidance to both access takers and land managers on how the requirement to behave responsibly can be achieved.

The Act has therefore established statutory access rights to rivers, lochs and canals and one of the outcomes has been the extinguishment of some byelaws that previously prevented access to many of our reservoirs. Opening up large expanses of water in reservoirs, such as Loch Katrine, for access is one of the significant changes brought about by the Act. The right does not extend to motorised vehicles or vessels, except for those vehicles or vessels adapted for use and being used by a person with a disability. However powered craft can be present on canals, lochs and rivers where statutory and contractual rights exist. The Guidance given herein is appropriate to all inland water users.

Scottish Outdoor Access Code

The Scottish Outdoor Access Code (the Code) describes how access rights can be exercised responsibly, and how land managers can manage land and inland water responsibly in relation to access rights. The relevant guidance provided in the Code is:



Enjoy Scotland's outdoors responsibly

Everyone has the right to be on most land and inland water providing they act responsibly. Your access rights and responsibilities are explained fully in the Scottish Outdoor Access Code.

Whether you're in the outdoors or managing the outdoors, the key things are to:

- **take responsibility for your own actions**
- **respect the interests of other people**
- **care for the environment.**

Visit outdooraccess-scotland.com or contact your local Scottish Natural Heritage office.

KNOW THE CODE BEFORE YOU GO
SCOTTISH OUTDOOR ACCESS CODE outdooraccess-scotland.com

Key messages from the Scottish Outdoor Access Code are:

When you're in the outdoors:

- Take responsibility for your own actions;
- Respect people's privacy and peace of mind;
- Help land managers to work safely and effectively;
- Care for your environment;
- Keep your dog under proper control;
- Take extra care if you're organising an event or running a business.

If you're managing the outdoors:

- Respect access rights when managing your land or water;
- Act reasonably when asking people to avoid land management operations;
- Work with your local authority and other bodies to help integrate access and land management.

In relation to canoeing, rafting, rowing and sailing, Part 5 of the Code advises recreational users...

Make sure that the river, loch or reservoir is appropriate for your activity and the numbers involved take care not to interfere unreasonably with other interests and avoid going close to water intakes, abstraction points or spillways. On some water bodies that are intensively used for a wide range of activities, various management measures, such as zoning and byelaws, may be needed for safety or water quality reasons and to protect the environment. Follow any agreed guidance provided.

Respect the needs of anglers by avoiding nets or other fishing tackle. When close to anglers keep noise and other disturbance to a minimum. On lochs, keep a safe distance from anglers. On rivers or other confined waters, await a signal from the angler or ghillie to proceed if they have a line in the water and follow any suggested route they indicate if safe and practicable to do so. Take extra care when entering and leaving water to avoid damaging the banks or disturbing wildlife, and use a public slipway if one is close by. Do not pollute the water.

If you wish to canoe or sail on a loch or reservoir used intensively by a commercial fishery, be aware that this can be very disruptive, may raise safety issues because of the high number of anglers in a relatively small area and may impact on the operation of these businesses. Always talk to the land manager before going onto such water.

In relation to canoeing, rafting, rowing and sailing, Part 5 of the Code advises land managers ...

Where appropriate, work with your local authority and/or recreation groups to identify suitable parking and launching sites. Where intensive recreational use causes safety, operational or environmental concerns you could work with your local authority and/or recreation groups to determine what management measures might be needed. Wherever possible, if a club or group of users wishes to have a motorised rescue boat present for safety reasons give permission for this

In relation to fishing, Part 5 of the Code advises anglers and land managers ...

Anglers -

Access rights do not extend to fishing. Anglers need to be careful when casting lines so be aware of where people are on the water and on the land. If a canoeist or other person on the water is close by wait until they have passed by before casting. If you have a line in the water, allow people on the water to pass at the earliest opportunity. Indicating where you would prefer canoeists or rafters to pass by can help but be aware that it might not always be possible for them to follow the route you suggest.

Land managers -

Respect the needs of people exercising access rights responsibly. If a canoeist, rafter or other person is on the water, let them pass by before casting a line. Ensure your clients are aware that people can exercise access rights along riverbanks and loch shores, as well as on the water. Where appropriate, work with your local authority and recreation bodies to help to integrate access with fishing and other riparian activities, and help facilitate responsible access along riverbanks and loch shores.

In relation to wild camping, Part 5 of the Code advises recreational users...

Access rights extend to wild camping. This type of camping is lightweight, done in small numbers and only for two or three nights in any one place. You can camp in this way wherever access rights apply but help to avoid causing problems for local people and land managers by not camping in enclosed fields of crops or farm animals and keep away from buildings, roads or historic structures. Take extra care to avoid disturbing deer stalking or grouse shooting. If you wish to camp close to a house or building, seek the owner's permission. Leave no trace by:

- Taking away all your litter;
- Removing all traces of your tent pitch and of any open fire (follow the guidance for lighting fires);
- Not causing any pollution.

In relation to wild camping the Code advises land managers...

If you are experiencing large numbers of roadside campers or have well-used wild camping areas, you could work with your local authority and with recreational bodies to assist the management of such camping.

There is additional guidance on camping for land managers and users on:

www.outdooraccess-scotland.com/default.asp

Part 3 of the Code also gives advice to organised groups, event organisers or those running a business. It says...

As an individual, you can exercise access rights as part of an organised group or by taking part in an organised event. Access rights also extend to some types of commercial activity. As a general rule, the larger a group or event, or the more regularly use is made of a particular place, the greater is the risk of causing unreasonable interference with the rights and needs of land managers and other people, and of causing impacts on the environment. Therefore, if you are responsible for organising a group or an event, or for running a recreational or educational business requiring access to the outdoors, you need to show extra care.

Key points to remember if you are organising an event or running a business:

- Contact the relevant land manager(s) if you are organising an educational visit to a farm or estate for a specific purpose, and follow any advice on what precautions you might need to take;
- Obtain the permission of the relevant land manager(s) if your event needs new or temporary facilities and services or is likely, due to the nature of the event or the number of people involved, to hinder land management operations, interfere with other people enjoying the outdoors or affect the environment to an unreasonable extent;

- For larger events, make sure that you minimise impacts on the interests of other people and the environment;
- If you run a business which utilises access rights, show extra care by minimising the impacts of your activities and by trying to talk to the land managers who are responsible for places that you use regularly or intensively.

Rights of Navigation

Established Rights of Way on land and Rights of Navigation on inland waterways still exist. The Rights of Navigation laws differ to some extent from Rights of Way law; for example, the Right of Navigation does not need to run between two public places, and there is no time limit due to lack of use, so established navigation rights can only be extinguished by Acts of Parliament. Once established, the Right of Navigation extends to permit any operation that could be reasonably described as navigation, which usually involves making a 'journey' of some sort. It can be for any purpose (recreational, commercial, etc), and a Right of Navigation on a river is for travel in any direction.

Rights of Navigation have been established by the courts on the River Spey and the River Leven in Dunbartonshire. Rights of Navigation could also be claimed over a number of other rivers and on lochs that once had steamers operating on them, for example on the likes of Loch Awe, Loch Tay, Loch Lomond and the River Falloch but they have never been to court to have their Right of Navigation confirmed.

The Land Reform Act provides a right of access to most inland water, conditional on responsible behaviour, but an established Right of Navigation takes precedence over such rights including angling and fishing rights. The Right of Navigation could also potentially offer greater protection to access rights, for example from development proposals, rather than those offered by the Land Reform Act.

The International Regulations for Preventing Collisions at Sea (IRPCS) www.sailtrain.co.uk/lrpcs/ apply on all tidal waters up to the normal high spring tide limit of all rivers. These rules also apply to some inland lochs and canals where sea-going vessels are able to navigate.

There is a complex history of both statute and case law on this subject.

In some locations there may be several activities making use of the same water; they may have impacts on each other. In these instances it is important to remember that all legitimate activities have a right to make use of the water and the key to better relations and reduced conflict is via joint working and communication of vital information (see also Section 4).

All those using inland water should consider the impacts they may have on the area's environment as well as other users.

The table below describes most types of inland water use. It is designed to raise awareness of these activities and help other water users to behave with consideration.

Types of Recreational Activities on Inland Water		
Canoeing: Scottish Canoe Association www.canoescotland.org/		
Activity	Description	What can other water users do to help?
Touring	Touring involves paddling from one place to another and perhaps back again. A variety of different types of boats can be used. The water can be flat and/or consist of rapids	If you are angling either from the bank or a boat, keep a look out for paddlers approaching and acknowledge them when you become aware of their presence.
White Water Paddling	White water paddlers are interested in the river features: waves, eddies, stoppers, boils etc. They will sometimes play on these features and will also paddle up and down sections of river.	Be aware that some canoes travel quickly through the water and with the combined speed of the current, can arrive silently and without notice.
Wild Water Racing	Wild Water Races involve paddling as fast as possible from A to B. Different types of boats are used – singles and doubles. Distances are anything from 200m to 23 miles on any type of water. Participants can start at regular intervals e.g. 1 minute or 30 seconds or in some events, all start at the same time. Events are individual boat, team or relay.	Paddlers will be looking out for anglers but will also be concentrating on the river features including waves and rocks in their path. This means that it can be difficult to spot anglers – especially if they are deep wading and/or wearing camouflaged clothing.
Marathon racing	Marathon races take place on any type of water. They can be over very short distances	On seeing paddlers approaching, anglers should

	<p>through to events of many tens of miles and even multi-day multi-stage events. There are usually different length courses at each event and single and double boats compete.</p>	<p>consider which route is most practical for both angler and paddler and give clear directions as to the preferred route the craft should take.</p> <p>Section 3, gives more details on hand signals.</p>
<p>Sprint Racing</p>	<p>Sprint racing involves going as fast as possible from A to B usually on flat water. Distances usually consist of 200m through to 1000m</p>	<p>Be aware that paddlers' abilities vary and some will find it easier to stop and manoeuvre more accurately than others.</p> <p>Refrain from casting whilst craft pass by (although it is not always necessary to take in line).</p> <p>Only resume fishing once the craft have completely passed by.</p> <p>When angling from a boat it is even more important to keep a look out for approaching paddlers. Be aware of the wash that you create and please give paddlers a wide berth.</p> <p>Rafters and other craft on the river should look out for canoes. Being aware of others around you will help avoid collisions.</p>
<p>Slalom</p>	<p>Slalom involves paddling a prescribed course. The course can be informal using natural obstacles or formal using temporary/permanent obstacles.</p> <p>Official competition events use poles hanging above the water.</p>	<p>Slalom, Polo and Freestyle paddling take place mostly in defined areas.</p> <p>Formal events for these activities are not usually compatible with angling or other water-based activities in the same section of water at the same time, due to their more intense nature.</p>

Canoe Polo	Like the sport of waterpolo - but using kayaks instead of swimming in the water. There is a goal at each end of the pitch. It takes place on flat water which could include a slow moving river as well as lochs, canals and swimming pools.	Riparian owners should expect that where infrastructure is required their permission will be sought. Events may require permission. (see Section 3.60-1 of the Code)
Freestyle	Freestyle participants do tricks and stunts in their boats. This normally involves the repetitive use of a wave or feature in the river.	

As well as informal events and training sessions, formal events are organised under the auspices of the Scottish Canoe Association. Event organisers' guidance has been produced:

www.canoescotland.com/Portals/0/EditableContent/AccessDocuments/EventOrganisersV4.doc

Rafting

www.scottish-rafting-association.org.uk

Activity	Description	What can other water users do to help?
White Water	White water rafting takes place on the higher volume rivers in Scotland, such as the Tay and Spey, and the rivers that are dam controlled such as the Tummel and Garry. Some more adventurous raft trips are also run, when there is sufficient water, on narrower rivers such as the Findhorn. Rafting is primarily a commercial activity. In addition, a number of local authorities provide rafting on a non-commercial, educational basis. Each raft is helmed by a trained guide and every trip is under the control of a Trip Leader. As a safety measure there will always be a minimum of 2 rafts on every trip.	<p>If you are angling, keep a look out for rafts and acknowledge them when you are aware of their presence.</p> <p>Anglers should consider which route is most practical for both the angler and the rafters and give clear directions as to the preferred route the craft should take.</p> <p>Section 3, gives more details on hand signals.</p> <p>Refrain from casting whilst craft pass by (although it is not always necessary to take in line).</p>

	There are currently only a very small number of individually owned rafts in Scotland.	Only resume fishing once the craft have completely passed by.
Flat Water	<p>Some rafting operators offer family raft trips on flat water sections of rivers through the summer months.</p> <p>Flat water rafting is a minor activity compared to white water rafting, but it does take rafts onto a few stretches of water that would not otherwise be rafted.</p>	<p>White water rafting companies tend to use the same stretch of water at regular times of the day, so their movements are largely predictable. If you are on a stretch of river that you don't regularly fish, local knowledge may help you ascertain whether you can expect rafts to pass and at what times.</p> <p>If you regularly share the river with rafting activity, it will usually be helpful if you speak to local rafting companies about the timing or specific route of their trips. In this way you will be aware of when and where you can expect to see rafts and you can discuss formulating a more routine way of working together for your mutual benefit. Section 4 has more details.</p> <p>Other river craft should look out for rafts. Being aware of others around you will help avoid collisions.</p>
Inflatable Fun Craft		
Activity	Description	What can other water users do to help?
Inflatable Canoes / "Duckies"	Most raft operators and a few private individuals paddle inflatable canoes, otherwise known as "duckies". These small sit-on canoes are usually paddled by two people. They are	The advice given in the canoeing activities section above is relevant here.

	<p>more stable and easier for a beginner to manoeuvre than a normal canoe or kayak, which is why they are popular with one-off participants. When paddled on commercial trips there will be a competent leader with the group. Inflatable canoes tend to be used on white water rivers that are rafted. Their use is therefore not widespread.</p>	<p>Additionally, anglers should bear in mind that duckies are often paddled by novices who may be less adept at following an angler's signal.</p>
<p>River Bugs</p>	<p>River bugs are more of a flotation device than a boat. They can be described as a cross between a one person raft and an armchair. The activity is primarily a commercial one offered by a number of the raft operators.</p> <p>River bugs tend to be used on short stretches of rapids and do not travel through the slower moving pools in between rapids.</p>	<p>Because river bugs are not normally used in pools, they do not usually impact on angling activity. However if the use of river bugs presents a problem to angling, as above in the general advice related to rafting, it will usually be helpful to contact the commercial operator with the aim of formulating a way of working together.</p>

Sailing and other wind powered craft

www.ryascotland.org.uk

www.britishkitesurfingassociation.co.uk

Activity	Description	What can other water users do to help?
<p>Dinghy Sailing</p>	<p>Dinghy sailing is mainly confined to coastal waters and inland lochs. Many small inland lochs are considered too shallow for worthwhile dinghy sailing.</p> <p>Dinghy sailing tends to take place on lochs where sailing clubs are based and prior management arrangements are in place. Some adventurous sailors will sail on other lochs that may be fished.</p>	<p>Unless you are at the coast or on a loch you are unlikely to see many wind powered craft. If you are sharing the water with these craft, aim to let them pass you as quickly and safely as possible.</p> <p>Sailing or wind-powered craft can be less able to manoeuvre than paddled craft but may travel much more quickly. Awareness and anticipation are the key actions required to avoid conflict.</p>
<p>Boardsailing or Windsurfing</p>	<p>Boardsailing, or windsurfing, is mainly confined to coastal waters and inland lochs. Shallow lochs can provide good windsurfing conditions if they are considered large enough. Boardsailors will tend to seek out windier conditions than dinghy sailors and be more likely to sail on shallower water that will create steeper waves.</p> <p>A lot of boardsailing takes place on lochs with club facilities or beside an outdoor centre, but some board sailors will seek out a loch that is not usually sailed.</p>	<p>The potential speed of boardsailing creates the need to be more aware of these craft.</p>

<p>Kite surfing</p>	<p>Kite surfing requires a lot of space and is almost exclusively confined to coastal waters. Large inland lochs such as Loch Lomond and Loch Ness will occasionally be used for kite surfing, with the activity taking place out in the middle of the loch away from other forms of slower moving craft. However, the wind conditions on inland water are not ideal and few lochs are large enough. They would rarely be on inland rivers.</p>	
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Rowing

www.scottish-rowing.org.uk

www.oara-rowing.org

Activity	Description	What can other water users do to help?
<p>Competitive Rowing and Training</p>	<p>Rowing requires flat, calm water and is therefore mainly confined to inland lochs, canals and the lower reaches of wide rivers. Rowing also requires specific storage and launch facilities.</p> <p>When on the water, rowers face backwards and most rowing boats are not coxed. Because most rowing is competitive, boats (even during training sessions) travel at speed. The design of rowing boats means that they cannot go into particularly shallow water.</p> <p>Rowers will have agreed a “circulation pattern” with other regular users of the stretch of water they use. For example, a simple “keep right” navigation pattern is used on many stretches. These agreements are voluntary, but are a very</p>	<p>Unless you are on the lower stretches of a river or on a loch you are unlikely to see many rowing boats. If you are sharing the water with these craft, aim to let them pass you as quickly and safely as possible.</p> <p>Because competitive rowing and training is an organised, scheduled activity rather than adhoc, others wishing to use the stretches of water identified in the description column opposite can contact the local rowing club and obtain definitive information about the routes rowers will follow and the times they will be on the water. Where there is frequent use of a location by other users, rowers should make efforts to communicate e.g. through angling clubs, if regular</p>

important way of ensuring collisions do not occur. Rowers will therefore follow a known route, occasionally glancing over their shoulder to check their course and for unexpected obstacles.

All of these factors mean that competitive rowing and training is organised through rowing clubs. With little or no exception, the venues for rowing in Scotland are:-

Aberdeen: River Dee upstream from the harbour.

Argyll: Loch Ard, at the Hotel.

Dunbartonshire: Loch Lomond.

Dumfries: River Nith at the Greensands.

Dundee: River Tay at Inchyra.

Edinburgh: Union Canal at Craiglockhart.

Glasgow: River Clyde upstream of the tidal weir at Glasgow Green.

Inverclyde: Greenock Esplanade.

Inverness: Caledonian Canal near the Tomnahurich Bridge.

Lanarkshire: Strathclyde Country Park (international standard facility).

Renfrewshire: Castle Semple Loch at Lochwinnoch (multilane racing).

Stirling: River Forth

Kilsyth (Auchenstarry): Forth and Clyde Canal (less frequently used).

Contact details for the clubs associated with these venues

training schedules change or events are planned. Checking local arrangements in advance is particularly important on canals because they are so narrow.

Non-competitive rowers will tend to also use specific pieces of water and if there are other local users, it would be helpful for both parties to discuss how best to share the resource.

Rowers are travelling backwards and often at speed and will therefore appreciate others shouting a warning to alert them to their presence.

The users of car-top or trailer-based rowing boats may seek to use unfamiliar inland water. Whilst these rowers will attempt to obtain information in advance, other knowledgeable water users exchanging local advice and guidance with them when they see such craft in preparation will be very much appreciated and help ensure all enjoy their day safely.

	<p>can be found at</p> <p>www.scottish-rowing.org.uk/Contacts.html</p>	
<p>Non-competitive</p>	<p>People row boats of various designs for pleasure, and sometimes for fishing. This form of rowing tends to take place mainly on lochs. Because rowing requires calm, flat water and launch facilities, those involved in non-competitive rowing tend to keep their boats on or close by a specific piece of water that they frequent on a regular basis.</p>	

Types of Angling Activities on Inland Water

Activity	Description	What can other water users do to help?
<p>Angling for game-fish (migratory salmon and sea-trout, brown trout and grayling) from the bank or by wading in the water</p> <p>www.fishsalmon.co.uk www.fishtrout.co.uk</p>	<p>Fishing is not an activity that can be undertaken utilising access rights. Permission must be gained from whoever owns, leases or manages the fishing rights, and it is common practice for a charge to be made. This can vary from a few pounds to several hundreds of pounds, depending on the species, river, and time of year.</p> <p>The activity most non-anglers will associate with fishing is casting with rod and line then waiting for a fish to bite, but fishing for game-fish is frequently an active pursuit with anglers on the move and wading, often to chest depth in strong flows. Using an artificial fly, bait or heavy lure, they may cast it 40 metres or more from their position, then allow it to drift round on the current before pulling it back through the water.</p> <p>In inland waters, fishing for salmon and sea trout without permission is a criminal offence, and fishing for them on a Sunday is not allowed. The most important times of year for these migratory fish are the spring and autumn when they return from the sea to spawn in their native streams. High water conditions help them ascend rivers and are therefore favoured by anglers.</p> <p>The fishing season varies from river to river, and is determined by area Fisheries Boards to avoid the spawning period.</p>	<p>Look out for anglers and if you come across an angler with a line in the water, if you can, stop upstream and wait for the angler to signal to you when and where they would like you to pass. Section 3, gives more details.</p> <p>An angler shouldn't delay you for longer than is necessary, but be aware they may have been stalking or playing a fish for some time and if they are close to catching it, they will be keen for you to stay back to give them the best opportunity of doing so.</p> <p>A balance needs to be achieved and your ability to pass causing as little disturbance as possible will depend on factors such as the nature of the stretch of water at that point and the water level at that time.</p> <p>It is particularly important to do all you can to attract the attention of anglers who are wading, if they are likely to be suddenly surprised by your presence. Be aware that they might lose their balance which can be dangerous when wearing waders in deeper water. In particular, the bow wave from a raft can interfere with an angler's balance if wading in deep water.</p>

Seasons may start as early as January and end as late as November, so it is important to check opening and closing dates for each river.

A large salmon can take an hour or more to land, and many anglers consider catching one the ultimate fishing experience. Scottish salmon fishing is world renowned, with some of the more productive beats booked months, even years in advance. Sea trout fishing is also valued, but to a slightly lesser extent.

The conditions which apply to fishing for non-migratory species differ to those for migratory species. It is a civil offence to fish for trout and other freshwater fish without permission, but it is a criminal offence to fish for them in waters that are covered by a Protection Order. A PO requires owners or tenants to provide written permission to fish, in return for protection from poaching. Permit costs must be reasonable, and access maximised within the limits of ensuring sustainable fish populations.

The fishing season for brown trout runs between 15 March and 6 October inclusive.

There is no closed season for grayling so they can be caught the year round, but anglers tend to fish for them more in the winter when grayling are at their best.

For most anglers, part of the attraction of fishing is the quiet enjoyment of the water. For many paddlers this will also be the case. This will be particularly relevant if you are part of a larger group; anglers will appreciate it if you reduce noise levels when you become aware of angling activity.

If you run a commercial rafting company, it is helpful if you liaise with the riparian managers of the stretches of river you use in order to formulate ways of working together. (see Section 4 for more information)

Angling for coarse fish (pike, perch, roach etc.) from the bank or by wading out into the water
www.fishcoarse.co.uk

The basic principles are the same as for angling for salmon etc (above), but coarse fishing tends to be more sedentary. There is no statutory closed season for coarse fish in Scotland. In waters that contain

	<p>salmon or trout, coarse anglers are sometimes only allowed to fish during the season for those species. Conversely, some proprietors only allow coarse fishing during the closed season for the other species. Permits may be required.</p> <p>It is an infringement of the rights of landownership to fish for any species in Scotland without permission first being obtained. Many landowners will waive their right to charge for coarse species but this is not universal and coarse anglers should check the position before starting to fish a particular water.</p>	
<p>Angling from a boat</p> <p>www.fishsalmon.co.uk www.fishtrout.co.uk www.fishcoarse.co.uk</p>	<p>Angling from a boat can sometimes take place on larger rivers and lochs, and is often the prime method when fishing for rainbow trout on commercial fisheries. Boats may be rowed, but are more often equipped with a motor.</p> <p>The various methods of doing this, include:-</p> <p>Trolling, a method usually used on lochs. A boat moves slowly through the water drawing one or more lines (behind the boat). These boats are often fitted with a special small motor that is quiet and causes little disturbance in the water.</p> <p>Harling, similar to trolling, but tends to be applied only to salmon fishing from a boat on rivers.</p> <p>Drift boat fishing (common on lochs): In traditional loch-style fishing the boat is allowed to drift broadside to the wind with the angler casting downwind.</p>	<p>The advice above for angling from the bank or wading is still relevant if you come across anglers using a boat, float tube or fishing kayak.</p> <p>A craft, whether a kayak, motorised boat or a float tube, with fishing lines in the water is unlikely to be able to manoeuvre very quickly. In most instances paddlers will find it easier to manoeuvre around angling craft than vice versa. However, because angling boats will tend to be used on larger water bodies where visibility will be good, it should be relatively easy to take action early and keep a good distance.</p>
<p>Angling from a float tube (floating fishing chair)</p>	<p>Float tubes allow anglers to fish from deeper water. They are propelled by the angler using flippers, and controlling them</p>	

	can be difficult particularly if it is windy. They are unlikely to be used in faster flowing water.	
Angling from a fishing kayak (rigid or inflatable) / rowing boat	Some kayakers and anglers are discovering the benefits of combining their two activities by fishing from specially designed fishing kayaks. Fishing kayaks are ideal for angling on still or slow moving waters.	
Angling competitions www.sana.org.uk www.fishing-uk-scotland.com	<p>There are no competitions for salmon fishing.</p> <p>Competitions for trout or coarse fishing can occur throughout the fishing seasons.</p> <p>Competitions can run for one or several days in succession. Competing anglers will usually fish continually from all beats and pools on the river or canal. Angling competitions are also common on many lochs.</p>	<p>If you are aware of a competition in advance and it is possible to make alternative plans, this is probably the most sensible course of action. If however you are touring and come across an angling competition, stop if at all possible and try to ascertain the best route to take through the water before proceeding.</p>

Wild or Informal Camping (as part of a paddling or angling trip)		
Activity	Description	What can you do to help?
Wild Camping or other types of informal camping	<p>Access rights include the right to camp responsibly on ground where access rights apply.</p> <p>The Scottish Outdoor Access Code specifically refers to Wild Camping, pointing out that it is lightweight, done in small numbers and only for two or three nights in any one place. It adds that wild campers should avoid enclosed fields of crops or farm animals, and keep away from buildings, roads or historic structures.</p>	<p>If you are a land manager or local resident and you are concerned by an angler's or paddler's choice of camping spot, then in the first instance you should approach them in a friendly manner and explain your concerns. This gives the angler or paddler the opportunity to explain to you their reasons for choosing that spot. It may be you can make a suggestion that is better for all concerned or that, after talking with the camper, you are happier with their choice.</p>

Paddlers and anglers on multi-day trips will often camp overnight or for a few days at a suitable spot not too far from the river. Generally they will follow the principles of wild camping given in the Code. However, bear in mind that paddlers and anglers will have a reasonable amount of equipment with them and their ability to find an ideal spot might be compromised by their limited ability to move too far from the river. Sometimes this will mean they might be closer to roads, buildings, etc than would be ideal.

Many paddlers and anglers enjoy the experience of wild or informal camping and will camp in this way out of preference. Official camp sites are reducing in number and it is increasingly the case that wild or informal camping is a necessary part of a multi-day trip. However if there is an official campsite close by please consider using it

The main issue with wild and informal camping is not usually the choice of camping spot but how the camper behaves. If you are concerned about anti-social behaviour such as excessive alcohol consumption, loud or offensive behaviour or littering, you should contact the Police or your local authority. Scottish Natural Heritage and the National Access Forum have developed guidance for land managers on dealing with anti-social behaviour associated with informal camping available at: www.outdooraccess-scotland.com/default.asp?nPageID=423&nSubContentID=0

Glossary of Terms

This glossary of terms is provided to help watersports enthusiasts understand the terminology that anglers and land managers are likely to use and, vice versa, to help anglers and land managers understand the terminology watersports enthusiasts are likely to use

Fishing

Beat - a defined stretch of river or loch on which fishing takes place.

Float tube – a portable 'floating fishing chair' sometimes used by anglers on lochs, and powered by the angler using flippers. It sits low in the water.

Pool – a usually deep, slower area of water within a river attractive to fish (including migrating salmon) in which they will lie and may be caught.

Protection Order - Protection Orders under the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 are designed to conserve fish stocks, prevent poaching, and also increase the availability of freshwater fishing. Once a Protection Order has been made, it is an offence for any persons without legal right or without written permission from a person having such a right, to fish for or take fish from the inland waters which are subject to the Protection Order.

Redd - spawning bed (gravel bottom with good water flow).

Riparian - of or on a river bank. For example; the owner of land on a riverbank will often be referred to as the riparian owner or the riverbank itself can be referred to as the riparian area. The term can also be used to denote legal rights associated with riparian ownership which might include fishing rights, although it is not necessarily the case that fishing rights lie with the riparian owner.

Rod - a fishing tool, but also the term for an angler (when talking about the numbers of fishermen).

Runs of salmon - a shoal or shoals of salmon moving upstream sometimes lasting for several hours.

Stream - fast moving water, within a river or burn, where fish (including salmon) will lie and may be caught.

Watersports

Access - point of entry to the river or loch.

Boater – someone using any type of watercraft for recreational purposes e.g. canoeist, rafter, rower, sailor

Canoe - craft paddled with a single blade paddle.

Canoeing - general term inclusive of kayaking.

Duckie - a one or two person inflatable craft.

Egress - point of exit from the river or loch.

Kayak - craft paddled with a double blade paddle.

Paddler - generic term for the person who uses a paddle to propel a canoe, kayak, raft or duckie.

Raft - an inflatable craft usually paddled by 4 or more people using single bladed paddles.

River Bug - a small one person inflatable craft that is powered by hands rather than paddles.

Rower - generic term for the person who rows a boat using oars for propulsion.

Sailor - generic term for the person who uses a craft with a sail for propulsion, such as dinghy sailor, board sailor/windsurfer or a canoe sailor.

Sailing dinghy - a small boat, especially one with one mast and sails, used for recreation or racing

Fishing, Stalking and Shooting Seasons

This section provides a summary of the various seasons. This may help you to plan for and understand certain activities (see Appendix 1 for more detail)

Fishing:

Salmon and Sea-Trout

There is no single, nationally set date for the salmon and sea-trout seasons in Scotland. Sea-trout are classified as salmon for the purposes of the law and the sea-trout season will often coincide with the locally set salmon season. Some rivers' salmon season starts as early as January and others finish as late as the end of November. The season can also vary between different stretches of the same river. The season will cover a river's spring migration (run), through the summer period and end after the autumn run. Salmon migrate into different rivers at different times, reflecting how fish populations from a particular river have evolved their spawning strategies to cope with the best time to negotiate the physical environment of that river. The season dates therefore reflect that variation and are set through local regulations. Some commercial websites such as www.flyfish-scotland.com/salmon-seasons.htm and www.fishing-uk-scotland.com/html/scotland-fishing-seasons.htm show dates for each river, but it is best to check locally - tackle shops, etc can usually help. The Association of Salmon Fishery Boards website explains further the regulatory structure of fishery boards in Scotland at www.asfb.org.uk.

Brown Trout

Brown trout do not migrate to the sea as sea-trout do, but are essentially the same species. The brown trout season is set nationally from 15th March to 6th October.

Coarse fishing

Coarse fishing covers freshwater fish species other than salmon, trout and grayling. There is no closed season. In waters that contain salmon or trout, coarse anglers are sometimes only allowed to fish during the season for those species. Conversely, some proprietors only allow coarse fishing during the closed season for the other species.

Grayling

Grayling were introduced to some southern and central Scottish rivers in the 19th Century. Though they are a member of the salmonid family, there is no closed season for grayling and they are fished for all year round and especially from October to March. They spawn in April on gravel areas where flows are of steady pace.

Rainbow Trout

These are stocked into some still waters often run by commercial businesses. Some fisheries are open the year round, whilst others close for a period.

NB: Salmon and Sea-Trout are not fished on a Sunday, but other fishing does take place on Sundays.

Stalking and Shooting:

Stalking and shooting dates are nationally set and the calendar (appendix 1) gives the agreed dates. Although some types of shooting and stalking can and do take place on Sundays during the season, in general there will be much less activity on Sundays. In areas that are regularly used for other activities such as fishing or paddlesports, you should expect to find local signage provided when shooting is taking place. Alternatively stalking information is held on the Hillphones Service www.snh.org.uk/hillphones/

Further information can also be found at:

www.canoescotland.org/LinkClick.aspx?fileticket=bonrvN_Tivl%3d&tabid=228&mid=1189
www.basc.org.uk/en/departments/game-and-gamekeeping/game-shooting/shooting-seasons.cfm

Courtesy, consideration of others needs and good communications are the key to peaceful co-existence between all users of inland water. People generally respond to you in the way you approach them, so consideration of their needs is likely to be met with consideration of your needs and polite and reasonable requests are likely to engender a positive response.

This section starts with some general advice on the types of consideration you could make for others. It then suggests methods of good, positive communication through both face-to-face contact and signage.

General Considerations on land and water

Being in the outdoors

- Take extra care to prevent damage in sensitive natural habitats and to avoid disturbing more sensitive birds and animals, particularly during the breeding season
- Respect people's privacy and peace of mind – access rights do not extend to people's gardens
- Keep a safe distance and take heed of reasonable advice provided by the land manager to ensure that you do not hinder their work
- Take care to not disturb livestock
- Keep noise to a minimum
- Be considerate when parking – do not block tracks or obstruct entrances to fields or buildings

Land/Riparian Managers and Anglers - consider the needs of Paddlers / Boaters

- Space for parking
- Provision of accessible access and egress points
- Co-operation from anglers for quick and easy passage
- Reduction/elimination of potential hazards created by land/riparian managers
- Publicise angling and boating events on-site and online
- Consider working with access authorities and paddlers to remove natural hazards like trees blocking water courses
- Consider the use of clear and informative signage to communicate messages at busy sites

Paddlers / Boaters - consider the needs of Land/Riparian Managers and Anglers

- Park considerately
- Avoid damage to fences, gates, crops, vegetation and river banks at access and egress points
- Co-operate with other water users for quick and easy passage
- Reduce or eliminate potential hazards created by paddlers / boaters, e.g. human waste
- Publicise boating and angling events on-site and online
- Change clothing discretely

Paddlers / Boaters, Anglers and Land/Riparian Managers - consider the needs of Local Communities

- Respect the privacy of local residents
- Respect the needs of other users such as walkers, birdwatchers and wildlife
- Help the local economy by buying goods and services locally

On Land, Anglers and Paddlers / Boaters should specifically:-

Be aware of what's going on in the area you are visiting, and show consideration for the environment, and for those living in and managing the area:

- Do not cause any pollution and take all your litter away with you
- Keep your dog under proper control and remove faeces
www.outdooraccess-scotland.com/default.asp?nPageID=416
- Leave gates as you find them
- Human waste
 - do not urinate within 30m of open water, rivers and streams
 - do not defecate near open water, rivers or streams, buildings or farm animals - carry a trowel to bury faeces in a shallow hole and replace turf

There are a number of local initiatives and projects relating to disposal of human waste - please follow local guidelines.

www.outdooraccess-scotland.com/default.asp?nPageID=189

See the Outdoor Access Scotland website:

See also the Scottish Canoe Association information on Wild Camping and Human Sanitation Codes:

www.canoescotland.org/LinkClick.aspx?fileticket=nVfPogAE3CI%3d&tabid=636

www.canoescotland.org/LinkClick.aspx?fileticket=G5G5T1Kllo8%3d&tabid=637

See also the Mountaineering Council for Scotland information on Wild Camping and Human Sanitation Codes:

www.mcofs.org.uk/advice-and-policies.asp

On water (rivers and lochs)

Paddlers / Boaters:-

- If you see someone fishing, think about how you can best pass them with the least disturbance (wading anglers often face downstream and may be unaware of your approach)
- Whenever possible, stop upstream and attract the angler's attention before passing
- If they have a line in the water wait for a signal to proceed and then follow any route indicated if safe and practicable to do so
- An angler should point to the side they wish you to pass by on
- Anglers wading in the water may want you to pass behind them
- Avoid unnecessary contact with gravel beds of rivers during spawning periods (late autumn and winter for salmon and trout, springtime for grayling and other freshwater fish)
- Avoid nets and other fishing tackle
- Take care not to damage the riverbank at access/egress points
- Acknowledge considerate behaviour by anglers – be polite

The above information is taken from the SCA Paddlers' Code – Access Advice for Paddlers in Scotland. This can be viewed at:

www.canoescotland.org/LinkClick.aspx?fileticket=4dmGhPy4OWo%3d&tabid=628

The Scottish Rafters Association (SRA) has produced a Code of Conduct for raft guides (not available online).

Anglers:-

- Keep a look out for paddlers / boaters and other water users
- Consider the needs of paddlers / boaters – be polite
- If a paddler on the water is approaching you, wait until they have passed before you cast
- Be aware of people around you, both on the river and on the bank, and take care when casting
- If you have a line in the water, allow paddlers to pass at the earliest opportunity
- When giving hand signals always indicate the route that the paddler should take when passing - remember this could be behind the angler, if feasible. Never point to where your line is
- Pointing to where you would prefer paddlers to pass can help, but be aware that it might not always be possible for them to follow that route, for example, if the water is too shallow or if the paddler is not able to accurately control the craft in that part of the river
- Drive motor boats in a considerate and safe manner
- Acknowledge considerate behaviour by paddlers

Perth & Kinross Outdoor Access Forum has produced an Angling Code - this can be viewed at: www.fishpal.com/SCOTLAND/TAY/AAA/DOCS/pkac.pdf

Additional considerations on lochs

The above advice for on-river protocols provides relevant guidance for those involved in paddling, sailing, rowing or angling on lochs, but a few additional points are worthy of mention specifically for lochs.

- There tends to be more space on lochs, so unless the weather conditions dictate otherwise it should usually be possible to give the lines of anglers fishing from the shore a wide berth
- Larger boats under power tend to lose manoeuvrability at low speeds, so paddlers, sailors and rowers should be aware of this and be prepared to move out of the way quickly. On larger lochs it is worth knowing the collision rules www.sailtrain.co.uk/lrpcs/
- Paddlers, sailors, rowers and anglers on lochs should be able to see most large forms of wildlife and be able to take avoiding action to minimise disturbance to birds and other animals. Fringing vegetation around the shoreline may hide nesting, sheltering or feeding birds and should be given a wide berth during the breeding season (April - July)
- Try to find out about any local access guidance

Face to Face Communication

On-Water Hand Signals

To avoid confusion among anglers and paddlers on what hand signals should be used, the following are recommended as standard signals for use on rivers:

Anglers

Point to route - the angler must always point **to where the paddler should pass**. The angler should not point to where the line is.



Raised hand with palm towards paddler - this indicates to the paddler that they should wait until you have secured your line. Please allow the paddler to pass at the earliest opportunity remembering that it will be difficult for paddlers to maintain their position in flowing water



NB. In some conditions e.g. fast running, noisy water; it may be difficult for paddlers to attract the angler's attention. You may wish to consider using a whistle

Communication through Signage

Signage is an important tool for managing responsible access. It is a simple and effective method of communication between the people who own or manage land and water and those who take access on it. Signage can help everyone to take access responsibly, allow land and access managers to carry out operations safely and to provide opportunities for everyone to enjoy the outdoors. The Scottish Outdoor Access Code encourages the use of informative signage.

Signs should be accurate and comply with the Code. All signs should be written with a clear purpose and audience in mind. Too many signs, and badly worded signs, have the effect of discouraging people from reading any type of sign. People are more likely to comply with messages and signs if the sign clearly identifies the message provider (i.e. name, contact, web address etc)

Signs that identify the best access or egress point can be useful, especially in places where there is confusion about the best place to get on or off the water. A simple sign saying "Access Point" or "Egress Point" can clear up the confusion, making it easier for paddlers to get on or off the water and the land manager has the advantage of directing paddlers away from a garden, driveway or some such sensitive site. A land manager does not have the right to demand that paddlers use an access or egress point some distance away, but within a small area it is reasonable to suggest a preferred place for getting on or off the water. If this place is not one that seems obvious to a paddler or there is a more convenient place nearby, it will be helpful to add the reason for the request. People are more likely to co-operate if the request seems reasonable and doesn't inconvenience them unduly. The SCA has worked with a number of landowners to install simple Access and Egress signs

Water access has some specific considerations. A barrier to access on land may prevent access rights from being exercised and spoil people's enjoyment of the outdoors. However, barriers on a river such as a fallen tree or scaffolding underneath a bridge can also present a potential hazard particularly if the water is flowing.

Water poses a range of hazards that are very different from those encountered on land. Paddlers enjoy natural water features. However it is useful to indicate short term hazards via signs, websites and other means.

Points to consider:

- As well as physical signs in the outdoors, leaflets, websites and guide books are also useful for providing information
- Use signage at known car parks and access/egress points. This gives access takers the confidence to use these facilities

- When site-specific events are organised signage should be deployed to inform those who are not involved in the event
- When signage is deployed, it should contain relevant detail, contact methods, dates and times affected and very importantly, it should be removed afterwards
- In certain circumstances, consider additional signage upstream of a hazard on rivers. For example, if there is scaffolding underneath a bridge a sign should be placed at all the access points upstream of the bridge, as well as placing a sign on the river bank well in advance of the bridge. Informing organisations such as the Scottish Canoe Association and Scottish Rafting Association about such hazards will allow them to spread the information through websites, email groups etc
- Signage should be facing upstream with no doubt as to whom it is addressing and the nature of the danger. Position signs above the high water level mark, well in advance of the hazard and possibly on both sides of the river
- Consider the needs of bathers on flat sections of rivers as well as lochs etc. In particular consider their interaction with other users and motorised craft if navigation rights exist
- Motorised craft of various kinds - motor cruisers, jet skis, etc have navigation rights on many inland water bodies. Signage can help to manage the interaction between motorised and non-motorised users. For example, both sets of users need to know if there is a speed restriction for motorised craft or a priority system close to the launching area

Further signage guidance can be downloaded from:

www.pathsforall.org.uk/outdooraccess/article.asp?id=796

www.outdooraccess-scotland.com/default.asp?nPageID=364&nSubContentID=0

This section explores some additional options and strategies for finding a reasonable approach that will enable all water users to continue to enjoy being on and around the water. Section 3 above gives advice about most every-day circumstances to all water users and managers. Where larger groups use the water or where intensive use is made of it by individuals or groups over the range of activities, any potential issues are likely to be compounded. In these circumstances, the need for courtesy, consideration and communication is even greater.

The strategy or combination of strategies that will work best will depend on the individual circumstances of the piece of water in question and, in particular, on the types and patterns of usage it receives.

1. Enhanced communication and co-operative working

Take a pro-active approach to communication. This would include meetings, phone calls, chats by the river, etc on a regular basis. Share information about planned events e.g. canoe races or angling competitions on each others' websites so that other river users are aware. Use event information / publicity as an opportunity to promote responsible behaviour by all involved. Taking time to build positive and co-operative working relationships should reap rewards.

Suggested communication includes:

- Between land/riparian/canal managers, paddlesport business managers and/or local watersport club officials - to clarify each others' needs and set out how these needs can be accommodated.
- Between ghillies, angling clubs and rafting/canoeing guides - regular and frequent communication throughout the season to monitor how any arrangements are working in practice; annual or bi-annual (start of season and end of season) to review what had worked and what hadn't and to address mutual areas of concern.
- Between rafting and canoeing guides - as for ghillies and guides.



Group leaders that use access and egress points intensively, and are aware of contributing to erosion of launching points and other waterside facilities, should consider offering practical, hands-on help with maintenance and erosion control or provide a financial contribution.

Alternatively, consider using other locations where possible. Where formal facilities are required such as parking areas and toilets, regular group users are quite often prepared to pay an annual users' fee or an upfront one-off payment to help fund the building of the facility.

2. Specific provision of facilities such as car parking

Organisations like the SCA have worked with a number of landowners to make arrangements for car parking close to rivers and lochs where there is frequent use. As there is no statutory right of access for motorised vehicles, such an arrangement will be appreciated by those wishing to park and get ready to take to the water away from the road. There are also advantages for the landowner who may wish to encourage more recreational visitors to access the water at the same point. In some circumstances funding can be available from the local Access authority, **sports**scotland or Scottish Natural Heritage to develop car parks, toilets and

changing areas. A car park can be useful for a range of recreational activities. For example, a riverside car park might be useful for walkers and cyclists as well as paddlers/boaters and anglers.

3. **Local Agreements**

A local agreement is a good option where local circumstances prevail. These can take a number of forms, although all are voluntary. They can range from more formal, written protocols between a number of organisations to informal, verbal arrangements between two individuals. Not all agreements will work first time around and very few, if any, will provide a solution that works all of the time. The key is to keep talking and adjusting approaches until problems are resolved to a manageable level. It is particularly important to remember that your local canoe or angling club or rafting company is not responsible for every paddler, angler or rafter on the water. Your agreement / arrangement is only between those parties who have agreed to it and it cannot supersede statutory access rights.

Here are four examples of local agreements which range from the more formal written type to less formal verbal arrangements.

i. Commercial Rafting on the River Tay (between Aberfeldy & Grandtully)

This voluntary, local agreement is between specific local rafting companies and local riparian owners. It is designed to help anglers and rafting companies share a section of river harmoniously. Local rafting companies have agreed to avoid use of the river on 2 days of the week. The agreement provides riparian owners with a greater certainty of what will be happening on the river on a given day.

It is important to recognise that it is only those parties involved in the agreement that are voluntarily not exercising their rights of access to use a section of river on given days of the week. The rights of individual paddlers or other rafting companies are not affected by this voluntary agreement.

Summary of the agreement:

- Recognition of each others' rights
- An agreed schedule of meetings and regular liaison
- Specific arrangements for low and high water conditions
- A rapid response system should problems arise
- Acknowledgement of, and adherence to, Codes of Conduct
- Adoption of a group briefing system to reduce problems caused by swimming, splashing and loud noises from rafts
- A commitment to promote the agreement to others and encourage companies from outwith the area to follow the agreement
- Rafting businesses to set up and contribute to an Environmental Improvement Fund
- During the fishing season, rafting companies to avoid using the river on 2 days per week and using other rivers whenever possible on a third day of the week

ii. Pilot River Dee Notification System

Aberdeenshire Council have been facilitating work on a voluntary notification system on the River Dee. The Council have brought together the Dee District Salmon Fisheries Board (Dee DSFB) and the local Scottish Canoe Association River Adviser to develop the system. The system aims to enable fishing interests, where possible, to work around some local canoeing, kayaking and rafting groups' use of the river.

A pilot during 2010 will be used to establish an agreement whereby local groups that make regular use of the river are encouraged to voluntarily notify the Dee DSFB of the date and approximate timing of trips down the river or other activity on the water where this is known in advance. The Dee DSFB then passes these details on to Riparian Owners and / or Ghillies. This in turn enables the Ghillies to plan ahead and be prepared for the groups' concerned coming down the river. Where possible, fishing clients' tea/lunch breaks are planned for the times when these groups are due to pass their Beat. Even if it is not possible to plan breaks around this more intense use of the river by the local groups, the information is still likely to be helpful since it will allow Ghillies not just to brief clients about use of the river by water craft, but to give an indication of when some of these larger groups might be expected. There are reciprocal benefits for the paddlers taking part in the initiative too, in that they get a clearer run down the river.

The agreement will make it clear that there is no intention to limit or restrict use of the river by anyone wishing to exercise their rights. It merely provides those with fishing interests on the Dee with advance information from the specific local groups which have agreed to operate the notification system, where this is possible, to assist them in planning their day on the river. As with any other river in Scotland, the only obligation on those exercising their access rights is to behave responsibly, as required by the Act and on which guidance is given in the Code (relevant sections provided earlier in this document).

The system will cover Mondays to Saturdays, February to October inclusive.

iii. Spey River Local Users' Agreement

The Spey Fishery Board and the commercial companies who regularly use the Spey for paddling activities have developed a number of local protocols. Examples include the leaders of paddling groups agreeing to do all they can to:

- make anglers aware of their presence by either shouting or blowing a whistle when the water is particularly noisy,
- keep the group in fairly close formation when passing the angler,
- not loitering or playing in pools where someone is fishing.

In return the Spey Fishery Board asks anglers to:

- acknowledge when they are aware of paddlers,
- consider which line is most practical for both the angler and paddler and give clear directions as to the route they would prefer the paddlers to take,
- refrain from casting until boats have completely passed by.

(Extracts from the full agreement)

This local agreement takes the more generic advice given in the Scottish Outdoor Access Code as its basis and further defines it, through a process of mutual consensus, to provide more specific guidance which is relevant to local needs and circumstances. Importantly, the process is underpinned by a mutual respect of each others' needs.

As with the other examples above, this agreement has its limitations in that only the parties agreeing to the protocol can be expected to know about and adhere to them. There will be, for example, touring paddlers or day visitors to the Spey who the Spey anglers can expect to be aware of the Scottish Outdoor Access Code, but who are unlikely to be aware of these more specific local arrangements. Nevertheless with most of the regular water users on the Spey following this arrangement, disturbance to either party is kept within manageable levels.

iv. Informal voluntary agreement between canoe club and estate on the River Spey

An example of a much more informal voluntary agreement is the arrangement, again on the River Spey, between a canoe club and a local estate. The club approached the estate to agree a convenient evening for a club session on a stretch of the river. This has enabled the estate to influence the best evening of the week from their point of view and to provide the club with specific advice about seasonal sensitivities during the course of the year. In return, the club has a regular meeting time and venue, along with a good ongoing relationship with the estate.

4. Users' Groups

Users' groups simply provide a more structured and formal way for water users and managers to meet and communicate. They facilitate a greater understanding of each others' needs and may result in local agreements or guidance being produced. Where local agreements do result, the users' group provides the ideal way to review and update those agreements in light of experience. We have provided below details of the River Spey Users' Group.

The River Spey Users' Group

Good relationships have been fostered on the River Spey through regular meetings on and off the water in order to share ideas and resolve problems. In September 2002 a number of raft operators, canoeists, ghillies, factors and landowners took part in an open canoe trip and this led to a fishing day, which greatly enhanced the understanding between the angling and paddling fraternities. Following these two days, the Spey Users' Group was formed to ensure co-operative working between different local groups using the river. A raft trip on the river in spring 2006 was also undertaken. This enabled discussion about specific issues on each rapid along a particular section of the river. As a result of that day, guidance has been written up for companies that regularly use that section – see 3. above. Directions are now available for ghillies, raft guides and commercial canoe guides. The detail contained in that guidance can be seen at: www.canoescotland.org/speyguide/RouteDescription.aspx

Another benefit of the joint working on the Spey has been the development of a composting toilet and changing facility for paddlers at Knockando. This was the result of a tripartite project between the Knockando Estate, SCA and **sportscotland**. The Spey Fishing Trust Limited and SCA River Adviser now work closely together and the Fishery Board now uses canoes to carry out some of their scientific work.

The introduction of non-native species alters the dynamics of existing ecosystems and can therefore be a threat to native species. Here is information on the life cycles and habitat needs of the Atlantic Salmon and of two non-native species which pose a threat to the biodiversity of Scottish rivers. Anglers and watersports enthusiasts can help prevent their spread by following advice and taking regular, simple action.

The Atlantic Salmon

The "king of fishes" is an iconic species closely associated with Scottish rivers, but found in all countries bordering the North Atlantic. The Atlantic Salmon is accorded the highest level of conservation status under EU legislation protecting wildlife species most at risk. Smolt survival rates on migration to sea are very low and Atlantic Salmon numbers returning to their natal (river of its birth) rivers have declined in recent years. This is due to a variety of factors, not all fully understood, but which probably include fish farm escapees, sea-lice infestation, marine by-catch, mixed stock netting, higher sea temperatures and collapse of marine foodchains leading to increased marine mortality, seal and dolphin predation and habitat degradation. Much has been done to restore river habitat, install fish hatcheries, improve river environments and buy-out mixed stocks and interceptory netting. Anglers have adopted catch and release policies and some Scottish rivers are beginning to show signs of improving returns and runs.

Atlantic salmon are anadromous, i.e. having migrated to sea as young smolts, they return to spawn in freshwater. A unique homing instinct allows each fish to identify its natal river in which it subsequently spawns. Each river has its own genetically distinctive stock(s), which return at different times of the season to different parts of the same river system.

Adult fish do not feed in freshwater. Consequently, they need to conserve stored energy on return to freshwater and their passage upriver, spawning and subsequent return to the sea. This process can last many months and there is a high mortality rate on post spawning migration.

Early running fish can remain in pools for 12 to 14 months before spawning.



The life cycle can range from 3 to 8 years. Smolts have a body length of 10-20cm. After migration to sea it can take 1-3 years to mature sexually, dependent on feed and body weight. Fish returning after one season at sea are known as grilse. Salmon normally spend 2 or 3 winters at sea and are considerably larger than grilse. As spawning approaches the fish become coloured, or 'red,' and the cock fish develop a pronounced 'kype', or hooked lower jaw. A fish returning to sea after spawning is known as a 'Kelt', and is likely to be thin and out of condition.

Habitat needs

Well oxygenated, pollution free water.

Spawning - fine gravel bottom where water flow and depth are increasing; redd of sufficient size for the adult female set well apart from other redds; good shelter (undercut banks, overhanging and submerged vegetation, submerged logs etc, floating debris).

Juvenile/nursery sections - shallow, fast flowing water; moderately coarse gravel bottom; surface turbulence overhead.

Adults - safe spawning areas; upstream barriers of less than 3m; plunge pool beneath the barrier that is 1.25 times deeper than the height of the barrier.

Effect of disturbance

Spawning needs: Most salmon and sea-trout generally spawn between the months of October to early January although earlier and later instances are sometimes reported in both the main river and in tributaries of almost all Scottish rivers. Disturbance of spawning beds and young salmon in their various stages of freshwater life is an offence under Section 23 (2) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003. During this time contact with gravel river beds where spawning may be taking place should be avoided. Advice on sensitive areas can be obtained from the local Fisheries Board or Trust.

There is additional advice for paddlers on the SCA website:
www.canoescotland.org/access/Environment/WildlifeInformation.aspx

Gyrodactylus salaris (Gs)

This parasite infects the skin and fins of salmon, trout and some other types of fish in freshwater. The effects of the disease are so serious that salmon stocks have been lost from more than 20 Norwegian rivers. Gs does not occur naturally in UK rivers, but salmon, if infected, could be killed by the parasite. Eradication measures are highly invasive to the river system, disruptive to a wide range of businesses and not guaranteed to work.

The emphasis is therefore very much on preventing the parasite getting into this country. Recreational and land management bodies are working together to raise awareness of the vital need to keep this deadly parasite out of the UK.



G. salaris Photo courtesy of T.A. Bakke

Whilst great efforts are being made to prevent Gs reaching this country, a contingency plan is in place in case it does ever reach us. See www.scotland.gov.uk/Resource/Doc/1062/0058772.pdf for full details.

To ensure that Gs is not introduced into the UK, anglers and paddlers / boaters who have visited areas that are not designated free of Gs, such as Scandinavia, should take the following precautions:

- Clean all equipment, including all water craft, then
- Dry at minimum temperature of 20°C for at least 2 days, or
- Heat for at least 1 hour at a temperature above 60°C, or
- Deep freeze for at least 1 day, or
- Immerse in one of the solutions below for a minimum of 10 minutes
 - Virkon 1%
 - wescodyne 1%
 - sodium chloride 1% (the average salinity of sea water is 3.5%)
 - sodium hydroxide 0.2%

All equipment chemically treated should be accompanied by a valid certificate from the relevant Fish Health Regulatory Authority in the country of origin or at the point of entry into the UK.

For more detailed advice and links to further sites visit:

www.canoescotland.org/access/Environment/Biosecurity.aspx

www.efishbusiness.co.uk/news/040126.asp

www.efishbusiness.co.uk/formsandguides/gyrodactylus.pdf

North American Signal Crayfish



Introduced deliberately into England in the 1970s, the North American signal crayfish (*Pacifastacus leniusculus*) are now found in several river courses in Scotland. North American signal crayfish are able to survive in still waters, i.e. lochs, as well as rivers. This is an aggressive and invasive species that presents a real threat to the biodiversity of Scottish streams and the associated business interests.

They are bluish-brown to reddish-brown in colour with robust large smooth claws. They have a white patch near the claw hinge.

North American signal crayfish can prey on small fish and eggs, and can compete for food and cover with some fish species. Preliminary studies have shown that North American signal crayfish can exclude juvenile salmon from shelters during winter. This would increase the vulnerability of wild salmon to predators. They can also destabilise banks by burrowing into them - this can increase erosion, lead to the compaction of spawning gravels and pose significant safety risks.

Many native crayfish populations in Britain have been decimated by the fungal disease 'crayfish plague'. The spread of this disease has been exacerbated by the North American signal crayfish which carry the fungus but are not susceptible to it.

It is an offence to release North American signal crayfish into the wild, and a licence is required to trap or keep live specimens.

Early notification of new populations or the spreading of established populations is crucial for effective control and eradication. If you spot North American signal crayfish in the wild, either live specimens or remains discarded by predators, or have any other relevant information, please contact:

Marine Scotland, Freshwater Laboratory,
Faskally, Pitlochry, Perthshire, PH16 5LB.
Telephone: 01796 473523.
E-mail: enquiries@marlab.ac.uk

What you can do to help?

Due to the serious danger of cross-contamination by these infestations, it is now recommended practice always to clean and wash all wet gear before leaving any inland water to travel to any other, even within the UK

Young North American signal crayfish may only be 1cm in length, while adults can grow to about 20cm.

Anglers -

Drain your boat as usual. Check landing & keep nets and clothing before you leave. If you catch any North American signal crayfish bring them ashore or into the boat for humane destruction on site. It is illegal to remove North American signal crayfish from the site or to return them to the water.

Paddlers / Boaters -

Drain your boat as usual. Check the interior and exterior for any obvious North American signal crayfish. Destroy them (humanely) on site.

If possible flush the boat out with fresh water from a piped supply before you leave.

[For this purpose, it would be beneficial if all water-access car parks were equipped with suitable piped (i.e. chlorinated) fresh water standpipes.]

Further information:

www.marlab.ac.uk/Uploads/Documents/FW-SignalCrayfish.pdf

www.snh.org.uk/pdfs/publications/wildlife/crayfish.pdf

Other biosecurity considerations

The SCA provide comprehensive information on biosecurity considerations for paddlers. This information can be viewed at www.canoescotland.org/access/Environment/Biosecurity.aspx

Section 6: Useful Contacts

<p>Association of Salmon Fishery Boards Capital Business Centre 24 Canning Street Edinburgh EH3 8EG T: 0131 272 2797 F:0131 272 2797 E: asfb@btconnect.com www.asfb.org.uk/</p>	<p>Atlantic Salmon Trust Suite 3/11 King James VI Business Centre Friarton Road Perth, PH2 8DG T: 01738 472 032 E: director@atlanticsalmontrust.org www.atlanticsalmontrust.org</p>
<p>British Association of Shooting and Conservation (BASC) Trochry Dunkeld, PH8 0DY T: 01350 723 226 E: scotland@basc.org.uk www.basc.org.uk</p>	<p>British Waterways Scotland Canal House Applecross Street Glasgow G4 9SP T: 0141 332 6936 F: 0141 331 1688 E: enquiries.scotland@britishwaterways.co.uk www.britishwaterways.co.uk/scotland</p>
<p>Paths for All Inglewood House Tullibody Road Alloa FK10 2HU T: 01259 218888 F: 01259 218488 E: info@pathsforall.org.uk www.pathsforall.org.uk</p>	<p>Royal Yachting Association Scotland Caledonia House, South Gyle, Edinburgh EH12 9DQ T: 0131 317 7388 E: Admin@RYAScotland.org.uk www.ryascotland.org.uk</p>
<p>Scottish Anglers National Association Ltd The National Game Angling Centre The Pier, Loch Leven Kinross KY13 8UF T: 01577 861 116 F: 01577 864 769 E: admin@sana.org.uk www.sana.org.uk</p>	<p>Scottish Canoe Association Caledonia House South Gyle Edinburgh EH12 9DQ T: 0131 317 7314 www.canoescotland.com</p>
<p>Scottish Federation for Coarse Angling www.sfca.co.uk/</p>	<p>Scottish Natural Heritage Headquarters Great Glen House Leachkin Road Inverness IV3 8NW T: 01463 725 000 www.snh.org.uk/ www.outdooraccess-scotland.com</p>

<p>Scottish Rafting Association The Coachyard, Aberfeldy PH15 2AS. T: 01887 829 292 E: admin@scottish-rafting-association.org.uk www.scottish-rafting-association.org.uk</p>	<p>Scottish Rural Property & Business Association Stuart House Eskmills Business Park Musselburgh EH21 7PB T: 0131 653 5400 F: 0131 653 5401 E: accessofficer@srpba.com www.srpba.com</p>
<p>Scottish Rowing T: 07788 414228 www.scottish-rowing.org.uk</p>	<p>Sportscotland Doges Templeton on the Green 62 Templeton Street Glasgow G40 1DA T: 0141 534 6597 F: 0141 534 6501 www.sportscotland.org.uk</p>
<p>The Grayling Society 32 Kaimes Place, Kirknewton, EH27 8AX T: 01506 883533</p>	
<p>Reporting Pollution incidents: Call the SEPA (Scottish Environment Protection Agency) pollution hotline: 0800 80 70 60</p>	<p>Reporting Wildlife crime incidents: Contact your local wildlife crime office via your local police station Useful websites: The Partnership Against Wildlife Crime - www.paw.scotland.gov.uk/ The UK's National Wildlife Crime Unit www.nwcu.police.uk/</p>

To contact your local Access Officer visit the Scottish Outdoor Access Code website
www.outdooraccess-scotland.com

Appendix 1: Stalking and Shooting Seasons

	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb
Wildfowl (foreshore)							1					20
Wildfowl (inland)							1				31	
Red deer & sika deer												
Stags					1			20				
Hinds								21				15
Roe deer												
Bucks		1						20				
Does	31							21				
Red Grouse						12				10		
Black Grouse						20				10		
Partridge							1					1
Pheasant								1				1

- NB: (1) In practice, the red deer stag stalking season normally starts around mid-August on the majority of estates. For further information on the location of red deer stag stalking in certain areas check out the Hillphones website at: www.snh.org.uk/hillphones/
Red deer are not normally stalked on a Sunday but roe deer sometimes are.
- (2) While it is illegal to shoot ducks and geese on Sundays in Scotland, some pigeon shooting does take place.