

Home of the week  
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Solicitors for all your conveyancing needs

Philippa  
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Brief-Case



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## What are your fishing rights?

**Q. I am buying a house that has river frontage. Can you tell me if I can fish from the riverbank in my garden?**

**A.** For non-tidal waters, the situation is complex. The owner of the land adjoining one side of a natural river or stream owns the exclusive fishing rights ('Riparian Rights') on her or his side of the bank. These rights extend up to the middle of the water, unless the water encircles a pond or lake. Fishing rights will usually belong to the riparian owner, unless ownership has been separated from the land and can be checked with land registry.

Although she or he owns the fishing rights, a riparian owner is still subject to the general laws protecting close seasons for fish. These are down in the Salmon and Freshwater Fisheries Act 1975. Just because one has the right to access a river, stream, lake or any other water body, one does not automatically have the right to fish in it.

**Q. Can I fish all year round?**

**A.** There are annual close seasons for fish to spawn, as well as weekly close times in certain cases. For example, the coarse fish close season applies to all of the rivers, streams and drains in England and Wales and runs from 15th of March to 15th of June.

**Q. Do I need a licence?**

**A.** Any angler over the age of twelve fishing for trout, salmon, trout, coarse fish or eels needs an Environment Agency rod licence.

Fishing licences are available from post offices in England and Wales. They are also available from Environmental Agency regional offices and from the bank-side. If one decides to join an angling club, the club can arrange a bulk purchase from local post offices.

Further, please note that while the national rod licence gives a licence to fish anywhere in England and Wales, one will still need permission from the riparian owner (where required) to fish from her or his stretch of the river bank.

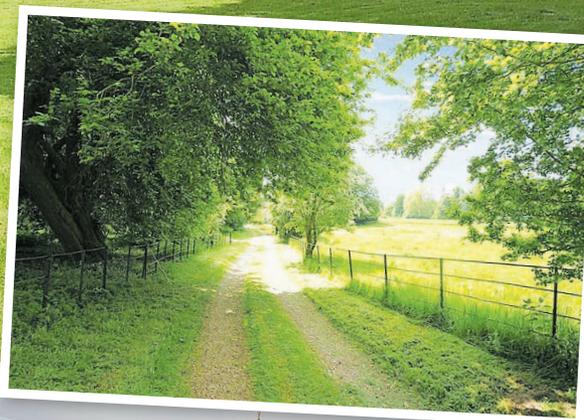
**Q. What about fishing in the sea?**

**A.** Members of the public have a right to fish in the sea below the mean high water mark of tidal waters. Anyone can fish either from the bank or by boat assuming there is public access

**Please note you should always seek specific legal advice. You can contact Philippa Rudd, head of conveyancing at Cozens-Hardy on 01603 625231 or [www.cozens-hardy.com](http://www.cozens-hardy.com)**

**You can follow Philippa on twitter @philipparudd**

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With online estate agents this is not the case. Why is this not the case you ask? Simple maths is the answer. When you pay someone a small amount of money it severely restricts how much money they can spend in order to find someone who wants to buy your house. Is that what you want for your home? Homeowners are risking their greatest asset to save a few pounds. Common sense suggests that if your home is marketed to a wider audience then you have a greater chance of not only

selling your home but also for more money. Relying solely on a website and in some cases unflattering photography is a recipe for disaster. And let's not forget that the majority of buyers still want an agent to act as a third party during negotiations. More often than not when sales fall through it is because the buyers and sellers often fall out with each other over something which could easily have been rectified if an agent was involved.

'You get what you pay for in life' or 'if

it's too good to be true then it generally is', are two of my favourite sayings. I do agree that there are some agents out there who are not professional and in some cases when compared to these agents an online agent with reduced costs would look appealing. I suggest you do your homework, speak to a number of agents before deciding who is best to use to ensure that you maximise both your selling experience and more importantly your selling price! Be sure to take a look at our

wonderful range of property for sale today in the EDP and please call if we can either arrange a viewing or indeed a valuation of your own home.

**If you wish to discuss/debate the above issue further then please feel free to send me an email at [cameron.black@fineandcountry.com](mailto:cameron.black@fineandcountry.com).**

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