



MONMOUTHSHIRE AND BRECON CANAL - CRUMLIN ARM WORKING GROUP

**MINUTES OF THE MEETING HELD AT THE COUNCIL OFFICES, TREDOMEN
ON TUESDAY, 29TH NOVEMBER 2005 AT 10.30 A.M.**

PRESENT:

Councillor E.K. Griffiths - Chairman

Councillors:

Miss. L. Ackerman, D.M. Gray, S. Jenkins, M.H. Newman. Mrs. B.M. Toomer, D.T. Wiltshire

Together with:

D. Whetter (Senior Engineer), N. Liversuch (Principal Planner, Countryside & Landscape Services), R. Morgan (Principal Planner), R. Davies (European Officer), K. Kinsey (Principal Engineer Consultancy), D. Nutt (Tourism Officer), G. Gordon (Senior Assistant Solicitor), H.C. Morgan (Senior Committee Services Officer)

Mr. R.J. Dommett - Monmouthshire, Brecon and Abergavenny Canals Trust.

APOLOGIES

Apologies for absence were received from Councillors K. Etheridge and M.G. Parker and Messrs R. Webb, P. Jayne, M. Rees-Williams, J. Ridgewell, J. Rogers and R. Tanner.

1. DECLARATIONS OF INTEREST

Councillors S. Jenkins and Mrs. B. M. Toomer declared an interest as members of the Islwyn Canal Association.

2. MINUTES - 25TH OCTOBER 2005

Subject to it being noted that Councillor Mrs. B.M. Toomer had also declared an interest (as a member of the Islwyn Canal Association) and it had not been recorded, the minutes of the meeting held on 25th October 2005 were approved as a correct record.

3. CROSSKEYS AND PONTYWAUN ENVIRONMENTAL STRATEGY

The Group received a slide presentation from Mrs. C. Higgins (Community Environmental Network Officer, Caerphilly Groundwork) on the Crosskeys and Pontywaun Environmental Study.

Mrs. Higgins pointed out that residents in Crosskeys and Pontywaun had been canvassed to determine local facilities and resident activities and to enable them to have an input into the proposals. Following a series of consultation meetings, the final draft was produced in December 2004 and was used as a basis for European Objective 1 priority 3-measure bid, which received approval in June 2005.

It was reported that Groundwork has established a Steering Group for the programme and that an Environmental Community Group is to be formed to assist with implementation of works arising from the environmental study.

Mrs. Higgins then referred to the main elements of the strategy and detailed the proposed environmental enhancements of community facilities, the improvement of the urban environment, gateway features and road corridor, access and community route ways networks and arts, culture and heritage strategy. She also referred to a series of public exhibitions, workshops, festivals and events which will be held as part of the programme, which are designed to raise awareness of the project, maximise public participation in activities and celebrate achievement.

Members were pleased to note the inclusion of canal landscape improvement works within the environmental study that complement the recommendations within the Council's Canal Corridor Study. Consideration will also be given to the creation of a heritage trail or interpretive trail along the canal. In noting proposals for small-scale engineering works to compliment the Crumlin Arm - Monmouthshire and Brecon Canal Study, Mrs. Higgins confirmed that she would continue to work in close liaison with Mr. D. Whetter to ensure there is no duplication of effort and would liaise with local groups on any schemes proposed for the area in order to maximise efforts.

The Chairman thanked Mrs. Higgins for her informative presentation and it was agreed that minutes of the group would be forwarded to her for information.

4. LOTTERY LIVING LANDMARKS

Mr. D. Whetter confirmed that a bid in the order of £2 million (to fund the Stage 1 recommendations of the Corridor Study - the execution of works to address the remaining works associated with the safety and integrity of the canal) is to be submitted to the National Lottery before 6th January 2006 as part of its Living Landmarks programme. He pointed out that if successful this would not fund the removal of obstructions to navigation and that every effort would be made to secure an alternative source of funding for this element of the canal's future enhancement and development.

5. DEVELOPMENT OF LICENSING CONDITIONS

Mr. Whetter referred to ongoing discussions with the Council's Risk and Insurance Manager regarding insurance cover and reported that as agreed at the previous meeting, arrangements had been made the Chairman of the Group and appropriate officers to meet Mr. Griffiths to discuss the matter further.

He reported that Mr. Griffiths has recommended that for private boat use the minimum insurance cover for each vessel should be £2m and for business use (including charitable organisations) the minimum insurance for each vessel should be £5m.

With regards to the ongoing drafting of licensing conditions, Mr. Whetter confirmed that the regional canal network has a number of owners and it has previously been concluded that a consistent approach should be adopted in order that users would not be required to comply with different rules/regulations depending on which part of the waterways they are using. He reported that he proposed to slightly modify the existing British Waterways national conditions to reflect local considerations. It was noted that input is to be sought from the Legal Department, Licensing Department and the Ecologist during development of the license conditions. Further discussions with relevant Departments will be required to determine the most appropriate means of administering the canal user licence conditions. He anticipated that the regulation would be in force in late spring.

It was agreed to recommend to Council that:-

- (i) future Council licence conditions for individual private boat use on the canal include a requirement to provide a minimum of £2m liability insurance;
- (ii) future Council licence conditions for business (including charitable organisations) boat use on the canal include a requirement to provide a minimum of £5m liability insurance;
- (iii) future Council licence conditions require applicants to present an insurance certificate for examination to reflect the amounts detailed in (i) and (ii) above.

Reference was made to the decision taken previously that subject to clarification with Legal Services on existing agreements, all craft be removed from the canal pending the introduction of a licensing system and it was noted that a letter had been sent to the Pontywaun Boat Club and other known users advising them that their craft should be removed from the canal.

Arising from the discussions thereon it was agreed to recommend to Council that so as not to disadvantage existing users, if they are able to provide a boat safety scheme certificate and a certificate of insurance there would be no requirement for them to remove their craft from the canal.

It was noted that there are currently no designated areas for mooring and that this would be addressed in the future.

6. ISLWYN CANAL ASSOCIATION - LOTTERY BID

Councillor S. Jenkins wished to record his appreciation to those who had voted for the project and helped secure £25,000 for the Islwyn Canal Association project from the National Lottery Fund called "The Peoples Millions".

He indicated that the Association has written to the county borough seeking permission to enter onto Council owned land in order to implement the projects approved as part of the bid and is awaiting a response. He also referred to the detail required by the National Lottery prior to the release of the funding and to the assistance being given by various departments of the county borough.

Mr. Whetter indicated that he met representatives of the Association on 15th November to discuss how best the proposed works can be achieved and would continue to liaise with the representatives on all aspects of the works. It was noted that the forms require completion by

6th January 2006 and the contract is due to commence in February. There is a timescale of twelve months to complete the works.

7. CORRESPONDENCE RECEIVED RELATING TO THE CANAL

Consideration was given to correspondence received from Mr. C. Cook, Pontywaun, Crosskeys, Pontywaun Boat Club Secretary and Commodore and the Director of Whysom's Wharf in relation to the requirement to remove craft from the canal (a copy had been circulated to each member).

Reference was made to the discussions earlier in the meeting when it had been agreed to recommend to Council that if the owners are able to provide a boat safety scheme certificate and a certificate of insurance, to the agreed specified amounts, there would be no requirement for them to remove their craft from the canal. It was noted that Mr. Cook has already submitted a boat safety scheme certificate, and if he produces an appropriate certificate of insurance there will be no requirement for his to remove his vessel should the recommendation be approved by Council.

With regards to correspondence received from the Pontywaun Boat Club, Mr. Whetter indicated he has received a list of all Club craft and associated owners for those boats which are temporary or permanently moored on the canal (Jemima Morris, Ryayader, Sea Quest and the Wendy E) and it was reiterated that, subject to Council approval of the earlier recommendation, if the appropriate boat safety scheme certificate and appropriate certificate of insurance are produced, there will be no requirement for the vessels to be removed.

Members noted that one vessel, the Wendy E, is in the process of being refitted and the Boat Club's suggestion that consequently it is not required to hold a boat safety scheme certificate. It was agreed that irrespective of this fact unless the owner of the Wendy E is able to immediately provide the required certificates he be instructed to remove his vessel from the canal.

In noting that certain of the vessels are seasonal, it was agreed that a requirement to ensure that they are correctly moored should be included within the Council's canal user licence conditions.

Reference was then made to the request of the Club to become a member of the Group and it was agreed that this request not be acceded to at this stage as the Clubs interest is specific to the upper reaches of the canal and the representatives appointed to the Group are currently dealing with issues relating to the whole of the canal.

Reference was then made to the correspondence received from the Director of Whysom's Wharf in response to his request to place six rowing boats on the canal for use in conjunction with the development of Whysom's Wharf. He had previously been advised that he would be required to produce an ecology study, a health and safety study and public liability insurance to the value of £5m and had queried as to why other users of the canal had not been required to produce similar information. It was reiterated that it had previously been agreed that, subject to Council approval, the minimum insurance cover for business use would be £5m and as such all users of the canal would be dealt with equitably. With regards to the requirement for an ecology study, Mr. Whetter pointed out that previous council policy requires such a study and it was intended that this requirement would be included in future licence conditions for business users. He pointed out that the other business users had not been required to produce the information at the time of the original licence being issued as the policy has only recently been introduced. With regard to the private users, whilst they will be reminded of the requirements of the Wildlife and Countryside Act, they will not be required to produce an ecology study.

ANY OTHER BUSINESS

8. Manor Road - Obstruction to Navigation

Mr. Whetter referred to the potential to reinstate an aqueduct at Manor Road as opposed to the proposed solution of a box culvert and associated substantial retaining walls set out in the Corridor Study. He indicated that as a consequence of Members' request to further explore the potential to utilise an aqueduct to overcome the obstruction to navigation at Manor Road this matter has been subject to further initial consideration by the Council's Engineering Consultancy. The initial work undertaken by Engineering Consultancy suggests that the previous concerns regarding available headroom between the existing highway and the underside of the suggested aqueduct can be overcome.

Mr. Whetter then circulated two conceptual diagrams (as appended to the minutes) in order to indicate the extent and potential "style" of aqueduct that could be achieved at Manor Road. He pointed out that the aqueduct sketches do not incorporate a towpath/cycleway. It was noted that should future opportunities arise that will allow the Council to progress preliminary and subsequent detailed investigation and design of works to overcome the obstruction to navigation at Manor Road the potential "solution" that an aqueduct would provide will be subject to further investigation and assessment with regard to both engineering feasibility and associated costs.

With regard to the quarry site, the Chairman indicated that he would be meeting representatives of Hanson's to discuss the development of the site and a range of other initiatives including the cycleway, footpath and towpath and Sustrans to discuss the national cycleway.

9. Parliamentary Waterways Group Regarding a Ten Minute Rule Bill

Mr. R. Dommett drew attention to correspondence received from the Parliamentary Waterways Group regarding a Ten Minute Rule Bill which is going through Parliament on 30th November 2005 and to its importance to future waterway restoration projects. It was noted that David Heyes has the rule on the subject of abandoned inland waterways (protection) and the main point to be made is about the need to protect the lines of abandoned waterways from development that will prevent future restoration.

The Chairman indicated that he would write on behalf of the Group supporting the proposals contained therein.

10. CANAL BANKING - CUTTING OF GRASS

Reference was made to the initiative, in line with the recommendations of the Corridor Study, whereby certain areas of the embankment are not longer cut in order to allow them to revert to a more ecologically friendly and natural environment. In view of concerns raised by residents, the need has arisen to review certain of the areas selected. Mr. Whetter indicated that if he were notified of the areas that are causing concern he would arrange to investigate the matter accordingly.

11. Best Kept Garden Competition

A query was raised as to whether a competition could be launched for the best-kept garden that runs to the canal bank. It was noted that this has been investigated in the past and found that such a category is not currently included in the county borough initiative for best-kept gardens. Councillor S. Jenkins indicated that the Association has undertaken a similar

exercise but that only three householders had participated at that time. It was suggested that such a scheme would enhance the area and the Chairman expressed a wish to either incorporate such a scheme within the initiative for best-kept gardens or to seek alternative sources of funding.

12. Speed of Vessels on Canal

Following an enquiry as to the speed limit allowed on the canal, it was noted that only 4 mph is permitted. It was suggested that signs should be erected to display this information and agreed that Officers would examine this as part of the signposting project.

13. DATE OF NEXT MEETING

The next meeting would be held on Tuesday 31st January 2006 at 10.00 a.m.

The meeting closed at 12.30 p.m.