

**Final Report of**  
**Canals Task Group**  
***A report of Overview and Scrutiny***

**Lancaster City Council**

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## **1. Foreword**

Each year, when Overview and Scrutiny is constructing its work programme it consults with all the Members of the Council and asks them what issues they think are important. This year several members highlighted problems they had surrounding Lancaster Canal. There were lots of little problems - the sort of things all Ward Councillors are concerned with; things like litter and access to footpaths. However, we were able to see that as the canal passes through many of the wards in the area this was a District wide concern and an ideal Task Group topic. It is a proto-Community call for action - responding to an identified concern across the District.

This report gives a number of recommendations as a result of that Task Group. Councillors have emphasised the canal as a community asset and suggested ways in which this asset can be protected and improved. They have worked in partnership with other organisations, notably British Waterways. I would like to thank all who have taken part in the writing of this report and commend its recommendations to you.

**Councillor Stuart Langhorn**  
**Chairman**  
**Overview and Scrutiny Committee 2007/08**

## **2. Introduction**

The Canals Task Group was formed to gain a better understanding of how the canal is used and how the Council can help to increase people's awareness of it as a community asset.

During our meetings we have received valuable evidence from users of the canal and gained insight into any problems they have raised and how people are trying to improve the canal in order to increase its use. Special thanks go to Madeline Dean (Inland Waterways Association), Helen Thomas (Lancaster Canal Trust), Ralph Henderson (CARP), Mr Thomas and Mr Fell (Borwick Parish Council) and Stephen Higham (British Waterways). All provided useful information which included regeneration and tourism facts.

Thanks also go to Budgies boats, the crew of Swallow and Rick Patterson (CARP) for providing the canal boat trip which enabled us to gain a much better insight into some of the areas that have been highlighted in this report.

I hope that Cabinet will accept the recommendations of this report. They are the points we feel we can work towards with the help of our partners - British Waterways, The Canal Trust, County and Parish Councils. By improving this important asset in our district we can help improve the regeneration of our area, improve tourism and encourage people to use the canal responsibly for leisure, sports and tourism.

**Councillor Tina Clifford  
Chairman  
Canals Task Group**

### **3. Summary of Recommendations**

#### **3.1 Policy**

##### **Recommendation 1**

- a. That the Council adopt the following definition of a community asset:  
  
‘A Community Asset can be defined as an asset being used by the public and/or an asset developed by the community. The asset could be material as in buildings such as health centres and school facilities or non-material as in information and/or ideas/ideology such as security information of a particular country or community or the normative and belief systems of a community. ‘
- b. That the status of the canal within the City Council's policy framework be reviewed and that it be acknowledged as a community asset and a recreational resource, with future policy helping to ensure a focus on widening and improving access to benefit the whole community.
- c. That the Council continue to work to enhance the biological heritage status of the canal.
- d. That the Council explore how its Customer Services Centre could act as a one stop shop to work in partnership with British Waterways to enable the timely reporting of canal related problems.

##### **Recommendation 2**

- a. That the Council work with other Local Authorities along the canal to produce and make available a specifically designed form for people that live on canal boats to register to vote.
- b. That information regarding council tax and voting rights be made easily available to people that live on canal boats on the Council website, at mooring offices and through cruising societies.

##### **Recommendation 3**

- a. That the County Council be requested to consider introducing weight and width limitation signs for historic bridges over the canal.
- b. That the County Council be requested to consider the possible use of warning signs regarding the use of sat nav in areas with small, narrow lanes and bridges over the canal be investigated, following the evaluation of the Vale of Glamorgan Council pilot.

### **3.2 British Waterways**

#### **Recommendation 4**

- a. That the Council note the funding cuts being made to British Waterways and encourage the Government to move responsibility for British Waterways from DEFRA to the Department of Transport and raise the issue with the Local Government Association (LGA).
- b. That the Council notes the contribution and potential value of British Waterways to the regeneration of the inland waterways and the surrounding area.

### **3.3 Facilities**

#### **Recommendation 5**

- a. That consideration be given to how the opening times of the toilets at Hest Bank can be extended and rationalised so that they operate in the same way as others in the vicinity of the canal and other toilets maintained by the City Council, and British Waterways be recommended to ensure that all toilets are adapted and made available for use by radar key holders.
- b. That toilet provision and possible funding streams at potential 'honey pot sites' such as the canal turn, Lancaster Canal Basin and Hest Bank picnic area be investigated jointly with British Waterways.
- c. That provision of litter bins and possible funding streams at potential 'honey pot sites' such as the canal turn and Hest Bank picnic area be investigated.

### **3.4 Anti Social Behaviour**

#### **Recommendation 6**

- a. That the relevant authority give consideration to methods of preventing littering at the side of bridges.
- b. That Lancaster City Council work with British Waterways to consider the feasibility of implementing a regular litter removal schedule for the water in the canal and consider ways to prevent large accumulations of litter.
- c. That the relevant authorities consider the use of murals on the underside of non historic bridges along the canal to stop graffiti.
- d. That the Council work with partners including British Waterways to consider the provision of lighting under the Penny Street Bridge through the use of section 106 agreements.
- e. That the City Council work with Sustrans to give support to opening up access to the canal and make improvements to the towpath north of Carnforth to Tewitfield and that work be undertaken with town and parish councils to prevent anti-social behaviour and increase access for all through the use of section 106 agreements.

- f. That consideration be given to opening up the stretch of the canal behind Bath Mill by lowering the walls or replacing them in part with railings through the use of section 106 agreements.
- g. That information regarding anti-social behaviour along the Lancaster canal be forwarded to the Anti-Social Behaviour Task Group for consideration.

### **3.5 Tourism**

#### **Recommendation 7**

- a. That the Council view Carnforth as a hub for the Lancaster canal and recognise the opportunities presented around the canal turn site for canal based recreation.
- b. That the Council prepare a development brief for the British Waterways site (Lancaster), as a significant site on the canal and consider the potential for a museum element with the Lady Fiona.
- c. That the Council recognise the potential and current economic impact that the canal represents in terms of tourism and as such continue to support the restoration of the canal head and northern reaches.
- d. That the Council seek ways to promote activities on the canal such as cruises and entertainment.

### **3.6 Regeneration/Development**

#### **Recommendation 8**

- a. That the City Council work with British Waterways to clear up fly tipping adjacent to the canal on the Ridge Estate and investigate how the fly tipping can be prevented.
- b. That a feasibility study be undertaken into the transformation of the vacant land adjacent to the canal on the Ridge Estate into allotments.
- c. That improvements to the canal through Section 106 monies be investigated.
- d. That the relevant Council officers pursue all funding opportunities for regeneration projects along the canal.
- e. That the dry dock be recognised as a potential, non-listed, site for permanent or semi-permanent moorings and that a feasibility study be undertaken with regards to this by British Waterways and Lancaster City Council.
- f. That the Council seek to ensure that future planning development along the canal aims to open up the canal frontage e.g. bath mill estate and seeks to make a feature of the canal.
- g. That the Council support in principle the need to connect both sides of the canal by way of a foot/cycle bridge should any proposed development to the east of the canal in Carnforth take place.

- h. That the Council support the linking of the cycle track along the canal and the Millennium (Cycleway) Bridge.
- i. That the Council recognise that the Canal Basin near the Water Witch Pub has enormous potential as a community asset and is currently underused and that British Waterways be requested to consider the feasibility of establishing pontoon moorings in one of the two turning points.



## **4. The Role of the Canals Task Group**

### **4.1 Terms of Reference**

1. To develop an understanding of issues surrounding the Lancaster canal and to explore its usage as a community asset
2. To explore issues regarding maintenance of the canal and surrounding areas with regard to litter, fly tipping, dog fouling, and general maintenance issues including bridges.
3. To look at the measures being undertaken by the City Council to understand the status of the canal is regarded as a community asset: including accessibility issues for cyclists, use of canal by local schools and clubs for canoeing, fishing etc.
4. To explore anti-social issues affecting the canal and its usage.
5. To consider how to assess the environmental quality of the canal, possibly through an environmental audit.
6. To explore and understand the relationship between Lancashire County Council, Lancaster City Council and British Waterways regarding issues relating to Lancaster canal.
7. To develop and understand the usage patterns of the canal with regard to recreation, culture, work, leisure and tourism potential.
8. To explore the issue of residential moorings.

### **4.2 Membership of the Group**

The group comprises Councillors Tina Clifford (Chairman), Shirley Burns, Chris Coates, Jane Fletcher, Mike Greenall, Karen Leytham, Joyce Pritchard and Malcolm Thomas.

The Group gratefully acknowledges the contributions and evidence freely given by:

Stephen Higham (British Waterways)  
Madeline Dean (Inland Waterways Association)  
Helen Thomas (Lancaster Canal Trust)  
Rick Patterson (Rural Regeneration Officer, Lancaster City Council)  
Ralph Henderson (Chairman, Carnforth Area Regeneration Partnership)  
Joyce Lynch (Lancashire County Council)  
Gary Bowker (Senior Technician, Lancaster City Council)  
Jim Trotman (Tourism Manager, Lancaster City Council)  
Trevor Haigh (ACE)  
James Thomas and Bryan Fell (Borwick Parish Council)

### 4.3 Timetable of Meetings

Date of Meeting	Who gave evidence?	Issues scrutinised
22 <sup>nd</sup> November	Sharon Marsh, Democratic Support Officer Stephen Higham, British Waterways Madeline Dean, Inland Waterways Ass. Helen Thomas, Lancaster Canal Trust Chair and Clerk, Borwick Parish Council Rick Patterson, CARP Administrator Ralph Henderson, Chairman CARP Joyce Lynch, Lancashire County Council	<ul style="list-style-type: none"> <li>• Lancaster Canal as a Community Asset.</li> <li>• History and development of the Canal.</li> <li>• Canal within policy framework.</li> <li>• Ownership of the Canal.</li> <li>• Relationship between the City Council, County Council and British Waterways.</li> <li>• Consideration of funding for improvements.</li> <li>• Work undertaken within other Councils.</li> <li>• Disability Discrimination Act.</li> </ul>
10 <sup>th</sup> January	Sharon Marsh Democratic Support Officer Stephen Higham British Waterways Helen Thomas Lancaster Canal Trust Ralph Henderson Chairman CARP Gary Bowker Cycling Demonstration Town Jim Trotman Tourism Manager Trevor Hughes ACE	<ul style="list-style-type: none"> <li>• Uses of the canal.</li> <li>• Usage patterns.</li> <li>• Long Term Moorings</li> <li>• Accessibility for cyclists.</li> <li>• Potential uses of the canal.</li> <li>• Biological Heritage Status.</li> <li>• Satellite Navigation Systems.</li> <li>• Bridges across Lancaster Canal.</li> <li>• Lancaster Canal Questionnaire results.</li> </ul>
7 <sup>th</sup> February	Sharon Marsh Democratic Support Officer Helen Thomas Lancaster Canal Trust Ralph Henderson Chairman CARP Jim Trotman Tourism Manager	<ul style="list-style-type: none"> <li>• Anti-social issues</li> <li>• No alcohol zones</li> <li>• Litter, fly tipping and dog fouling</li> <li>• Council Tax and voting rights</li> <li>• Bridge Strikes</li> </ul>

### 4.4 Site Visits

On Wednesday 16<sup>th</sup> January, Members of the Canals Task Group walked from Bridge 105, just off Caton Road and travelled south towards Lancaster City Centre passing under Ridge Lane, Moor Lane, Nelson Street, Friaridge and Penny Street to Haverbreaks on the first of the site visits. The Group noted that the canal was an oasis of calm despite its proximity to the A6. Heavy litter and fly tipping were apparent on the side of the canal opposite to the towpath and graffiti was most prominent under bridge 104, Ridge Lane. There were very few litter bins and dog

bins on this stretch of the canal, a situation that had been remedied by tying bin bags to benches and fences.

The Task Group also noted the intimidating area in the centre of the city, recording that the height of the walls contributed to this considerably. The lighting by Nelson Street and under the Penny Street Bridge was also quite bad and added to the feeling of intimidation.

Members of the Group went on a Canal Boat trip from Carnforth to Lancaster on the waterbus. Short stops were made at Hest Bank where the Group were shown a new picnic area that had been recently installed by Carnforth Area Regeneration Partnership in conjunction with British Waterways and at the Lune Aqueduct which is a site of tourist interest.



*Members of the Task Group and the 'Swallow', the canal boat, on the Lune Aqueduct*

Members of the Task Group noted that there were good facilities in the Canal Turn area in Carnforth, but that the new picnic area lacked important facilities such as toilets and litter bins. Whilst on the site visit a shopping trolley in the canal scraped along the side of the canal boat and the Group were informed that many items dumped in the canal caused obstruction and damage to boats.

The Group thought that there was little or no evidence of anti social behaviour in the rural areas but that as one approached closer to Lancaster City Centre the area started to look messy, there was more litter, fly tipping and graffiti.

The Group would like to give thanks for the guidance of Rick Patterson, CARP and Stephen Higham from British Waterways on this boat trip.

## **Documentary Evidence Considered**

### **Internet Sites**

Lancaster Canal Trust Information Website  
Waterscape  
British Waterways  
Natural England  
www.cruix.co.uk  
www.voa.gov.uk

### **Leaflets considered**

Lancaster City Council Tourism Strategy  
Lancaster District Local Plan  
Lancaster City Council Community Strategy  
British Waterways Disability Equality Scheme  
Kennet District Council – Live on a boat, don't lose your vote  
Declaration of Local Connection – Homeless Person

### **Newspaper articles including:**

Press release issued by Lancaster City Council.  
A Landscape Strategy for Lancashire  
British Waterways Disability Equality Scheme  
Waterscape – A History of Lancaster Canal  
'Ignore Sat Nav' Sign posted to protect village, Telegraph Newspaper  
Why the printed word may beat sat nav, Press release from West Sussex County Council

## **6. Status of the Report**

This report is the work of the Canals Task Group, on behalf of the Overview and Scrutiny Committee, and where opinions are expressed they are not necessarily those of the Overview and Scrutiny Committee or Lancaster City Council.

Whilst we have sought to draw on this review to make recommendations and suggestions that are helpful to the Council, our work has been designed solely for the purpose of discharging our work in accordance with the terms of reference agreed by the Overview & Scrutiny Committee. Accordingly, our work cannot be relied upon to identify every area of strength, weakness or opportunity for improvement.

This report is addressed to the Cabinet of Lancaster City Council in the first instance. It has been prepared for the sole use of the Council and the Task Group takes no responsibility for any Member or Officer acting in their individual capacities or to other third parties acting on it.

## **7. Background & Context**

The Canals Task Group was established by Overview and Scrutiny in response to public and member concern at issues relating to maintenance and usage of the canal and surrounding areas. The purpose of the Group was to develop an understanding of issues surrounding the Lancaster canal and to explore its usage as a community asset.

For approximately 10 years, Lancaster City Council has been working with the Northern Reaches Restoration Group, now renamed the Lancaster Canal Restoration Partnership (LCRP). The Tourism Manager is the usual officer representative and Councillor Johnson is the current Member representative. The restoration of the canal is seen as beneficial to rural tourism, e.g., marina developments around Carnforth and quiet enjoyment of the canal, its tow paths, fishing, etc. For that reason, support for the restoration is mentioned in the current Tourism Strategy for the district.

The contribution from the City Council is approximately £500 per annum from Planning and £200 from Tourism. Considerably larger amounts are provided by Lancashire County Council, Cumbria County Council and especially South Lakeland District Council. Members of the group also include British Waterways, the Lancaster Canals Trust, the Inland Waterways Association and Rural Regeneration Cumbria (NWDA).

LCRP aims to open up the canal to Kendal and it is hoped that Lancaster will benefit from the increased use of the canal both north bound and south bound when it is opened to Kendal.

The improvements to the canal towpath as part of the cycling demonstration town monies have opened up the canal to much wider uses. Accessibility has been improved and the canal towpath can now be used by a wide range of people. It is hoped that the canal will continue to be opened up further north and south bound.

## 8. Findings

### 8.1 Policy

Lancaster Canal is currently not well represented in the City Council's Policy Framework. The canal is of huge importance to the Lancaster District and provides highly valuable green space for tourist and recreational activities. The canal provides a valuable habitat, economic income, leisure and visitor attraction in the area and the Council's policy framework should reflect this.

The Lancaster City Council Tourism Strategy states that the proposed re-opening of the Lancaster Canal to Kendal will enhance rural tourism and that a long-term action is to encourage the restoration of the Lancaster Canal to Kendal to enhance sustainable tourism through the Northern Reaches Group. This theme should be supported throughout the Council's policy framework and the canal recognised as a community asset.

A **Community Asset** can be defined as an asset being used by the public and/or an asset developed by the community. The asset could be material as in buildings such as health centres and school facilities or non-material as in information and/or ideas/ideology such as security information of a particular country or community or the normative and belief systems of a community.



Water bodies are important community assets through their provision of open space and recreational resources and their interaction with the built environment, forming both divides between urban areas and the centre of towns. Still waters such as Lancaster Canal are used extensively for recreation and should therefore be seen as a community asset.

**Biological Heritage Sites** are areas of land or water rich in wildlife outside Statutory designated Sites of Specific Scientific Interest (SSSIs). They form a network of non-statutory wildlife sites throughout the county of Lancashire which, together with SSSIs, support the best areas and the county's most important sites of wildlife or biodiversity interest.

In view of the identification of the Lancaster canal as a Biological Heritage Site particular care needs to be taken as regards to any development that affects its interest (which includes banks, towpaths and the water body of the canal itself) in order to ensure that its wildlife interests are not unduly damaged or affected.

Communication from Over Kellet Parish Council described the canal as a valuable refuge for a varied and interesting range of flora and fauna. The present usage of the canal is such that wildlife can rest and flourish relatively undisturbed and any increased usage may lead to deterioration in its appeal.

Concern was also expressed by representatives of Ellel Parish Council with regard to casual boat users exceeding the speed limits imposed upon the canal and destroying the habitats of birds nesting along the canal banks.

The Task Group noted that there is currently no process to transfer complaints received by the City Council to British Waterways. Members of the public may contact the City Council in relation to litter, fly tipping and dog fouling problems along the canal. It is important that if these complaints are received by the Council there is a system in place to report them to British Waterways. The Task Group felt that improved communication between the City Council and British Waterways could improve litter problems and that contact details of responsible British Waterways officers should be made available to Customer Services.

#### **Recommendation 1**

- a. That the Council adopt the following definition of a community asset:  

‘A Community Asset can be defined as an asset being used by the public and/or an asset developed by the community. The asset could be material as in buildings such as health centres and school facilities or non-material as in information and/or ideas/ideology such as security information of a particular country or community or the normative and belief systems of a community.’
- b. That the status of the canal within the City Council’s policy framework be reviewed and that it be acknowledged as a community asset and a recreational resource, with future policy helping to ensure a focus on widening and improving access to benefit the whole community.
- c. That the Council continue to work to enhance the biological heritage status of the canal.
- d. That the Council explore how its Customer Services Centre could act as a one stop shop to work in partnership with British Waterways to enable the timely reporting of canal related problems.

#### **Council Tax and Voting Rights**

There appears to be public confusion as to whether people who are permanent residents on boats are required to pay Council Tax and whether they are entitled to vote. It is hoped that to clear up this confusion information considered by the Task Group (see Appendix A) could be made available as a document pack to be displayed in mooring offices and distributed to cruising societies to make sure all boaters are aware of their right to vote and their responsibility to pay Council Tax.

The mooring and not the boat is banded for Council Tax purposes, unless the boat is permanently moored in the same place and then its value will be included. Most moorings fall into band A. The mooring can only be banded if it is used for domestic purposes and there is an element of permanence such as a permanent address. If a boat is determined to be permanent the full amount of Council Tax is required to be paid in the same way that residential caravans pay site fees and full Council Tax.

Members of the public who live on a canal boat with no permanent address can be registered to vote. This can be done by completing a local connection declaration. The form for registering to vote in this way states that it is for homeless people, which could be seen by people that live on canal boats as inaccurate. The Task Group would encourage the Council to introduce a specifically designed form for people that live on canal boats.

### **Case Study**

Kennet District Council have already produced such a form entitled “Live on a Boat? Don’t Lose Your Vote.” (See Appendix B.) To produce this form Kennet collaborated with the other Councils that the canal travelled within and requested that electors send the completed form to the Council that the area in which they most commonly moored. The success of this form has been questioned; Kennet reported a very small uptake on the forms and put this down due to being registered already because they also own houses.

The City Council would need to work with other Councils (along Lancaster canal) and British Waterways in order to produce a similar form. This joint working would ensure that members of the public return their form to the correct Council, the area in which their local connection declaration is. The Council would need to assess the merits of undertaking this exercise considering the response received by Kennet District Council. It may be that the Council could encourage more people to register to vote by requesting that British Waterways publicise the registration form rather than the Council.

Lancaster City Council already undertakes a canvass at both Galgate and Glasson Dock Marinas as part of its annual canvass and these addresses are already on the Electoral Register.

People living on canal boats must have a connection in the area to entitle them to have a vote such as a place of work, family or long term mooring. The Ward in which their connection is will be the Ward in which they are entitled to vote.

### **Recommendation 2**

- a. That the Council work with other Local Authorities along the canal to produce and make available a specifically designed form for people that live on canal boats to register to vote.
- b. That information regarding council tax and voting rights be made easily available to people that live on canal boats on the Council website, at mooring offices and through cruising societies.

### **Bridges**

The bridges over Lancaster canal are owned and maintained by a number of different owners. British Waterways owns bridges carrying the highway, footpaths, public rights of way and private accesses. Lancashire County Council owns bridges carrying the highway and footpaths, and Network Rail owns bridges carrying railways. There may also be private owners.

The Task Group noted that there is currently no specific satellite navigation system for lorries and as a result lorries are being sent down roads and over bridges that are unsuitable for large vehicles.



The Freight Transport Association reported in August 2007 that it was asking suppliers to produce satellite navigation systems which were more compatible with freight operations. The Association has identified a list of data items that its members say are necessary. These include vehicle width, height and length restrictions, pedestrianized areas and local lorry bans amongst others. It may be some time before this system is developed and preventative measures to protect old and narrow bridges could be put in place in the meantime.

### **Case Study**

The Vale of Glamorgan Council is trialling a new road sign to try and stop lorry drivers with Sat Nav from using unsuitable roads. The signs picture a lorry and a satellite with a red line through them and bear the message 'Unsuitable for Heavy Goods Vehicles'. If the signs prove successful during the trial they will be used at other locations throughout Wales.

Over the past year there have been 6 recorded strikes on bridges over the canal in the Lancaster District. Three of these have been on Hest Bank Bridge (No. 118), one on Borwick Hall Bridge (No. 135), one on Hatlex Bridge (No. 119) and one on Kellet Lane Bridge (No. 130). All 6 strikes have cost British Waterways between £20,000 and £50,000 each to repair.

Lancashire County Council undertakes general inspections on its bridges on a biennial basis. Faults identified in inspections are risk assessed, prioritised and rectified accordingly. Faults or damage that compromise public safety are immediately rectified.

British Waterways have a rigorous inspection programme for the bridges they own over the canal. Each month an inspector walks the length of the canal to report on any defects or problems. Annually an engineer examines the structures along the canal to confirm their condition and that there are no risks associated with the structures.

If it is thought that problems on bridges are caused by reasons that could at least in part be remedied by traffic measures then British Waterways liaise with the highway authority to identify ways to reduce this risk.

Many bridges over Lancaster canal are very narrow. A width restriction is necessary to prevent lorries that are too wide travelling around tight corners and over bridges that are too narrow for the lorries to manoeuvre over. This can result in damage to the bridges concerned.

### **Recommendation 3**

- a. That the County Council be requested to consider introducing weight and width limitation signs for historic bridges over the canal.
- b. That the County Council be requested to consider the possible use of warning signs regarding the use of sat nav in areas with small, narrow lanes and bridges over the canal be investigated, following the evaluation of the Vale of Glamorgan Council pilot.

## 8.2 British Waterways

Many of the improvements that have been made to the Lancaster canal within recent years have been made by various partners working with British Waterways. British Waterways and Carnforth Area Regeneration Partnership (CARP) have worked in partnership together to improve the Hest Bank Picnic Area, with funding from Lancaster City Council; and in partnership with Sustrans to make improvements to the towpath. The latest towpath improvements will extend the improvements to Carnforth and will create a new Disability Discrimination Act compliant access point which will link a housing estate to the canal.

British Waterways have also worked alongside CARP and Budgie Bikes to install a floating mooring facility at Bolton-Le-Sands which can be used by the waterbus service. Further maintenance of all of these sites have been incorporated into current British Waterways schedules.



British Waterways own the Lady Fiona, an original Lancaster working boat and the Packet Boat House, which they have recently renovated (and adjacent land) just south of the city centre. This site is of strategic importance to the canal and one where sensitive development is required.

*(Left, the Packet Boat House)*

In recent years there have been many pressures on DEFRA funding which has resulted in reduced funding to British Waterways. It is possible that British waterways will lose funding of £60 million over 5 years.

In short, British Waterways is facing a funding crisis and it is believed that this will continue to be the case while British Waterways is linked to this department. The Task Group believe that British Waterways would be better placed in the Department of Transport. The Task Group request that the City Council lobby other Councils with canals running through them with regard to this.

### **Recommendation 4**

- a. That the Council note the funding cuts being made to British Waterways and encourage the Government to move responsibility for British Waterways from DEFRA to the Department of Transport and raise the issue with the Local Government Association (LGA).
- b. That the Council notes the contribution and potential value of British Waterways to the regeneration of the inland waterways and the surrounding area.

## 8.3 Facilities

The Task Group considered access to facilities along the canal.

An access key to the toilets at Hest Bank was provided by British Waterways as part of the licence fee for boat owners. The new picnic area close to these toilets did not have enough facilities in place. The toilets were not available to all and litter bins had

not been provided. The toilets are not even currently available for use by radar key holders, something which should be immediately rectified.

Further investigation found that the toilets at Hest Bank are only open for use, even for key holders, from April to October. Lancaster City Council are subcontracted to clean but not replenish these toilets 7 days a week when they are open.

The facilities at Galgate Marina are open all year round but are also only available to boat users. A key code is used rather than an actual key. All residents at the marina know the code and any boat users that are passing by can call into the shop at the marina to find out the code but only between 9 and 5. They are not open to members of the general public.

The Task Group believe that all major tourist attractions along the canal should be serviced by facilities such as toilets and litter bins. It may be possible to introduce toilet provision with finance initiatives at these honey pot sites and this idea should be investigated further.

#### **Recommendation 5**

- a. That consideration be given to how the opening times of the toilets at Hest Bank can be extended and rationalised so that they operate in the same way as others in the vicinity of the canal and other toilets maintained by the City Council, and British Waterways be recommended to ensure that all toilets are adapted and made available for use by radar key holders.
- b. That toilet provision and possible funding streams at potential 'honey pot sites' such as the canal turn, Lancaster Canal Basin and Hest Bank picnic area be investigated jointly with British Waterways.
- c. That provision of litter bins and possible funding streams at potential 'honey pot sites' such as the canal turn and Hest Bank picnic area be investigated.

#### **8.4 Anti-Social Behaviour**

The Over Kellet Parish Council expressed the opinion that the Lancaster Canal provides an important 'lung' for the District and is valued very highly by residents and visitors alike. The Task Group support this view. It was felt that the canal was well used by pedestrians, cyclists and boaters and that whilst there were concerns over the presence of litter in the vicinity of the canal, it was no better or worse than many other locations. However, some locations do pose more of a problem than others such as access points and seating areas.

On both site visits a large amount of fly tipping was noticed adjacent to the canal within the Ridge Estate. Although Lancaster City Council has little responsibility for fly tipping along the canal as the land is owned by British Waterways, a small proportion of the land by the side of the canal in the Ridge Estate belongs to the City Council. The rest is considered to be 'no mans land', with British Waterways only owning up to the canal edge in this area, although it should be noted that the Council is legally empowered, at its discretion, to clear waste in such circumstances. The fly tipping gave the impression that it was longstanding and did not provide a particularly nice vista for passers by, on boat or foot and gave a poor impression of the city.



*Photograph showing 'hot spot' of fly tipping next to the Ridge Estate*

Lancaster City Council's responsibility with regard to litter, fly tipping, dog fouling and pollution is minimal along the canal as the land is predominantly owned by British Waterways and it is therefore their legal responsibility to deal with these problems on the land they own.

The City Council does have powers to take action against anyone caught depositing litter on open land but it is the landowners responsibility to clear it up. The Council's only direct involvement is as a contractor to empty the dog bins and litter bins on the canal towpath. Most complaints the Council receives are passed along to British Waterways to deal with.

In some cases bin bags are tied to railings or benches because the British Waterways litter bins have been burned or thrown into the canal.

Despite the provision of bin bags, a lot of litter finds its way into the canal. Litter floats within the canal and gets stuck on reeds and branches creating a substantial amount of rubbish in some areas. Ducks, swans and other wildlife spend time within the rubbish which could pose a health risk to the animals and may affect the environmental quality of the canal. The litter does not promote a good image and affects the beauty of the canal which may discourage tourists from returning to the area by boat.



On the site visits undertaken by the Task Group issues of littering at the side of bridges and graffiti under bridges specifically the Ridge Lane Bridge, in the centre of Lancaster City were noted. These issues do not create a good image to visitors to the District. The Graffiti could be remedied by the use of murals under bridges, possibly displaying images of the city and surrounding area and promoting various tourist attractions. The Council may in the future wish to consider undertaking a 'graffiti project' in conjunction with local organisations such as the YMCA.



*Photograph showing litter adjacent to bridge and graffiti.*

**Case Study - [www.cruix.co.uk/mural.html](http://www.cruix.co.uk/mural.html)**

Caldercruix in Scotland has a serious problem with graffiti and decided that a project be undertaken to paint a mural on one of the worst hit walls to tackle the issue, involve the community and improve the aesthetics of the area. Two community artists facilitated the project and aimed to empower the young people in the area. Workshops were held to involve all in the design process. This project showed that it was important to involve young people and appreciate and value their opinions. It was reported that 10 months after the project was completed there had still not been any graffiti on the wall.

On the walk which Members of the Group undertook, it was noted that the towpath became quite dark and felt enclosed and contained within the urban stretch of the canal specifically behind Bath Mill and under the Penny Street Bridge. It was thought that lighting under the Penny Street Bridge would make the journey under the bridge less intimidating and community safety would be improved for members of the public using the canal as an access route for the city and a thoroughfare between the Waterwitch and the White Cross pubs on the canal.



*Photograph showing the darkness under the Penny Street Bridge*

British Waterways have stated that it would be possible to install lighting under the Penny Street Bridge or in any similar area but that they would be reluctant to pay for this or cover any maintenance costs. If the Council was to approach British Waterways regarding this idea then they would consider the case on its merits.

The majority of the work that has been undertaken with regard to opening up the canal and increasing the levels of community safety has been focussed in the urban areas. Work also needs to be undertaken to improve these aspects in the rural areas along the canal. Work should be undertaken with town and parish councils to prevent anti social behaviour and create access for all.

The area behind Bath Mill is surrounded by high walls and does not have any direct access between bridges. This area felt quite intimidating, something that could be rectified by opening up the canal and creating an access point or replacing part of the high walls with a smaller wall or railings to create a more open area and increase visibility.

It should be noted that in terms of the number of anti-social behaviour incidents the canal does not rank particularly highly. However the Bath Mill area is the portion of the canal that has the highest levels of anti social behaviour.

#### **Recommendation 6**

- a. That the relevant authority give consideration to methods of preventing littering at the side of bridges.
- b. That Lancaster City Council work with British Waterways to consider the feasibility of implementing a regular litter removal schedule for the water in the canal and consider ways to prevent large accumulations of litter.

- c. That the relevant authorities consider the use of murals on the underside of non historic bridges along the canal to stop graffiti.
- d. That the Council work with partners including British Waterways to consider the provision of lighting under the Penny Street Bridge through the use of section 106 agreements.
- e. That the City Council work with Sustrans to give support to opening up access to the canal and make improvements to the towpath north of Carnforth to Tewitfield and that work be undertaken with town and parish councils to prevent anti-social behaviour and increase access for all through the use of section 106 agreements.
- f. That consideration be given to opening up the stretch of the canal behind Bath Mill by lowering the walls or replacing them in part with railings through the use of section 106 agreements.
- g. That information regarding anti-social behaviour along the Lancaster canal be forwarded to the Anti-Social Behaviour Task Group for consideration.

## 8.5 Tourism

Figures released by British Waterways (BW) for the period January 2007 to the end of October 2007 showed that 222 boaters used the Ribble Link during that period. The figures did not show the direction of travel. BW has previously indicated that the Lancaster canal is currently at full capacity for boat moorings.

A pedestrian counter has monitored people using the canal tow path in Lancaster and from the beginning of January 2007 to the end of November 2007, 39,219 people had passed that point. There is no differentiation in these figures between local residents and visitors to the area. The peak month is October, followed by November and September.

Since the beginning of 2005 1,224 boats have come up the Ribble Link. Results of a questionnaire produced by the Lancaster Canal Trust and Lancaster Canal Regeneration Partnership showed that boats travelled from all over the country to visit the Lancaster canal. Those that answered the questionnaire reported an average weekly spend of £427. Boaters did not just stay on the canal, most visited towns, villages and pubs along the canal to make use of the local facilities and visit tourist spots such as Williamson Park, Maritime Museum, Morecambe Bay and the Judges Lodgings amongst others.

**Carnforth Area Regeneration Partnership (CARP)** has been involved with many tourist initiatives in relation to the canal. One of which is the Carnforth canal waterbus. The picture below shows the current waterbus 'Swallow'.



A new tourist initiative that CARP has been involved in is to provide a further new canal waterbus. The waterbus is expected to attract tourist coach parties and is seen as being a tourist attraction in its own right, as well as encouraging and being a major factor in the further development of environmentally sustainable tourism in the Carnforth area. The Carnforth Canal waterbus is Britain's only timetabled canal waterbus service.

Other projects have included Carnforth Towpath Refurbishment Works, Hest Bank Picnic Site improvement and visitor moorings at Bolton Le Sands. All of these works have been undertaken with collaboration from British Waterways and the work by both parties should be recognised by the Council as valuable to the District.

Although CARP ceases its main 3 year investment programme in April 2008, work initiated by the partnership is to be continued under a not for profit organisation called CARP Ltd.

British Waterways own a disused site to the South of the City Centre. On this site is the original Lancaster Packet Boat House which has been renovated by British Waterways. At a meeting of the Task Group, a representative from Lancaster Canal Trust reported that it was their wish to restore the last original Lancaster working boat, named Lady Fiona, which is currently awaiting restoration in Nantwich and to return the boat to Lancaster to reside within the Packet Boat House. It was also hoped that the remainder of the building could be made into a canal museum.

This site is a significant site along the canal and close to the centre of the City. It would be of great benefit to bring this site back into use as a tourist attraction.

The canal provides many tourism opportunities, whether as a holiday destination on a boat, or as an attraction for visitors already in the area. Lancaster City Council needs to recognise the potential of the canal, the possibilities to create further tourist attractions along the canal and the economic impact that the canal represents in terms of tourism. The development of the northern reaches and the restoration of the canal head at Kendal will provide further reason for tourists to pass through Lancaster and as such these developments with their positive effects on the economy should be supported by the Council.

The City Council should seek ways to promote as far as possible activities on the canal such as cruises and entertainment by displaying advertising leaflets in the Town Halls, Tourist Information Centres and including the information in newsletters and tourism literature to ensure the maximum support of tourism initiatives along the canal.

There are only two points along the Lancaster Canal where the sea and the canal meet. One of these is at Glasson Dock. Glasson Dock is a tourist destination in its own right with a marina, the Lancaster Port Smokehouse and the Maritime Festival. Glasson Dock is a working Port which receives sea going vessels as well as being the terminus of the Glasson branch of the Lancaster Canal. Glasson Dock is popular with tourists and visitors for these reasons. There are also caravan parks which are busy in summer and use the services of the village.



### **Recommendation 7**

- a. That the Council view Carnforth as a hub for the Lancaster canal and recognise the opportunities presented around the canal turn site for canal based recreation.
- b. That the Council prepare a development brief for the British Waterways site (Lancaster), as a significant site on the canal and consider the potential for a museum element with the Lady Fiona.
- c. That the Council recognise the potential and current economic impact that the canal represents in terms of tourism and as such continue to support the restoration of the canal head and northern reaches.
- d. That the Council seek ways to promote activities on the canal such as cruises and entertainment.

### **8.6 Regeneration/Development**

As has been previously mentioned there is a 'hot spot' for fly tipping along the canal adjacent to the Ridge Estate.

A small part of the land which is subject to fly tipping adjacent to the Ridge Estate is owned by the Council, with the remainder being 'no mans land.' There is a plot of vacant, Council owned land next to the area where the fly tipping is at its worst. A positive use for this vacant land would be community allotments. There is a high local demand for allotments and the placing of allotments in this area may benefit the levels of fly tipping as well as encouraging local pride in the area. It may also be possible to move the fence that separates the canal from the vacant land further away from the canal to create a walkway on that side of the canal, and this should be investigated.

As an important recreational asset in the district the canal provides extensive amenity value to residents of the area. The Task group believe that enhancing the canal is not only an acceptable but a desirable use of Section 106 money (money provided by developers to the local authority to offset the impact of a development). The Task Group believe that enhancements to the canal would help to enhance an existing amenity for the benefit of new and existing residents.

Research by the Canals Task Group has shown various funding streams are available for projects along the inland waterways. Relevant officers from the City Council should pursue all opportunities available to organisations to fund wildlife conservation along the waterways and projects to improve facilities along the canal.

The dry dock area in Bulk Ward was considered on the site visits. Currently this site is unused and litter can get caught quite easily in the structure. This area is a non listed structure on the canal and could provide a good location for a small mooring platform for canal boats. The only mooring site in



Lancaster city centre is at Lancaster basin, so this would provide a second site for boaters to explore the city from. A similar structure to the new visitor moorings at Bolton-le-Sands may be possible.

The Bath Mill estate is open fronted onto the canal with a small railing separating a courtyard area for the houses and the canal. In this area there is not much litter and the canal feels less intimidating, it is a complete contrast to slightly further down the canal behind the old Bath Mill which is very enclosed. It is suggested that future developments make use of the canal in this way allowing for the regeneration of the canal in these areas and easy access to the canal for residents.

The Task Group considered the necessity and value of a canal foot/cycle bridge from the proposed Lundsfield site to Alexandra Road. It was agreed that the principle of access across the canal via a foot/cycle bridge should be supported, should the development take place. The issue of the development was not discussed and it was noted that this would be a matter for the Planning Committee to consider in due course.

The cycle track along the canal is an important recreational resource and its expansion is supported by the Group, in particular the linking of the cycle track over the Lune Aqueduct and the Millennium (Cycleway) Bridge. The Group felt that although lighting would improve the safety for cyclists along the Lune Aqueduct, flood lighting would be inappropriate in this area as it would not be in keeping with the character and historic nature of the aqueduct.

The Canal Basin in Lancaster has enormous potential as a community asset and is currently underused. British Waterways should be requested to consider the feasibility of establishing pontoon moorings in one of the two turning points. This would create further visitor moorings to allow a greater number of tourists to visit the City of Lancaster and surrounding area from. It is also important to establish public toilets in this area as one of the 'honey pot' sites along the canal.

#### **Recommendation 8**

- a. That the City Council work with British Waterways to clear up fly tipping adjacent to the canal on the Ridge Estate and investigate how the fly tipping can be prevented.
- b. That a feasibility study be undertaken into the transformation of the vacant land adjacent to the canal on the Ridge Estate into allotments.
- c. That improvements to the canal through section 106 monies be investigated.
- d. That the relevant Council officers pursue all funding opportunities for regeneration projects along the canal.
- e. That the dry dock be recognised as a potential, non-listed, site for permanent or semi-permanent moorings and that a feasibility study be undertaken with regards to this by British Waterways and Lancaster City Council.
- f. That the Council seek to ensure future planning development along the canal aims to open up the canal frontage e.g. bath mill estate and seeks to make a feature of the canal.

- g. That the Council support in principle the need to connect both sides of the canal by way of a foot/cycle bridge should any proposed development to the east of the canal in Carnforth take place.
- h. That the Council support the linking of the cycle track and the Millennium (Cycleway) Bridge.
- i. That the Council recognise the Canal Basin near the Water Witch Pub has enormous potential as a community asset and is currently underused and that British Waterways be requested to consider the feasibility of establishing pontoon moorings in one of the two turning points.

## **9. Conclusion**

The Canals Task Group was established to develop an understanding of issues surrounding the Lancaster canal and to explore its usage as a community asset.

The purpose of this report has been to establish an understanding of the current situation of the Lancaster canal focussing on its usage as a recreational resource and a visitor attraction as well as looking at the levels of anti-social behaviour and possible future development. It is hoped that the City Council's Policy Framework can be reviewed to better represent the importance of the canal in the District as a result of the work of this Task Group.

## 10. Appendices

### Appendix A

#### **Council Tax Manual - Practice Note 7 - Appendix D - Circumstances where boats used wholly as living accommodation may or may not be regarded as part of the hereditament**

##### **Practice Note 7: Appendix D**

The following examples illustrate circumstances where boats used wholly as living accommodation may or may not be regarded as part of the hereditament together with the mooring, and therefore to be included in the Council Tax banding valuation.

##### **Example 1**

A couple lives in a purpose-built houseboat comprising a timber-clad building on a pontoon. They pay rent for a mooring on the river bank with its own anchor points, access way, water supply and drainage connections. The houseboat has been moored in that location for several years, although it is moved every 2 or 3 years to carry out maintenance to the pontoon.

The mooring is a separate hereditament because it is occupied exclusively by one boat for a period of more than 12 months. The mooring is also domestic property by virtue of s.66(4) because it is occupied by a boat which is someone's sole or main residence. Although a chattel, the houseboat can be regarded as enjoyed with the land with such permanence as to enhance its value, and should be included in the valuation for banding purposes.

##### **Example 2**

A family lives in a barge which has been converted to provide living accommodation. They pay rent to the riparian owner for a mooring on a river bank with its own water supply and sewage connection. During the year, the barge moves away at weekends and holidays of more than 2-4 weeks duration leaving the mooring vacant until its return.

The mooring is a separate hereditament because it is used exclusively by one boat during the year. When the barge is present, the mooring is domestic property by virtue of s.66(4) because it is occupied by a boat which is someone's sole or main residence. When the barge is absent, the mooring is domestic property by virtue of s.66(5) because it appears when next in use the mooring will be domestic. However, the barge is insufficiently permanent to be regarded as part of the hereditament, and the mooring only should be valued to determine the appropriate band.

##### **Example 3**

A man lives on a motor cruiser with living accommodation on board. He rents a berth in a marina comprising a finger pontoon at right angles to the bank with water supply and sewage pump-out. The marina operator controls access to the site and reserves a continual right to move the boat from its mooring. When the boat is absent, as it frequently is for weekends and holidays, and even though the boat owner pays rent continuously in order to reserve a berth at the site, the marina operator allows other boats to use the mooring.

Although the mooring is virtually in permanent use and affords self-containment to any boat with living accommodation, the cruiser owner's occupation of the mooring is non-exclusive and insufficiently permanent for him to be liable for Council Tax. The

marina operator is in paramount occupation of the mooring for the purposes of his business of running a marina. If the other boats which use the mooring are also someone's sole or main residence, only the mooring would be domestic property and subject to banding. The boat itself would not be included in the valuation.

If the other boats which use the mooring are not someone's sole or main residence or there is no way of knowing what their use would be, the mooring will be non-domestic. If there are two or more such moorings in the marina, all the moorings and land under the control of the marina operator should be treated as one hereditament by virtue of the Multiple Moorings Regulations. The marina operator will be in permanent occupation.

#### **Example 4**

A couple live on a narrow boat as their sole or main residence. They pay a mooring fee to the British Waterways Board for one of several moorings along the towing path and a licence fee to be on the canal. They share a water tap with the other boats, but the nearest sewage disposal facility is some distance away. Periodically, they move the boat to dispose of sewage; and every few years the boat is taken into dry dock for essential maintenance. British Waterways Board reserves a continual right to allocate a different mooring, for example, in order to accommodate boats of different length at the site, but in practice the boat returns to the same mooring, which is not used by other boats in its absence. It has a postal address and post is delivered direct to the boat.

The mooring is domestic property by virtue of s.66(4) and sufficiently defined as to form a separate hereditament. The boat is moored with a sufficient degree of permanence as to be enjoyed with the mooring and therefore should be regarded as part of the hereditament and be included in the valuation for banding purposes.

If however the separate moorings along the canal bank are not easily identified, either in the agreement with BWB or on the ground, and can vary each time a boat is moored, as the boat always returns to a different position, then the hereditament will comprise of the whole length of moorings along that part of the canal, and the rateable occupier will be the BWB. The boat will not form part of the hereditament because it lacks sufficient permanence to be enjoyed with the land.

If the moorings are solely occupied by boats which are the sole or residence of an individual, then there will be a single Council Tax banding of all the moorings. However, should pleasure boats also use the moorings, the moorings should be treated as a composite hereditament. In many cases a common sense view will need to be taken of the extent of the domestic and non-domestic parts, and regulation 7(1) of the Council Tax (Situation and Valuation of Dwellings) Regulations 1992 requires a band to be ascribed which reflects the value which would reasonably be attributed to the domestic use. The distribution between domestic and non-domestic use will therefore reflect how the market would view the use of the hereditament, if it were made available with vacant possession. The actual use of the moorings at compilation date, or a notional distribution based on the prevailing pattern of use along moorings in that locality can be adopted.

Where a single composite hereditament is appropriate, the non-domestic part in this example will be included in the Central List assessment for BWB, and a single Council Tax band will be entered in the valuation list for the residential moorings.