WILD TROUT TRUST

Advisory Visit

River Ivel, Radwell, Herts

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Key findings

- The River Ivel at Radwell is a degraded chalk stream with much potential for habitat enhancement, especially the reach below the Mill House to the New Bridge.

- Radwell Mill presents a total barrier to the migration of fish.

- Fish populations appear minimal. No brown trout were seen, with none thought to be present. Once the river's habitat capacity to support fish has been increased, dialogue should be had with the EA's Fisheries team to see what might be suitable for introduction/relocation from lower downstream.

- Fallen woody material (sticks, branches and trees) should be retained where they do not cause a significant upstream impoundment.

- Careful thought is needed between RevIvel and key landowners as to the challenges and opportunities that the mill and its pond present. Primarily, the height of the mill pond which impounds the river above it.

- The river is disconnected regarding fish passage. Habitat enhancement should be considered in parallel with connectivity issues.

- At the Iron Bridge the impact of bank erosion caused by dogs, and the large volumes of degrading silt entering the river is apparent.

- The river's habitat restoration potential is limited by reduced flow in the upper river.

1.0 Introduction

This report is the output of a site visit undertaken by Rob Mungovan of the Wild Trout Trust to the River Ivel at Radwell, near to the Herts/Beds county boundary. The request came from the RevIvel Association to inform their conservation work. Rob Mungovan was accompanied by one member of RevIvel for the entire visit, with another only attending for the reach that he owned. The visit was undertaken on the 26th March 2021 after a winter of very high rainfall, which has seen the river flowing at its best for at least the last 20 years. Comments in this report are based on observations made on the day.

The purpose of the visit was to advise on the suitability of the river for wild brown trout, and to consider measures that could be implemented to improve habitat.

Normal convention is applied throughout the report with respect to bank identification, i.e. the banks are designated left bank (LB) or right bank (RB) whilst looking downstream.

2.0 Catchment Overview

Table 1 summarises the Water Framework Directive (WFD) data for the River Ivel, with an overall classification of 'moderate' ecological potential. Parameters that make up the classification include 'good' for invertebrates and 'poor' for macrophytes and phytobenthos in 2016 (with no assessment in 2019). Interestingly, fish have not been assessed. Encouragingly, the river's physio-chemical parameters are all classed as 'high'. In common with all rivers sampled, the fail under 'chemical' analysis has driven down the river's overall status (the lowest scoring attribute usually driving the classification). The river is classed as 'heavily modified', that was apparent during the visit, with a number of channels conveying water to, and around, the mill and its gardens, and a reach of river having been realigned a short distance upstream.

The Ivel is a small (~10km long) chalk stream which, in common with many of the region's chalk rivers, has suffered from low flows due to over-abstraction for many decades. The low-flows, and more frequent drying of the river's headwaters, now make habitat restoration more challenging. Restoration of stable river flow is required through a reduction in groundwater abstraction.

From the late 19th century to 1915, the river sustained a trout fishery (believed to be stocked due to the historic stew ponds still present at the mill) but all species of fish are now scarce, probably as a consequence of intermittent droughts. The Ivel at this location is not a fishery and has not been stocked with any fish species within living memory. However, a large shoal (100+) of roach/rudd were seen just upstream of the inlet to the mill pond.

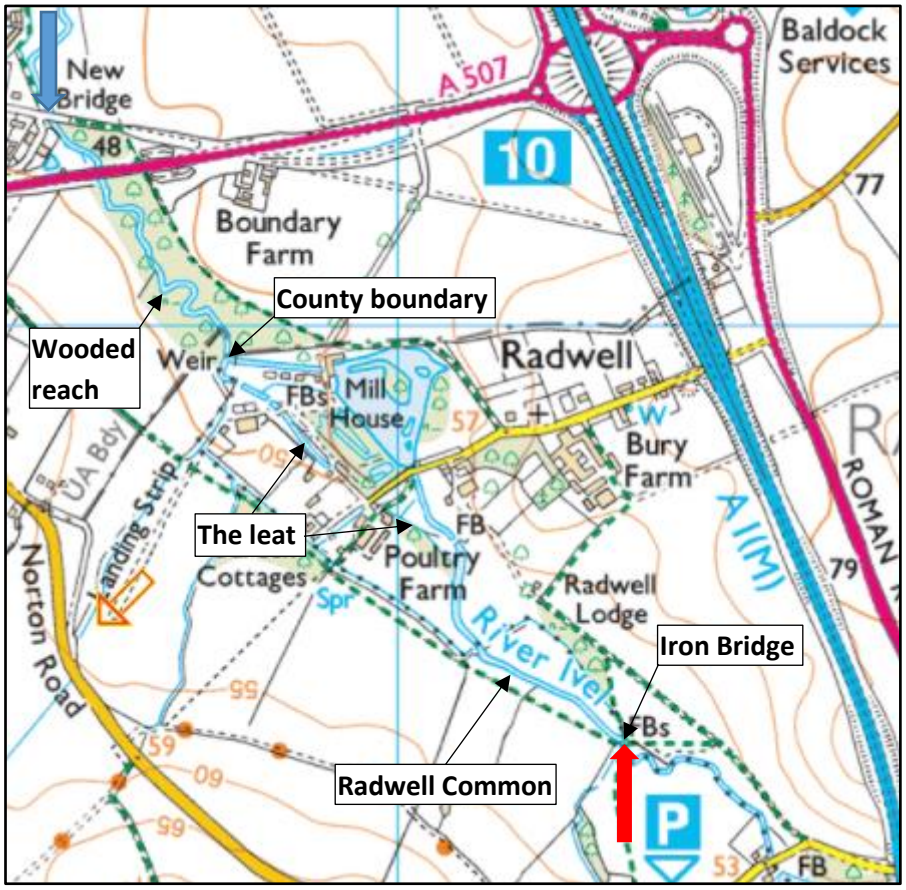
The Ivel catchment is bounded by the Chiltern Hills to the south and Greensand Ridge to the North. The river rises from chalk springs with many being seen during the visit. The river's headwaters are dominated by the town of Baldock. Once downstream, the catchment is largely rural with the Ivel discharging into the Ivel Navigation, then to the River Great Ouse.

	Waterbody details
River	River Ivel
WFD Waterbody Name	Ivel (upstream from Henlow)
Waterbody ID	GB105033037720
Management Catchment	Ouse Upper and Bedford
River Basin District	Anglian
Current Ecological Quality	Overall classification of **Moderate** for 2019
U/S Grid Ref inspected	TL 23378 35314
D/S Grid Ref inspected	TL 22421 36347
Length of river inspected	1.8km

Table 1 Data from https://environment.data.gov.uk/catchment-planning/WaterBody/GB105033037720

Classification Item	2013	2014	2015	2016	2019
Overall Water Body	Good	Good	Good	Poor	Moderate
Ecological	Good	Good	Good	Poor	Good
Supporting elements (Surface Water)	-	-	Good	Good	Good
Biological quality elements	High	Good	High	Poor	Good
Macrophytes and Phytobenthos Combined	-	-	-	Poor	
Invertebrates	High	Good	High	High	Good
Hydromorphological Supporting Elements	Supports Good	Supports Good	Supports Good	Supports Good	Supports Good
Hydrological Regime	Supports Good	Supports Good	Supports Good	Does Not Support Good	Supports Good
Physico-chemical quality elements	High	High	High	High	High
Ammonia (Phys-Chem)	High	High	High	High	High
Dissolved oxygen	High	High	High	High	High
pH	High	High	High	High	High
Phosphate	High	High	High	High	High
Temperature	High	High	High	High	High
Specific pollutants	High	High	-	-	
Chemical	Good	Good	Good	Good	Fail

Table 2 Data from https://environment.data.gov.uk/catchment-planning/WaterBody/GB105033037720



Map 1 – The River Ivel at Radwell. Red arrow is upper limit, blue arrow is downstream limit of visit © Ordnance Survey.

3.0 Habitat Assessment

The river was initially walked from Radwell Mill House in an upstream direction, taking in the myriad of channels and leats associated with the mill pond, to the Iron Bridge. The lower river from New Bridge was then walked in an upstream direction to just beneath the Mill House grounds. This report is presented in two halves reflecting the two reaches of river walked.

3.1 Radwell Mill House to Iron Bridge

Within the grounds of the Mill House the river has been split into 3 main channels, with minor channels taking water, or collecting water from springs and/or flushes. The channel emerging from the Mill House (pic1) has a formal appearance with bricked sides and a water control structure before it discharges to the river. The dominant plant is curled pond weed with water starwort present. Surprisingly, water crowfoot was not observed.

The mill presents a total barrier to the migration of fish, both upstream and downstream, with a drop estimated to be in excess of 1.2m (the actual mill sluice was not seen).

Pic 1 – The channel emerging from the mill.

A second channel originates from the mill pond. It too is completely impassable to fish, with the relicts of ornamental ponds and swimming pools now visible (pic 2). Once away from the significantly modified river associated with the mill pond, the river took on a more natural appearance. However, it is clear that the river has been significantly changed over many centuries for the purpose of milling, land drainage and for pleasure gardens. Fortunately, the river has been left with a clean gravel bed, which provides potential spawning opportunities for brown trout (if present) and other gravel spawning fish species. Spawning trout require loose gravel with a good flow-through of oxygenated water. Juvenile trout need shallow water with plenty of diverse structure for protection against predators and wash-out from high flows. Any weak link in habitat quality or quantity will restrict the population from reaching its full potential. Unfortunately, no trout nor their redds (spawning depressions) were observed during the visit.

The river contains occasional plants of lesser water parsnip and starwort (pic3) both of which are typical chalk river plants and provide important cover for aquatic invertebrates and fish.

Pic 2 – The legacy of ponds and swimming pools which prevent fish from migrating upstream into the mill pond.

Pic 3 – The river below the mill pond is a small and attractive chalkstream with the main aquatic plant being lesser water parsnip.

The river has the appearance of a clean and healthy chalkstream but it is too uniform and tidy with a general lack of fallen woody material. Together, branches, sticks and tree trunks all provide valuable woody material. Large woody material (LWM) can provide underwater cover and may offer protection for fish against predators. It can also provide natural flow deflection which may increase a river's velocity assisting cleansing of the gravel bed and promoting a diverse channel topography. Clean gravel is an

important habitat for a wide range of aquatic invertebrates, which support diverse food webs. Where LWM presents no flood risk it should be retained.

Stone turning revealed the eggs of bullhead fish and aquatic invertebrates including the nymphs of the *Beatis* genus of mayflies and caddisfly larvae (pics 4 &5). This is indicative of good water quality and represents important food for fish.

Pic 4 – Bullhead fish eggs.

Pic 5 – Small mayfly nymphs (*Baetis* genus) and caddisfly larvae (most probably of the *Agapetus* genus).

One point source of silt entering the river was seen (pic 6). It conveys road drainage to the river. It was considered relatively minor but did have the capacity to discolour the river for many metres downstream. It has the potential to deliver unseen pollutants and as such presents a threat. Regular checks could be made to this point to ascertain if the water quality is acceptable. A means of assessing the impact of discharge would be through the application of the Riverfly Partnership's *Anglers' Riverfly Monitoring Initiate* (ARMI). By monitoring groups of invertebrates and taking an estimate of their abundance over a period of time, trends or even declines in invertebrate numbers may be observed. More information about ARMI can be found at www.riverflies.org/

Pic 6 – Road drainage entering the river.

Due to the artificial nature of the river within the Mill House grounds, and its general lack of fallen LWM to promote bed scour, there is little in the way of bed depth variation. Adult trout need deeper pools (usually >30cm depth) with nearby cover such as undercut banks, sunken trees/tree limbs and/or low overhanging cover. Small weirs (pic 7) have been constructed to retain water. However, over time the weirs have compounded the problem as channel depth originally created immediately upstream has now become shallow from sediment infilling (pic 8). The weir crest results in scour being focussed immediately below the structure, as opposed to being spread out along a reach as sediment is transported, sorted and deposited, which naturally results in bed variation as gravel bars and riffles are formed.

Pic 7 – The weir results in small area of intense bed scour, the pool is unsuitable for fish to rest in.

Pic 8 – Above the weir the river is impounded, with fine silt smothering the bed degrading the river habitat.

Throughout the grounds of the Mill House are many, largely defunct, channels and semi-filled ponds (pic 9). Many of the channels convey a small flow. These small flows represent leak points from the main river. With a significantly reduced flow from what the Ivel once had, it may now be beneficial to close-off some of the "leak" pathways and focus the limited flow to channels where it is most beneficial.

Pic 9 – A former fish rearing pond which still conveys a small flow from the river.

The third channel is referred to as "the leat". It by-passes the mill and the mill pond, and in theory would enable fish to migrate upstream. However, that is unlikely to happen due to the habitat being too shallow and devoid of marginal cover (pic 10). There are several low structures that also present challenges for migrating fish (pic 11).

Pic 10 – The leat has been incorporated into the grounds of a garden. The channel is too tidy and shallow to offer fish habitat.

Pic 11 – The point of connection of the leat to the river above the mill pond. In-channel structures promoting high velocity flows prevent upstream fish migration.

The mill pond forms an amenity feature of significant importance to the village (pic 12). The mill sluice is no longer operated and as such the pond is effectively a large settling pond for sediment entering from the river above, as well as taking road run-off. Silt depths were not assessed during the visit, but it is suspected that the pond contains a very high volume of silt which will adversely affect water quality. One would expect the mill pond to offer a deep-water refuge for a range of fish, including brown trout, yet few fish are thought to inhabit it.

Pic 12 – The Radwell mill pond with the mill just visible in the distance.

The river immediately upstream of the mill pond is impounded and the bed is smothered in dark organic silt (pic 13). The base of the road bridge touches the water indicating that when built water levels were lower. The bridge now acts a boom and captures floating matter which, in addition to being unsightly, can lead to the complete smothering of the water surface by algae and duckweed in summer, resulting in total shading of the river for many metres upstream. It was at this location that a large shoal (100+) of roach or rudd were observed. They presumably inhabit the lake but may have moved up into flowing water to spawn, or to seek better water quality if the lake is starting to suffer from eutrophication and/or sedimentation (a common problem when no flushing occurs, and trees/birds are present and increase organic loading).

Pic 13 – The mill pond impounds the river. The road bridge is to the right of the picture.

~30m above the road bridge, a pipe discharges a consented private effluent outfall to the river (pic 14). Sewage fungus is associated with the discharge (see inset pic). The source is at Radwell House and has been drawn to the attention of the EA for further inspection.

Pic 14 – A consented private outfall which has sewage fungus associated with it.

Also situated at the river's edge at this point is a compost heap with organic matter tumbling into the river (pic 15). Grass cuttings are a known source of nitrogen, and pose a significant risk to dissolved oxygen concentrations via leachate. Following onsite discussion, the landowner confirmed that the compost heap would be moved away from the river.

Pic 15 – Compost heaps should not be located on the riverbank.

The impounding effect of the mill pond continues upstream for at least 150m, with black silt and leaves smothering the bed (pic 16). Where the tree canopy casts less shade, an array of marginal plants are present

including reed canary grass, water mint, water forget-me-not, water cress and brooklime. These plants are typical of the transitional zone from water to land and are to be expected in the margins of a chalk river. It was surprising not to have seen them in any abundance downstream, their scarcity may be indicative of browsing by wildfowl.

Pic 16 – The river is impounded above the mill pond for at least 150m.

At ~300m above the mill pond the impounding effect becomes negligible, and with the combination of gradient driving flow, together with natural channel narrowing through marginal vegetation, the river has created a small but sinuous channel as it flows through a poplar tree plantation (pic 17). As the trees mature and fall, they allow light to the channel and a potential supply of LWM. Fallen trees should only be removed from the river where they risk forming full channel width debris dams, resulting in upstream habitat degradation. Fallen trees can be manoeuvred to act as flow deflectors (this kind of habitat improvement work requires no consents as the feature has arisen naturally, and work to adjust it is often lessening flood risk).

The over-wide channel is a result of historical landscaping to create a broadwater which were fashionable in the mid-18th century. This illustrates how the river's natural form has been radically changed. Those changes now result in ecological strain on the river, which is not in its natural course. With the river having been realigned it is prone bed seepage in dry periods. Seepage from the river reduces flow available to transport sediment, resulting in silt smothering the bed. The problem of siltation is further compounded by the mill pond. Careful thought is needed between RevIvel and key landowners as to whether any of the past changes to the river system are still needed. Can the river be restored to a more natural form? The most obvious starting point is the mill impoundment, can it be lowered at all?

Pic 17 – The river is now creating its own sinuous channel as it flows through the former broadwater.

At Radwell Common the river is much narrower (~3m) but is hidden behind a fence and hedge (pic 18). Where the canopy is broken marginal plants are present (pic 19) and the river winds its way through with occasional patches of chalky gravel. Consideration should be given to making some openings in the reach to reduce the excessive shading.

Pic 18 – The river is partially hidden at Radwell Common.

Pic 19 – Where the river is open there is an attractive array of plants.

The river was largely hidden for the next 280m as it ran along the edge of the Common to the Iron Bridge. From studying historic maps and looking at the present landform, it is apparent that this reach of river has also been straightened and realigned, most probably to aid land drainage and/or the creation of the broadwater. A levee of dredged spoil can still be seen at the base of the hedge in places.

At the Iron Bridge the impact of bank erosion by heavy footfall and dogs, is apparent (pic 20). Consequently, bank vegetation is suppressed with few water plants, and silt smoothers the riverbed. It is hard to stop bank erosion by dogs at popular locations. Log revetments backfilled with granular material (MOT type 1 or crushed concrete, topped with gravel) could improve bank stability. Any measures put in place must not introduce a hazard to river users.

Pic 20 – A well-used footpath combined with bank erosion results in high input of sediment to the river at the Iron Bridge.

This reach of river ran dry in August 2019. Amazingly, stone turning revealed bullhead eggs indicating that fish must have survived in ponded water or that fish have migrated upstream from nearer to the mill pond where the channel remained wet.

3.2 New Bridge to the Mill House grounds

The river downstream of the New Bridge is barren of aquatic plants and in-channel features (pic 21). It is over-wide and subject to the impounding effect of Stotfold Mill. The mill is an operational mill and is preserved by Stotfold Mill Preservation Trust. Dialogue should be initiated with the mill to see if during non-working periods the head of water could be reduced to lower the upstream impoundment, that would aid sediment transport and enable some establishment of natural riverine processes. There may also be opportunities to explore fish passage through, or around, Stotfold Mill to allow fish to migrate upstream to below Radwell Mill.

Immediately above New Bridge the river is less impounded, and sand dominates the bed substrate (pic 22) in place of deep organic silt. However, habitat is still poor, with limited marginal cover provided by yellow flag iris and trailing brambles. The river flows through an area of woodland but of most interest was the river's meandering course (pic 23). Whilst much of the river upstream of Radwell Mill has been realigned, this short reach is considered to be the river's true course. Consequently, the river at this location has much potential for restoration.

Some of the best trout habitat is present in this reach. Low-trailing branches give cover at water level and aid bed scour which has cleansed deep silt

exposing areas of chalk and gravel. There is also marginal willow growth which provides habitat diversity and cover from predators.

Pic 21 – The river downstream of New Bridge is severely denuded of habitat and the bed is smothered by silt.

Pic 22 – Above New Bridge the river suffers less impoundment from Stotfold Mill.

Pic 23 – The river has a meandering profile through the woodland.

The river has extensive damp margins which provide habitat for a variety of marginal plants. Extensive watercress growth is already visible. Cress will provide cover and natural channel narrowing as the year passes. Starwort is the dominant aquatic plant, with water crowfoot still strangely absent.

In places trees have fallen into the channel (pic 24), this is not a problem and should be seen as an opportunity to create flow diversity, initiate bed scour (as debris builds against branches pushing flow down against the bed), and to provide important overhead cover.

Pic 24 – A fallen tree creates complex flow pathways and gives important overhead cover.

In other situations, the presence of fallen branches may require some adjustment (pic 25) to prevent impoundment and siltation upstream. In this case branches can be pulled back towards the bank to provide natural flow deflection and marginal cover. Similarly, the occasional branch across the river provides flow diversity and cover for fish (pic 26) without creating an impoundment. Each piece of fallen LWM should be assessed on a case-by-case basis, with the default position for it to be retained in situ.

Pic 25 – Fallen willows should be hinge-cut to lie against the margins in this relatively small river before they root in the channel.

Pic 26 – Occasional limbs across the river provide important habitat features giving cover and flow diversity.

A point of interest, poplar trees have blown over resulting in up-turned root-plates (pic 27). They mimic eroding riverbanks, and in lowland England they provide important nest sites for kingfishers. Any riverside path should try to avoid them for fear of disturbing nesting kingfishers. At the base of the tree was a fresh otter spraint (inset pic).

Pic 27 – Kingfisher will dig burrows into the exposed root-plates of trees.

Exposed gravel is present where the flow has scoured silt from the riverbed (pic 28). This reach has much potential for enhancement through positive management of the existing fallen trees and from sensitive vegetation management. It was stated by the mill owner that the Bedfordshire and Ivel Internal Drainage Board (IDB) maintains this reach. It appears that they may have backed-off from this area but nevertheless, it would be advantageous for the RevIvel to establish dialogue with the IDB to ensure that both parties are aware of management priorities and work together for the good of the river.

Pic 28 – Gravel is exposed where flow scours sand and silt from the bed.

4.0 Recommendations

In places, the river has the appearance of a clean and healthy chalkstream but is too tidy with a general lack of fallen woody material. A greater volume of woody material needs to be retained within the channel.

RevIvel should consider the use of the Riverfly Partnership's *Anglers' Riverfly Monitoring Initiate* (ARMI) to monitor water quality.

The mill pond is held at a fixed level that is believed to be higher than it once was. The pond impounds a long section of river. Lowering the head of water retained would allow more of the river upstream to naturalise. A similar conversation should be had with the Stotfold Mill Preservation Trust downstream, with a view to brokering an operation agreement.

The river is disconnected regarding fish passage and many fish species appear to be absent. If natural colonisation by a range of fish species is to be achieved, then habitat enhancement should be considered in parallel with habitat connectivity.

The river is very shaded in parts of Radwell Common and consideration should be given to opening parts of the canopy.

At the Iron Bridge the impact of bank erosion by dogs, and the large volume of degrading silt entering the river is apparent. Measures could be implemented to reduce the silt input. Dialogue would be needed with Hertfordshire County Council due to the public right of way being affected.

The Bedfordshire and Ivel IDB are responsible for part of the river's maintenance. Dialogue should be had with them before embarking on any improvement schemes to establish issues of common interest, and areas of concern.

Whilst much of the river upstream of Radwell Mill has been realigned, the reach below it to the New Bridge is considered to be the river's true course. Consequently, the river here has much potential for restoration, particularly the wooded reach.

A habitat improvement scheme could be worked-up to for the wooded reach with further input by the WTT. It could identify where various approaches and techniques could be deployed. Measures suitable for use would include:

- Brash berms (pic 29): these features can be created following tree works. A brash berm provides complex cover at, and below, water level. Brash from tree thinning is pinned against the bank in alternating directions or increasing stem thickness, and is securely wired down or held with battens. The brash lattice provides niches for invertebrates and small fish, aids silt entrainment and provides a rooting substrate for plants to establish. In time (~3yrs) the brash will become a vegetated berm if exposed to full sunlight.

Pic 29 – A low-level brash berm created following tree thinning. They can be particularly effective for enhancing low-flow rivers.

- Flow deflectors (pic 30): these features can be used to increase flow diversity and bed scour. They can be simple log deflectors or tethered tree stems. The complex flow that arises creates depth variation, cover and aids sediment sorting. Flow deflectors should not impound the reach above them.

Pic 30 - A flow deflector used to focus flow and scour into the centre of a river.

- Tree-hinging would be a simple first approach to managing some of the tree stock whilst providing cover at water level (pic 31).

Pic 31 – An example of tree hinging increasing cover at, and below, water level.

- Channel narrowing use hazel faggots: A double layer of faggots is held between a double line of stakes to create a new bank line. The void behind the faggots can be filled with brash to retain sediment or it can be backfilled with spoil to provide instant bank establishment.

Pic 32 – Channel narrowing using faggots. A new sinuous bank line has been established and is being backfilled.

- Creation of new riffles and gravel bars: This sees the introduction of 10mm to 40mm gravel placed to replicate missing river features.

Pic 33 – Gravel placed in the River Mel has been planted with water crowfoot along with pinned LWM. 2 months later the reach has naturalised.

4.1 Moving wild brown trout up the River Ivel

The Ivel appears to being missing its fish populations. The only fish found were bullhead, although it is quite probable that stone loach and stickleback

are also present. The mill pond appears to have roach/rudd and is likely to support perch too. The absence of brown trout is disappointing. They are known to be in the Ivel Navigation and probably migrate up into the River Ivel at times but cannot get upstream of the mills. Close observation of the river to assess its fish population should be made by RevIvel's members who are able to identify fish from sight. Enquiries should also be made to riparian landowners to see if they have observed fish in recent years. Gathering local information is important as it initiates community engagement.

Electric fishing is a survey approach used by professionals and is very effective. The EA should be contacted to see if they might be able to assist with an investigative survey. Independent companies exist who can also provide the service.

If it is concluded that fish are missing from the upper Ivel, and it is agreed that habitat is suitable to support them but that natural recolonisation of the upper river is currently impossible due to impassable structures. Dialogue should be had with the EA about the collection and upstream movement of fish (the focus now being on wild brown trout). If there are good populations of reproducing trout in the Ivel, or Ivel Navigation, it may be possible to collect juvenile fish over a period of years, and move them upstream to Radwell, to establish an extension of the wild population found in the river system lower down. This approach does not guarantee success and relies on:

1) Healthy juveniles being caught and available in good numbers in the lower river,
2) the relocated fish reaching maturity,
3) enough of the mature fish finding a healthy mate and reproducing successfully,
4) no genetic bottlenecks.

The introduction of farmed fish is not appropriate and, in any case, impractical. The farmed population of brown trout in the UK comprises largely triploid (infertile) fish, designed not to be able to breed in the wild.

5.0 Making it Happen

The River Ivel is classed as an Ordinary Watercourse and its maintenance falls under the jurisdiction of the Bedfordshire and Ivel IDB to the point of the Beds/Herts county boundary (which is at the end of the Mill House garden), as such (most) works within 8 metres of the bank require their formal agreement. That consent would be obtained through the Lead Local Flood Authority (LLFA) which is the County Council.

The Wild Trout Trust can provide further assistance in the following ways:

- Assisting with the preparation and submission of documents to seek consent from the LLFA (formerly referred to as Land Drainage or Flood Defence consents).
- Running a training /demonstration day to demonstrate the techniques described in this proposal.

We have produced a 70-minute DVD called 'Rivers: Working for Wild Trout' which graphically illustrates the challenges of managing river habitat for wild trout, with examples of good and poor habitat and practical demonstrations of habitat improvement. Additional sections of film cover key topics in greater depth, such as woody material, enhancing fish stocks and managing invasive species.

The DVD is available to buy for £10.00 from our website shop www.wildtrout.org/product/rivers-working-wild-trout-dvd-0 or by calling the WTT office on 02392 570985.

The WTT website library has a wide range of materials in video and PDF format on habitat management and improvement: www.wildtrout.org/content/library

6.0 Acknowledgement

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7.0 Disclaimer

This report is produced for guidance; no liability or responsibility for any loss or damage can be accepted by the Wild Trout Trust as a result of any other person, company or organisation acting, or refraining from acting, upon guidance made in this report.