

MONMOUTHSHIRE AND BRECON CANAL – CRUMLIN ARM WORKING GROUP – 4TH JUNE 2007

REPORT BY: DIRECTOR OF THE ENVIRONMENT

2.1 Crumlin Arm Landscape Management and Enhancement Opportunities Plan Presentation of Final Report

1. LTC Landscape Architecture Ltd. Of Usk have compiled the “Crumlin Arm Landscape Management and Enhancement Opportunities Plan” and will give a presentation at the meeting. An executive summary of the LTC report is attached as appendix A.
2. The Crumlin Arm Landscape Management and Enhancement Opportunities Plan seeks to:-
 - Develop and detail a strategic programme of landscape enhancements for appropriate sites along the Canal.
 - Develop a detailed landscape management plan to enhance the existing planting and features along the Canal.
3. The draft Management and Enhancement Opportunities Plan was subject to informal Member discussion on 23rd April 2007. The Plan’s preliminary recommendations have been utilised in the identification of appropriate landscape proposals for inclusion in the second stage submission for Big Lottery funding. A number of the Plan’s draft recommendations for specific locations that offer potential for landscape enhancement projects have been included in the Lottery bid.
4. At the Working Group on January 2007 Members agreed that the conclusions and proposals of the “Crumlin Arm Landscape Management and Enhancement Opportunities Plan” should be presented to the Working Group’s next meeting.
5. It is recommended that the following be approved and referred to Council for confirmation.
 - (i) That the Working Group notes and endorses the content of the Crumlin Arm Landscape Management and Enhancement Opportunities Plan.
 - (ii) That the Working Group supports the inclusion of appropriate proposals for landscape enhancement works as set out in the Crumlin Arm Landscape Management and Enhancement Opportunities Plan within the Council’s Stage 2 submission to the Big Lottery Living Landmarks fund.
 - (iii) That subject to Big Lottery’s decision on the MBCPR’s Living Links project submission that officers explore alternate funding options to implement, over an appropriate period of time, the landscape enhancement works set out in the Crumlin Arm Landscape Management and Enhancement Opportunities Plan.
 - (iv) That the Working Group supports the Crumlin Arm Landscape Management and Enhancement Opportunities Plan proposals for enhancement of the existing landscape along the canal corridor and that the recommended grassland and vegetation maintenance regime outlined in the Plan be initiated from summer 2007 onwards.

2.2 Big Lottery - Living Landmarks Stage 2 Submission

1. The Monmouthshire and Brecon Canals Regeneration Partnership's (MBCRP) "Living Links" Stage 2 project submission to the Big Lottery's Living Landmarks fund was required by 31st May 2007.
2. Following appointment of consultants in November 2006 the Stage 2 proposals have been developed and, where necessary, revised whilst seeking to take account of the funding allocations that were agreed at submission of the Stage 1 application in January 2006 i.e. Torfaen CBC at 70%, Newport CC at 21% and Caerphilly CBC at 9%.
3. The Lottery's aims for the Living Landmarks programme have been a major influence on the development of the Stage 2 proposals. The Living Landmarks programme seeks to "*inspire communities to transform, revitalise and regenerate the places where they live, through social and community projects and major infrastructure investments that encourage partnership working and community engagement and participation*".
4. In order to achieve Big Lottery's requirement the MBCRP's Living Links project aims to "*facilitate community regeneration through developing and enhancing the economic, environmental and social potential provided by the restoration of the Monmouthshire & Brecon Canal network*". Through delivery of the Living Links project the MBCRP seeks to progress, by default, improvement and restoration of the canal's infrastructure at several locations.
5. Caerphilly CBC has sought to include proposals within the Living Links project that would progress implementation of Stage 1 of the 2005 Canal Corridor Study i.e. improve the existing canal to make best use of it, improve water retention and movement along the Crumlin Arm but not to overcome obstructions to navigation where the canal is bisected by highways.
6. This Council's proposals included in the Stage 1 application to Big Lottery comprised site-specific engineering, landscape and interpretation works together with general improvements at an estimated cost of £2.05m inclusive of fees.
7. In early 2007 consultants reviewed the scope and estimated cost of the Big Lottery Stage 1 engineering works proposed by Torfaen CBC, Newport CC and Caerphilly CBC. This review concluded that across the region the likely delivery cost of the Stage 1 Lottery proposals had significantly increased to between £50m and £60m.
8. The MBCRP accepted this advice and agreed that the Partnership needed to review the scope of the Living Links project with particular focus on what improvements could be delivered along the canal corridor without exceeding the maximum funding cap of £33m. The MBCRP's project review was progressed on the premise that the funding, if secured, would help to deliver the long-term goals and not compromise future restoration of navigation.
9. The review of the Caerphilly CBC priority proposals for inclusion in Stage 3 Lottery application has taken account of:-
 - The need to include a variety of works that reflects the overall aims of Big Lottery and does not overly focus on infrastructure restoration.
 - The need to improve the canal's water supply, to prevent leakage and provide continuity of water supplies into Newport CC.
 - The condition of the canal at Manor Road and Severn Close, Risca that has deteriorated since the submission of Stage 1 bid.
 - The increased costs of the engineering and landscape proposals.

- The LTC report draft recommendations on landscape enhancement.
- The need to provide a geographic spread of projects and engage the whole of the Community along the Crumlin Arm.
- The proposals set out in the Council's canal interpretation strategy.
- The high cost of certain engineering restoration works i.e. potential 75% Lottery grant towards high value works was considered to be an appropriate means for prioritisation.
- The need to give greater preference to proposals at least risk of being "lost" in the future by the Council implementing Stage 2 of the Corridor Study that will progress works to address existing obstructions to navigation.
- The extent of land currently in Council ownership so as to utilise the available budget for improvements rather than for land acquisition.

10. Appendix B details the location, estimated cost and anticipated delivery date for the list of priority projects derived from the above review. The revised Caerphilly CBC works project for inclusion in the Big Lottery Stage 3 bid totals some £2.9m (inclusive of the Council's 25% match funding contribution) and comprises:-

- 4 high value infrastructure improvements to address water supply, control and retention.
- 1 high value reserve infrastructure project that may be implemented if savings are made in delivering other projects.
- 3 high value (£100,000 plus) primary landscape improvements that improve main points of entry onto the canal and increase general accessibility, education and tourism links to the canal.
- 5 lower value localised landscape improvements that improve main access points to the canal throughout its length within the County Borough.
- Facilities to improve provision for disabled anglers and therefore enhance provision for an existing leisure activity through joint working with a community based organisation.
- Low cost supplementary projects that combine with the above proposals to deliver the canal's interpretation and heritage strategy.

The estimates for the landscape works set out in Appendix B also include an allowance for an initial 3-year maintenance regime to the proposed planting.

11. Torfaen CBC and Newport CC have undertaken similar reviews to derive their proposals for the Big Lottery Stage 2 submission. The overall impact of the revisions with respect to anticipated allocation of Big Lottery grant for infrastructure and landscape improvements is:-

- Torfaen CBC at 75% (Stage 1 bid anticipated 70%)
- Newport CC at 14% (Stage 1 bid anticipated 21%)
- Caerphilly CBC at 11% (Stage 1 bid anticipated 9%)

The revised proposals provide an increase in Stage 1 funding allocation in favour of Torfaen and Caerphilly CBC. In difficult financial circumstances Newport CC's priority for the output from the project is the potential mutual benefit the Canal's Main Line and the proposed Crindau Basin (outside the Big Lottery bid) can provide to each other. As a result of increases in cost Torfaen CBC's aspiration of restoring the whole of the canal through the County

Borough to a navigable standard is not now intended to be fully implemented via the Big Lottery project.

12. A full list of the MBCRP's proposed engineering and landscape works included Big Lottery Stage 2 submission is set out in Appendix C.
13. The MBCRP proposes to implement the Living Links project over 5 years. It should be noted that the Appendix C costs are 2007 estimates and do not include allowance for inflation over the 5 year project period. An inflation allowance was added under a separate heading within the Lottery submission.
14. Review of the potential outputs of the Living Links project and TCBC's ongoing liaison with the Big Lottery project-monitoring officer highlighted the need to include proposals within the bid that will empower communities to develop their social potential and local environment whilst providing benefit to the canal and the area through which it passes.
15. Accordingly the MBCRP has proposed that in order to address the Big Lottery's aim to "*inspire communities to transform, revitalise and regenerate the places where they live*" that at least £1m (including match funding) of the overall Project budget be utilised to establish the "Living Links Community Project Fund". Agreement on the final detail of the scope, terms and conditions, project assessment regime and administration requirements of the proposed Community Project Fund is subject to ongoing discussion within the Regeneration Partnership and a verbal update will be provided at the meeting.
16. It is expected that the Community Fund will be allocated at least £1m of the overall Living Links project fund so that any properly constituted group or organisation can apply for maximum grant of up to £50,000 or 50% of eligible cost towards a project that must address the aims of "Living Links" and also benefit communities along the canal corridor. It is anticipated that the first awards from the proposed Community Fund would be assessed and authorised in 2009. It is also anticipated that the grants available via the Community Fund will not be subject to specific apportionment between each local authority area.
17. Subject to Big Lottery's agreement it is anticipated that a significant element of the match funding that will be required to be provided by sponsors when submitting applications to the Community Fund will be able to be provided in the form of "in-kind" voluntary service directly associated with the project.
18. 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. Receipt of the revised document is awaited in order that Cabinet Members may consider its content. The legal agreement, if approved, will be issued to Big Lottery as an addendum to the Living Links project submission.
19. Big Lottery have confirmed that their local Project Review visit for the Stage 2 submission is to take place over two days on 17th and 18th July during which the content of the application will be subject to detailed inspection and assessment.
20. Members are reminded that Big Lottery's guidance documents for the Living Landmarks programme highlight that the decision on Stage 2 applications will not be issued until October 2007.
21. It is recommended that the following be approved and referred to Council for confirmation.
 - (i) That the Working Group notes the content of the report and acknowledges the need for the scope of the Big Lottery Stage 2 submission to be revised and curtailed due to estimated increased costs.
 - (ii) That the Working Group supports the list of proposed engineering and landscape

works detailed in Appendix B to the report as the Council's contribution to the MBCRP Living Links project and recommends that the proposals are submitted for consideration of award of Big Lottery Living Landmarks funding as part of the MBCPR Living Links project application.

- (iii) That the Working Group supports the principle of including the establishment of a Community Fund via the MBCRP Living Links project should Big Lottery funding be awarded for implementation of the Living Links project.
- (iv) That subject to Big Lottery's decision on the MBCPR's Living Links project submission that officers explore alternate funding options to implement, over an appropriate period of time, the engineering works set out in the application to the Big Lottery.

2.3 Big Lottery - Living Landmarks Stage 2 - Additional Works at Manor Road and Severn Close, Risca

1. Members are aware that following submission of the Stage 1 Big Lottery bid a length of canal south of Manor Road was found to be leaking through the towpath embankment resulting in water issuing into the rear gardens of adjacent lower lying residential property. The section of affected canal has been dewatered since last autumn causing difficulties with local control of water levels throughout the winter and in lack of water within the canal towards Newport CC during April 2007. Further water supply difficulties are likely to arise throughout the forthcoming summer.
2. In October 2006 Big Lottery agreed that Caerphilly CBC may include proposals for the restoration of the affected stretch of canal within the Stage 2 submission. The cost of the 600m of proposed canal channel works including associated fees is estimated at £662,000 (2007 prices).
3. In response to the Council's request that Big Lottery consider the potential for the canal restoration work to be undertaken through the summer of 2007 and should the Stage 2 bid be approved at a later date the works costs be reimbursed to CCBC retrospectively from the grant the Council was advised that, "costs that are deemed as being eligible capital expenditure can be included in the capital project budget, post the 6th January 2006".
4. The Lottery's lack of clarity on this matter was subject to discussion with the Council's Chief Executive on 14th May. The CEO requested greater clarification on this matter be obtained from Big Lottery. The Lottery's guidance notes on eligible use of their funds were also reviewed.
5. Unfortunately the Big Lottery grant officer was unable to provide a more definitive response to that detailed above, nor was the Lottery officer able to provide a greater degree of certainty on availability of retrospective funding if the Stage 2 application is approved to implementation stage.
6. Review of the Lottery's funding guidelines highlighted that Lottery consider:-
 - Eligible capital expenditure - as engineering works (new build, extension, **refurbishment**, modernisation or conversion) provided it is included in the project and incurred post January 2006
 - Ineligible capital expenditure - **repairs** and maintenance
7. In view of Big Lottery's refusal to add to or clarify their past advice and acknowledging that the potential for repair works may be considered ineligible for award of Lottery grant the proposed works at Manor Road/Severn Close are to be included within the Stage 2 submission but will not be implemented in advance of Big Lottery's decision on the Stage 2 bid.

8. Consequently with Big Lottery's decision on the Stage 3 bid not being made until October 2007 and canal works best undertaken in favourable weather conditions I must advise Members the canal repair works in the vicinity of Manor Road and Severn Close will be delayed until late Spring/Summer 2008. Tender documents for the works are currently being prepared in readiness should there be a change of circumstances.
9. It is recommended that the following be approved and referred to Council for confirmation.
 - (i) That the Working Group acknowledges that implementation of the canal repair works in the vicinity of Manor Road and Severn Close, Risca is unable to proceed in advance of Big Lottery's decision on the Stage 2 funding application.

2.4 Big Lottery - Living Landmarks Stage 2 - Community Consultation

1. On 22nd February 2007 the Monmouthshire and Brecon Canals Regeneration Partnership held a community consultation event in Risca. Approximately 30 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.
2. Members views are sought on how best to progress a future consultation events that would update the community on the content of the Living Links final project submission and Lottery's timescales for consideration, assessment and approval of the bid.

2.5 Groundwork's Canal Landscape Project

1. Tenders for the Canal Landscape Project at Halls Road, Crosskeys administered by Groundwork Caerphilly were returned on 2nd May 2007. Following assessment of tenders the contract for the works has been awarded to Blakedown Landscapes Ltd in the sum of £88,191.28 subject to admeasurement.
2. Groundwork advise that the works are scheduled to commence on 4th June 2007 and should be completed within a 10 week period subject to seasonal requirements for planting, adverse weather and other unforeseen occurrences.
3. As Members agreed on 25th October 2006 the Pontywaun Spiritual Church representative has been provided with the details of the Council's registered title to the land upon which the Church is constructed. The Council's Legal Services Department advise that the Church now need to progress this matter via Land Registry before returning to the Council and concluding this matter.

2.6 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. The bespoke seat has been fabricated and works instructed to prepare its plinth. It is expected that the installation of the monument will take place in early June 2007.

2.7 Crumlin Arm Interpretive Plan

1. Members will recall that the Islwyn Canal Association and the Council's Countryside Services Section are developing, researching and writing the text for the Crumlin Arm information booklet. The receipt of the final proof of the leaflet is awaited from the graphic designer prior to its printing. Countryside Services advise that delivery of the final leaflet is anticipated by the end of June.
2. In association with Groundwork Caerphilly funding has been secured to produce and install up to six diamond interpretive panels at appropriate locations along the Canal. It is anticipated that this work will be completed by the end of September 2007.

2.8 Capital Works For 2006/2007 and 2007/08

1. The Capital Works allocations for 2006/07 and 2007/08 have been set-aside as match funding to the potential Big Lottery grant to which the Authority is required to commit 25%.
2. As detailed in item 2.3 above the canal repair works at Manor Road and Severn Close will be delayed until late Spring/Summer 2008. Tender documents for the works are currently being prepared in readiness.

2.9 Canal Works Current Status

1. Since March 2007 maintenance works have been progressed utilising specialised craft to remove weed and litter from overgrown lengths of the canal channel.
2. In addition works have been undertaken to remove silt and debris from the dewatered Nantcarn Aqueduct at Cwmcarn. The bed of the aqueduct has been protected on a temporary basis with inert material in an attempt to address residents concerns over odours emanating from the dewatered stretch of canal during summer of 2006.
3. Specialist ground investigation has been undertaken over a 600m length of canal towpath south of Manor Road to provide information for the ongoing design of the works discussed in item 2.3 above.

2.10 Licensing and Control - Use of the Canal by Whysom's Wharf Limited

1. On 13th March 2007 an application was received from Mr R Wysom on behalf of Whysom's Wharf proposing to utilise the canal between Darren Road Bridge and Pontywaun for the operation of up to six unpowered craft as part of his tourism and leisure based business activities. Mr Wysom has committed to providing the £5 million third party liability insurance that the Council's Insurance and Risk Manager considers appropriate for any business or charitable use of the Canal.
2. Officers met with Mr Wysom on 12th April to discuss the detail of his proposal and the proposed methods of operation particularly with regard to potential concerns raised by the Directorate of the Environment's Corporate Safety Officer. Further to the meeting a revised proposal was received the content of which clarified the extent of the proposed use and provided greater detail on health and safety procedures.
3. Mr Wysom's revised proposal seeks Council consent for Whysom's Wharf's use of the Canal for the business operation of up to six rowing boats located between Darren Road Bridge and Pontywaun Slipway from the 1st April and 30th September (both dates inclusive) with the hours of operation being 9.30am until 30 minutes before dusk. Officers consider the proposed

business use and the intended method of operations set out in Mr Wysom's revised proposal are acceptable subject to Mr Wysom providing proof of the appropriate liability insurance cover and appropriate current boat safety certificates for the craft.

4. It is recommended that the following be approved and referred to Council for confirmation.
 - (i) That the Working Group acknowledges the proposed use of the Canal for business based activities.
 - (ii) That the Head of Legal Services be instructed to prepare a formal Agreement between the Council and Mr Wysom to allow Whysom's Wharf to operate up to six rowing boats on the Canal for business use between 1st April and 30th September (both dates inclusive).
 - (iii) That the Head of Legal Services include appropriate clauses within the Agreement that confirm that the Council is unable to guarantee continuity, quantity and quality of water within the Canal and that the Agreement incorporate a termination clause that the Council may initiate at any time with an appropriate period of notice.

2.11 Licensing & Control – Provision of Insurance

1. The owner of the "Wendy E" craft provided a current Boat Safety Certificate and insurance certificate confirming third party liability of £3 million following receipt of notification of the Council's intention to lift, store and subsequently dispose of the craft.
2. The owner of the craft has been advise that the "Wendy E" may remain on the Canal and be used for individual private boat use between 1st April and 30th September 2007.
3. Confirmation that all boats authorised by the Council to moor on the canal are required to provide third party liability insurance was issued to a local resident in March 2007. The confirmation was provided following receipt of a complaint of minor damage to a boundary fence and addressed the resident's concern that the boats were not subject to insurance requirements.

2.12 Correspondence

1. There has been no correspondence received prior to the preparation of the agenda.

Appendices

Appendix A	Executive Summary
Appendix B	Big Lottery Living Landmarks Fund
Appendix C	Big Lottery Stage 2 Submission