

Discussion paper



How a rights-of-rivers approach strengthens catchment partnerships

Short answer: a rights framing gives catchment partnerships a **clear normative spine** they can use to prioritise actions, tighten monitoring and response loops, strengthen planning leverage, unlock new funding and civic legitimacy, and create durable local governance (guardianship) arrangements – *provided* the rights language is translated into concrete triggers, metrics and governance procedures. Below we unpack the main advantages, how they work in practice, and the pragmatic steps catchment partnerships should take next.

Key context (quick orientation)

Catchment partnerships (the **CaBA** network) are the UK’s established, collaborative bodies that bring NGOs, local authorities, landowners, business and regulators together to manage rivers at catchment scale. Rights-of-river charters emerging at local level (e.g. River Ouse) are policy/governance tools—not yet a nationwide change in legal personhood—but they are already changing how councils and communities prioritise rivers. [CaBA+1](#)

The principal advantages (and how they actually deliver value)

1. A sharper, shared decision-frame – cuts through competing agendas

Why it helps: A short, rights-based statement (e.g. “the right to flow”, “the right to be free from pollution”) creates a crisp yardstick that partners can use when negotiating trade-offs (development vs. river health; abstraction vs. flow). That clarity makes it much easier to say *no* to incremental harms and *yes* to interventions that restore core functions.

How to use it: Publish a one-page “rights impact test” that planners, funders and partners

must complete for major proposals; use rights language in catchment plans and responses to consultations. (Toolkits now exist to translate rights into legal and governance actions.) [King's College London](#)

2. Stronger leverage in planning and BNG negotiations

Why it helps: Rights language reframes biodiversity/net-gain and planning decisions from box-ticking to safeguarding core river functions. Where BNG, planning conditions or habitat banking are being negotiated, a rights charter helps the partnership argue for on-catchment, hydrologically appropriate mitigation and longer-term management.

How to use it: Require that biodiversity gain projects intended to offset development demonstrate no adverse impact on rivers' rights (flow, connectivity, water quality), and make that requirement explicit in standard planning responses. [GOV.UK](#)

3. Better monitoring → faster, rule-based responses

Why it helps: Rights frameworks are most effective when paired with **clear metrics** and triggers (e.g., DO < X mg/L, ammonia > Y mg/L, flow below seasonal baseline). The Environment Act's continuous water-quality monitoring requirements create a data backbone that partnerships can use to operationalise those triggers. When thresholds are breached, the partnership can rapidly escalate to regulators, utilities, or remediation plans.

How to use it: Map rights to a compact indicator set, publish dashboards (community + regulator view), and pre-agree escalation paths so data leads to action rather than argument. [UK Government Publishing+1](#)

4. Institutionalises guardianship and long-term stewardship

Why it helps: Catchment partnerships already coordinate many groups; adopting a rights approach creates a legal-adjacent role ("guardian" or steward) with a transparent mandate to speak for the river in planning, procurement and enforcement channels. This builds continuity across election cycles and company contract changes.

How to use it: Define guardian appointment criteria, conflict-of-interest rules, and reporting duties in the partnership governance documents—use existing legal toolkits to structure the role. Recruit and train river Guardians [King's College London](#)

5. Mobilises communities and strengthens civic legitimacy

Why it helps: Rights-of-nature language resonates with the public and can broaden support beyond traditional environmental constituencies (anglers, farmers, wildlife groups) to the wider public, (schools, health stakeholders and businesses). That helps partnerships mobilise volunteers for monitoring, encourages more responsible public behaviour with regards to rivers and strengthens public and political will for tougher interventions.

How to use it: Co-produce the charter with local communities (as Love Our Ouse did), and build participatory monitoring, celebration and learning of rivers into outreach.

loveourouse.org

6. Creates stronger negotiating position with utilities and developers

Why it helps: Rights charters let catchment partnerships demand time-bound remedial plans and investment commitments from water companies and developers in a more principled way. They change the tone of negotiation from adversarial requests to protection-of-rights obligations the partnership has a mandate to defend. **How to use it:** Use charters as a lens for contract clauses in Section 106/other legal vehicles and as a public accountability mechanism when signing joint action agreements.

7. Prioritises cumulative impacts and upstream–downstream equity

Why it helps: Catchment partnerships are uniquely placed to see cumulative impacts. A rights approach forces partners to consider whole-catchment functions (e.g., seasonal flows, sediment, connectivity) rather than treating each project in isolation. That reduces the risk of incremental degradation.

How to use it: Include cumulative-impact screening in the catchment plan and set limits on cumulative nutrient/load increases that are inconsistent with the river's rights.

Practical steps for catchment partnerships (what to do tomorrow → 12 months)

Quick wins (0–3 months)

- Draft a short, co-owned rights statement (6–8 rights) reflecting the rivers priorities and needs; circulate it as an addendum to the catchment plan [e.g. River Ouse Charter](#)
- This should include the right for the river to have an active, influential and independent say in decisions which affect it.

- Map existing monitoring assets to each right (who measures what, where, how often). [UK Government Publishing](#)

Operationalise (3–12 months)

- Engage communities in developing and supporting these rights. This can be done through events which celebrate the river, acknowledge people's intrinsic love for it and help deepen a culture of care for, and connection with the river [loveourouse.org](#)
- Translate each right into 2–3 measurable indicators and thresholds (flow, DO, ammonia, phosphate, macroinvertebrate index). Tie thresholds to the partnership's escalation matrix. [UK Government Publishing](#)
- Establish a guardian role (terms, appointment, reporting); pilot with a small budget for secretariat support. Two guardians are recommended: one technical, one community [King's College London](#)
- Update planning response templates / BNG advice so that proposed offsets must be hydrologically compatible and documented against river rights. [GOV.UK](#)
- Encourage the local authorities (council, parishes and/or unitary authority) to agree to support the charter.

Medium term (12–36 months)

- Build a public dashboard that combines regulator data (continuous monitors), citizen science inputs, intervention trackers and stakeholder accountabilities. [The River Don Project UK Government Publishing](#)
- Use the rights framing in funding bids (nature restoration, peatland, riparian buffers) to show clear outcomes and governance.
- Negotiate a formal memorandum of understanding with local water companies and key stakeholders (including landowners, the local council and public) that references the charter and agreed triggers.
- Continue regular community engagement activities around the rights of the river e.g. schools outreach and regular public celebrations of the rivers rights.

- Have the Guardians write section on river rights in CP's annual reports
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Metrics that matter (examples to operationalise rights)

- **Right to flow:** % days/month where flow \geq seasonal baseline; number of abstraction incidents requiring action.
 - **Right to be free from pollution:** daily event-duration hours for spills; mean summertime dissolved oxygen; frequency of bathing-water / shellfish closures.
 - **Right to native biodiversity:** macroinvertebrate indices, spawning success for key fish species, riparian habitat extent (ha).
(Use these as the basis of a short “river health scorecard” published quarterly.) [UK Government Publishing](#)
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Pitfalls & how to avoid them

- **Tokenism:** A rights statement with no procedural teeth will fuel cynicism. *Fix:* pair every right with indicators, thresholds and an agreed escalation route. [King's College London](#)
 - **Adversarial escalation:** Rights language can antagonise partners if introduced top-down. *Fix:* co-design with communities, water companies, farmers and regulators; emphasise shared outcomes.
 - **The rivers Rights are co-opted/greenwashing:** or captured by wholly human/organisational agendas. *Fix:* appoint Guardians (one technical, one community) who are completely independent from existing catchment partnership member organisations.
 - **Legal confusion:** Charters are not the same as statutory personhood. *Fix:* be explicit about the charter's status and how it links to statutory mechanisms (planning, EA, Ofwat). [King's College London+1](#)
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Three recommended next moves for your catchment partnership

1. **Co-produce a concise rights charter** with community, local authority and regulator sign-off (6-8 rights; plain language). [E.g. Ouse Charter loveourouse.org](https://loveourouse.org)
2. **Map rights → metrics → triggers → actions** (a one-page operational annex to your catchment plan) and pilot one trigger/action sequence (e.g., low-flow remediation or spill-response). [UK Government Publishing](https://www.gov.uk)
3. **Create a short guardianship pilot** (6–12 months) with clear terms, reporting cadence and a small operational budget drawn from partnership funds or a grant. [King's College London](https://www.kcl.ac.uk)

Final thought

Whilst Rights-of-rivers represents a paradigm shift in our relationship with the natural world, it works best for catchment partnerships **when it's used as an operational tool rather than a slogan**. Its real power is cutting through complexity: it makes trade-offs visible, ties monitoring to pre-agreed actions, amplifies community voice, and gives partnerships a coherent narrative that regulators, funders, communities and businesses can act on. The legal toolkits and local precedents exist—your job as a partnership is to **translate words into thresholds, dashboards and governance** so the river's rights actually change outcomes on the water.

Further information www.riverrights.org **Email:** riverrightsnetwork@gmail.com

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