

## Finance

The rivers are maintained and improved at public expense. In the last ten years over £100,000,000 of public money has been provided by:-

- The Government from your taxes
- The European Union from your taxes
- The Water Companies from your Water Rates
- Local Authorities from your household and business rates
- The Heritage Lottery Fund.

**Public money should be spent to obtain benefits for the public not for the improvement of private property to which there is no public access.**

## **“It is immoral to praise Magna Carta and to ignore the breach of Clause 33.”**

At every opportunity please challenge those who praise Magna Carta but ignore the fact that Clause 33 is usurped.

Members of Parliament  
Members of Local Access Forums  
Local Authority Councillors  
Local Authority Sports and Recreation Committee members and officers  
Members of Countryside Management Partnerships  
Members of the National Park Authorities  
Members and staff of the River Trusts  
National Trust staff and members  
People working in the Press, Radio and Television

*For further information about the rights guaranteed by Magna Carta, see [caffynonrivers.co.uk](http://caffynonrivers.co.uk)*

*To obtain more copies of this leaflet contact Douglas Caffyn at [caffyn@tiscali.co.uk](mailto:caffyn@tiscali.co.uk)*

**Please**

**Enforce**

**Clause 33**

**Or**

**Forget**

**Magna Carta**

## Magna Carta

Magna Carta set out some of the universal rights of free people. The spirit of the Charter is now generally accepted as part of the British culture. There is one exception – Clause 33 of the 1215 Charter. (Clause 23 of later versions.)

This statement of the Common Law required the king to ensure that the rivers ‘throughout all England’ be kept clear for the “great wealth of this land ... so that Ships and Boats might have their large and free passage”. (The Act for Wears and Fishgarthes of 1472)

The rivers should also be kept clear for the public today for the “great health of the land” both physical and mental.

This right has never been extinguished and still exists today.

**However it is liable to be usurped on 97% of the rivers.**

## The Rivers

The rivers of England were, and should be again, a place where all people can freely exercise, relax, enjoy themselves and observe nature.

At present there is assured access on only 3 % of the non-tidal physically navigable rivers of England. On these regulated rivers tolls are payable as the rivers have been physically improved. Rivers like the Thames, Medway and Great Ouse.

On other rivers people defy Clause 33 of Magna Carta and try to obtain exclusive use for their own pleasure. (See Angling Trust – Conflict on the Riverbank. CLA Leaflet GN 18-13)

## Government Policy

The Government policy is “There should be local agreements on each unregulated river”.

Those who usurp the right of free access on rivers are acting unlawfully. The Government expects the public to negotiate with them in order obtain access at limited times. Often those acting unlawfully are not willing to meet to discuss access.

The Government sponsored two agreements in 2006 which were in accordance with the right enshrined in Magna Carta. These provided access to 67 miles of river (0.2% of the total available) at a cost of £250,000.

No further Government sponsored agreements have been made.

The Government enforces rights of way on land.

**Why does the Government not enforce the public right to free access on the rivers?**