

strangely brought the answer that watersports national governing bodies are responsible for providing safety information and navigation authorities should provide safety equipment. We must be getting closer to a corporate manslaughter case over dangerous weir design fatalities and it is not governing bodies that design them.

Replies suggest that the Government may be prepared to budge slightly although, of course, they would need to check whether there is any existing legislation with which any changes would conflict and need revoking. Checking now might save a great deal of wasted effort.

As we get similar replies to Parliamentary Written Questions, sometimes even identical wording despite the change of Government, our MP, Dr Roz Savage, has taken this up with the House of Commons Library, who responded:

Thank you for your request. You asked the Library for information on river navigation, following a recent PQ that your office submitted in relation to public navigation rights on inland rivers in England and Wales (asking the SoS for a record of any legislation that 'removes or restricts a general public right of navigation on inland rivers').

Specifically, you asked:

Whether there is any legislation that explicitly removes or restricts a general public right of navigation on inland rivers in England and Wales.

If not, whether there is an established legal or constitutional principle supporting the current policy position that such rights do not exist without specific statutory provision or private rights.

Any relevant case law, historical precedent, or legal commentary that might shed light on how navigation rights have been defined or restricted over time.

I have set out some information below. However, as this is a complex legal matter, your office (and the constituent) may wish to seek independent legal advice. The Commons Library briefing, Legal help: where to go and how to pay – House of Commons Library, may be of help.

Disclaimer

This information is provided to Members of Parliament in support of their parliamentary duties and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as legal or professional advice, or as a substitute for it. A suitably qualified professional should be consulted if specific advice or information is required.

Legislation

You asked whether there is legislation that 'explicitly removes or restricts a general public right of navigation on inland rivers in England and Wales'. In short, there is no such legislation but there is also a range of case law that suggests that there is no pre-existing public right of navigation, and that such rights must be obtained through either:

immemorial usage (defined with reference to 'time immemorial' in English Law, in practice a long-standing custom),
an Act of Parliament, or
express permissions granted by the relevant riparian owner(s).

Defra position

In 2014, in response to a Freedom of Information request, the Department for Environment, Food and Rural Affairs (Defra) published a one-page note from the Defra legal team setting out legal position and communications on the right of navigation on non-tidal rivers. This comprises of advice taken by the Secretary of State in 2004 in relation to 'the right of navigation on non-tidal rivers and the common law'.

This advice was taken in response to an academic paper (by Rev Dr Douglas Caffyn, referenced in communications from the British Canoe Union to the SoS), which suggested that there is a public right of navigation (PRN) on inland rivers in England and Wales, based in part on historical customs and the Magna Carta.

The Defra advice stated:

'[...] The generally held legal view is that there is a general absence of public right of navigation on non-tidal waters or inland lakes. The public right of navigation that exists on tidal waters does not apply. The soil of rivers is vested not in the Crown, but in the riparian owners and in the case of inland lakes, in the adjoining proprietors. This is established by a series of common law cases such as *Murphy v Ryan* (1868)

Question



Andy MacNae

Labour

Rossendale and Darwen



To ask the Secretary of State for Environment, Food and Rural Affairs, if she will make an assessment of the potential implications for her policies of the All Party Parliamentary Group for Outdoor Recreation and Access to Nature's report entitled, *Outdoors For All*.

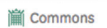
Answer



Mary Creagh

Labour

Coventry East



Answered on

27 October 2025

The Government welcomes the All Party Parliamentary Group for Outdoor Recreation and Access to Nature's report and agrees with the report's conclusion that time spent outdoors is vital for both physical and mental wellbeing. We are committed to expanding opportunities for people to connect with nature. Our current initiatives include the creation of nine new national river walks and three new national forests in England, helping to bring nature closer to communities across the country. We are actively shaping policy to support wider access to nature, working in collaboration with other departments and key delivery partners.

Question



Dr Simon Opher

Labour

Stroud



To ask the Secretary of State for Environment, Food and Rural Affairs, what assessment her Department has made of the potential implications for her policies of the Environment Agency's Chief Scientist's Group report entitled *Exploring recreational water use in England*, published in July 2025.

[Hide full question](#)

Answer



Emma Hardy

Labour

Kingston upon Hull West and Haltemprice



Answered on

4 November 2025

The Government is considering the approach to improving access to nature and is committed to working with stakeholders as this develops. The Environment Agency's report on recreational water use will help to inform that process.