

## **MONMOUTHSHIRE AND BRECON CANAL – CRUMLIN ARM WORKING GROUP – 16TH JANUARY 2007**

**REPORT BY: DIRECTOR OF THE ENVIRONMENT**

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### **3.1 Landscape Enhancement Strategy**

1. LTC Landscape Architecture Ltd. Of Usk continue to prepare the Canal's "Management and Enhancement Opportunities Plan" that seeks to:
  - Develop and cost detail landscape enhancement proposals for appropriate sites along the Canal.
  - Develop a detailed landscape management plan to enhance the existing planting and features along the Canal.
2. LTC's work to date includes:
  - A three-day Public perception survey with informal interviews of approximately 250 people who use canal towpath, Members and other canal interest groups.
  - Ecological and vegetation surveys.
  - Preparation of detailed landscape enhancement proposals for key sites along the length of the Canal. Derivation of associated works costs for the proposals is required to complete this aspect of the Study.
3. The arboricultural survey work has been delayed until January 2007 due to technical difficulties with the associated Council's GIS based computer package. Consequently completion of the 15 week commission has been delayed and it will not be presented at this meeting of the Member Working Group as anticipated at the last meeting of this Group.
4. It is envisaged that the Draft Study will be presented to Officers later in January with LTC finalising the report during February in order to present the Study's conclusions and proposals to the next meeting of this Working Group.
5. The output from the LTC's will support information required for the second stage Lottery funding bid.

### **3.2 Groundwork's Canal Landscape Project**

1. On the 25th October 2006 the Chairman, Vice-Chairman, local ward Member and appropriate Officers met with representatives of Pontywaun Spiritual Church to identify and seek to resolve the Church's concerns in relation to Groundwork's Canal landscape project that is to be implemented at Halls Road Crossing as part of the Crosskeys and Pontywaun Environmental Regeneration Programme.

2. Further to the meeting the original car parking provision has been revised to address the Church's main concern regarding the number of off-street parking places to be provided. Groundwork have allocated additional funding to the revised proposals so that additional Council owned land immediately south of the Church can be included within the project to provide two "grasscrete" surfaced off-street parking areas. This additional land and funding will provide a total of 17 car parking spaces, approximately double the number identified in the original proposal.
3. Groundwork's revised proposal is currently progressing through an inter-Departmental review within the Council. The Church's agreement to final proposal will be sought following this review and drafting of any final amendments and the associated application for Planning Consent submitted.
4. Ownership of the Church site was also discussed on 25th October as Land Registry records for the site identify that the Church occupies land in the Council's ownership. It was agreed that the Council's Legal Services and Property Services Departments would liaise with the Church representatives to regularize this anomaly resulting from the Church building's long-term occupation of the site.
5. The Crosskeys and Pontywaun Environmental Regeneration Programme's draft Arts and Signage Strategy prepared by Groundwork makes reference to the Canal. Groundwork have been requested to ensure that the Environmental Regeneration Programme's proposals take account of the Interpretation Strategy previously approved for the Crumlin Arm and that both documents proposals complement each other.

### **3.3 Cwmcarn Flannel Factory – Memorial**

1. Countryside Services Officers have been working in association with the Cwmcarn Residents and Community Association to bring forward proposals for a memorial to the 1875 tragedy associated with the Canal feeder reservoir that resulted in loss of 12 lives.
2. Artists have consulted with local residents to produce an approved design and agreements are currently being drawn up for fabrication and installation of the monument by 31st March 2007.

### **3.4 Lottery - Living Landmarks Application**

1. Further to receipt and price/quality assessment of tenders received from Capita Symonds and Kier Western/Powell Dobson in September 2006 and Big Lottery's subsequent approval of the project's Next Stage Plan and confirmation of funds in November Torfaen County Borough Council appointed Kier Western/Powell Dobson to progress and prepare the Stage 2 Living Landmarks funding application.
2. Torfaen County Borough Council has taken responsibility for this appointment in their role as lead partner within the Big Lottery Living Links regional canal project and as the recipient and administrator of the £250,000 Big Lottery's Stage 2 Development Grant to be submitted by 31st May 2007.
3. The Kier Western/Powell Dobson consortium will be lead by Powell Dobson who will be supported by a team comprising: -
  - Powell Dobson – project coordinators and development planning.
  - Ove Arup – civil and structural engineers.
  - Locum Destination Consulting – tourism based business planners.
  - Anthony Jellard Associates – landscape architects and ecologists.
  - Glamorgan Gwent Archaeological Trust – archaeological advisors.
  - Davis Langdon LLP – cost and procurement consultants.
  - Kier Construction – risk management and project construction advisors.
  - British Waterways Consulting – technical viability of canal restoration advisors.

5. The drafting of the legal agreement between the regional Partners to satisfy Big Lottery requirements and safeguard the potential liability on Torfaen County Borough Council as recipient of the Lottery grant is ongoing.
6. Comments on the first draft of the proposed agreement were issued to Torfaen County Borough Council in October 2006 and receipt of the revised document is awaited so that Cabinet Members may consider its content.

### **3.5 Big Lottery Project – Potential Additional Works at Severn Close, Risca**

1. The extent of proposed Big Lottery funded works to be undertaken on the Council's length of Canal was originally identified in late 2005 in preparation of the Big Lottery Stage 1 January 2006 application.
2. At the September 2006 meeting of the Working Group Members were advised that "sinkholes" with associated water leaks had developed in the bed of the Canal above residential properties at Severn Close, Risca. Although the effected 100 metre length was dewatered during the autumn recent winter rain has exacerbated the difficulty of preventing rainfall and other flows from accessing the dewatered stretch and escaping through the sinkholes into the adjacent embankment to issue in the rear gardens of lower lying properties.
3. It is considered that works to address the above circumstances should to be implemented at the earliest available opportunity. The preliminary estimate indicates that remedial works in the order of £300,000 plus associated professional fees are likely to be necessary.
4. In October 2006 the Big Lottery Assessors acknowledged that the Stage 1 list of proposed works is a "live list" that can have new works added where warranted.
5. As the majority of the Council's Living Links proposed works seek to improve water supply into the canal and retain water within the channel Big Lottery's agreement is being sought to include the works to address leaks in the vicinity of Severn Close, Risca within the Stage 2 funding bid.
6. Recent prevailing weather conditions have highlighted the ongoing difficulty of preventing water escaping through the sinkholes whilst the Big Lottery Stage 2 approval process is ongoing until September 2007 and resulting works are unlikely to be progressed until the spring and summer of 2008.
7. In order to clarify the most appropriate way forward the Council has requested that Big Lottery consider the potential for the Council to undertake the necessary canal repairs through the spring and summer of 2007 and should the Stage 2 bid be approved at a later date the works costs be reimbursed retrospectively from the Living Links award. Big Lottery's views on this proposed funding mechanism remain to be received.
8. Subject to Big Lottery's response on the above it is intended that Engineering Division will notify and seek the approval from Capital Strategy Group to prioritise the canal repairs at Severn Close as urgent maintenance works, effectively drawing upon the previously "banked" £250,000 contribution towards a successful Lottery Grant award.

### **3.6 Living Landmarks Application – Community Consultation**

1. As supporting information to the community consultation event all Members of the Working Group were circulated with appropriate extracts from the Big Lottery Living Links Project application document as requested by the Chairman at the September 2006 meeting of the Working Group.

2. On 9th November 2006 the Monmouthshire and Brecon Canals Regeneration Partnership held a community consultation event in Risca. Approximately 60 people attended the event that was chaired by the Monmouthshire and Brecon Canals Trust who oversaw two presentations by Officers of Torfaen and Caerphilly County Borough Councils and the subsequent question and answer session.
3. Copies of the Officer's presentation at consultation event and notes of the proceedings of the 9th November are appended for Members information.
4. The next consultation event on the progress of the Stage 2 Living Links submission is likely to take place in February 2007 as other focal lengths of canal throughout the region remain to have their initial meeting.

### **3.7 Crumlin Arm Interpretive Plan**

1. Working in association with the Islwyn Canal Association the Council's Countryside Services Section are developing, researching and writing the text for the Crumlin Arm information booklet. A graphic designer has been commissioned to prepare a draft layout for the publication and alternate funding sources continue to be sought for the future publication of the information booklet.
2. The Countryside Services Officer has requested that he be advised directly by Members or the Community if they have access to historic photographs of the Crumlin Arm or other associated literature and anecdotes.

### **3.8 Capital Works For 2006/2007**

1. As a result of "Living Links" project being approved by Big Lottery to progress to the Stage Two application the £250,000 Capital Works allocation for 2006/07 continues to set-aside as match funding to the potentially successful Lottery grant to which the Authority required to commit 25%. The 2007/08 Capital Works allocation is also currently proposed to be set-aside as match funding to a successful Lottery grant.
2. The Engineering Division is mindful of the ongoing situation outlined above at Severn Close, Risca. Consequently, the continued setting aside of the Canal's Capital Allocation will be subject to reassessment should the Big Lottery not accept the proposal that short-term remedial works at Severn Close be eligible for retrospective award of funds.

### **3.9 Canal Works Current Status**

1. During December 2006 works were undertaken to replace the previously vandalised copingstones at four historic arch bridges along the Canal. The works implemented through the Highway Structures budget included measures to deter future potential acts of vandalism and theft.
2. Detailed discussions have been initiated between Engineering and Park Services Divisions in an attempt to identify and resolve Health and Safety related concerns in relation to routine maintenance operations and works along the Canal's towpath and channel.

### **3.10 Licensing & Control – Liability Insurance**

1. On 29th November 2005 the Working Group recommend and Council subsequently ratified on 10th January 2006 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.
2. Subsequently concerns over the level of £5m liability insurance required for use of the Caerphilly County Borough Council owned length of canal for use by businesses and other organisations has been subject to correspondence from both the Director of Whysom's Wharf and the Secretary to Pontywaun Boat Club.
  3. The correspondence received by the Council has sought to highlight that the minimum insurance level of £5m required exceeds the level of insurance cover required for business and charitable organisations to operate on other canals throughout the UK. It has also been suggested that an upper limit of £3m of liability cover results from mercantile law.
  4. At the 12th September 2006 meeting of the Working Group Members agreed to seek further discussions on this matter with the Council's Insurance and Risk Manager.

### **3.11 Licensing & Control – Provision of Insurance**

1. In November 2006 insurance renewal certificates were received for "Rhayader" and "Jemima Morris" with a maximum liability cover of £3m. Following consultation with the Insurance and Risk Manager the owner of the craft was notified of their approval for individual private boat use.
2. In consultation with the Head of Legal Services on the owner of the "Wendy E" craft has been formally notified of the Council's intention to lift, store for seven days and subsequently dispose of the craft that unless the owner removes the boat from the Canal or provides a Boat Safety Certificate and current insurance certificate for the craft by 12th January 2007. A verbal update on the owner's compliance with the above will be provided at the meeting.

### **3.12 Correspondence**

1. Correspondence received from Mr Wysom dated 27th November 2006 in relation to matters discussed at the 12th September 2006 meeting of the Working Group has been responded to by the Council's Chief Executive Officer on 21st December.
2. Correspondence has been received from Crosskeys and Pontywaun Residents Association requesting representation on the Working Group which members are invited to consider.