

CABINET

Report of the Canals Task Group 8th July 2008

Report of Overview and Scrutiny Committee

PURPOSE OF REPORT			
To present Cabinet with the findings of the Canals Task Group and to seek the agreement of Cabinet to the recommendations as set out in the report.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>
		Referral from Task Group	<input checked="" type="checkbox"/>
Date Included in Forward Plan	N/A		
This report is public			

RECOMMENDATIONS

- (1) That Cabinet considers the work of the Canals Task Group and the adoption of the recommendations as set out in the attached report.
- (2) That Cabinet considers the Officer comments on the report.

1.0 Introduction

- 1.1 All details are contained within the attached report.

It should be noted that, if Cabinet is minded to approve the recommendations as set out in the report, each recommendation would be scoped and developed further with all relevant services consulted as to what can be realistically achieved within resources that are available.

2.0 Recommendations and Officer Comments

2.1 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.

2.1.1 Officer Comments and Preferred Option (Head of Financial Services for (a), Customer Services Project Manager for (d) and Corporate Director (Community Services) for all others):

- a) The authority already has a definition of community asset, primarily for accounting purposes, but the Task Group has not been advised of this previously. Under the existing definition, as prescribed by local authority accounting practice, a community asset is one that is intended to be held in perpetuity (i.e. forever), that has no determinable life, (i.e. is expected to last for the foreseeable future, such as most land), and it may have restrictions affecting disposal. Typical examples of such community assets include playing fields and cemetery land. It would seem confusing to have two definitions in use, unless there is a clear reason for doing so.
- b) How the proposed 'future policy' would be developed would need to be identified as it is not currently included in any Service Business Plan and not currently a corporate priority. It is suggested therefore that if Cabinet wish to pursue this option it be considered as part of the process to develop Corporate Priorities for 2009/2010, when a report would be required setting out the potential financial implications.
- c) We can continue to work to enhance the biological heritage status if no increase in the current level of input is envisaged.
- d) City Council (Direct) Services already have good contacts with British Waterways so the ability to pass on complaints should not be a problem and it is unlikely to be a capacity issue for customer services.

2.2 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.

2.2.1 Officer Comments and preferred option (Head of Democratic Services and Head of Revenue Services):

- a) As stated in the report the Council, as part of the annual canvass process, already makes sure that people living on the canal at permanent moorings at

Glasson Dock and Galgate Marinas are included on the electoral register. Officers in Kennet District Council who have undertaken a similar exercise previously stated that this was a costly exercise with very little success. They reported that they had found that most people with boats on the canal had a fixed address elsewhere and were already registered or were holiday boats. There has been no evidence within the elections office of there being a problem in this area and the Council would be better spending its resources on targeting groups that have been identified as being difficult to get registered i.e. people living on caravan parks or students living in private sector rented accommodation. There has been a recent example of someone contacting the Council to register at Glasson Dock Marina they had been advised to do so by the staff at the Marina. The Head of Democratic Services does not therefore recommend that 2(a) be pursued. Information is already provided at relevant venues in the District or can be obtained via the Council's Electoral Registration hotline which is well publicised. The information currently on the website about Electoral Registration can be updated to include reference to canal boats and this will be done shortly as part of work currently underway to expand the information available on the website.

- b) Revenue Services can easily comply with the recommendation of the task group to make information regarding Council Tax available at mooring offices and through cruising societies. This could be met through existing Service budgets. The same information could also be provided on the Council's website via the Council Tax link.

2.3 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.

2.3.1 Officer Comments and preferred option (Corporate Director (Community Services)):

The City Council no longer has a Highways Team so these recommendations would be referred to the County Council. There will be no financial implications for the City Council.

2.4 Recommendation 4

- a. That the Council note the funding cuts being made to British Waterways and encourage the Government to move 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.

2.4.1 Officer Comments and Officer Preferred Option (Head of Cultural Services and Head of Economic Development and Tourism):

The Cultural/Regeneration aspects (e.g., in terms of “leisure” and “museums” links, etc) are included and reflected in the report and its recommendations.

Officers are unable to comment on the relative merits of DEFRA and Department of Transport as “homes” for British Waterways within government. Lobbying for a change may require significant officer time to research the issue, develop links with other relevant local authorities, and to present a meaningful case. It is also not clear which service would be best placed to do this.

This issue might however also be pursued via the BRADA (British Resorts and Destinations Association), with which Council officers in the tourism team already have strong links and would not result in additional financial implications.

2.5 Recommendation 5

- a. That consideration be given to how the opening times of the toilets at Hest Bank can be extended and rationalised to 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 be 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.

2.5.1 Officer Comments and preferred option (Corporate Director (Community Services)):

These are proposals to be undertaken in conjunction with British Waterways. The toilets at Hest Bank are currently maintained by the City Council on behalf of British Waterways and it is recommended that the toilets are rationalised to operate in the same way as others that the City Council runs. We can request that British Waterways consider adapting all toilets for use by radar key holders.

The recommendations to provide pay to use toilets and litter bins at honey pot sites such as the canal turn are directed at both British Waterways and Lancaster City Council. If British Waterways cannot put resources into these projects it is recommended that the City Council investigate the possibility of building the initiative into the budget process of future years if it is seen to be of importance to provide such amenities at these honey pot sites, and given the Council’s financial prospects.

2.6 Recommendation 6

- a. That the relevant authority gives 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 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.

2.6.1 Officer Comments and preferred option (Corporate Director (Community Services)):

- a) Lancaster City Council could certainly look at methods of preventing littering at the side of bridges through City Council (Direct) Services.
- b) The Task Group have identified that it is a British Waterways Board responsibility to remove litter from the canal. It is not being suggested that the City Council put resources into clearing the litter and subsidise what British Waterways do, but that the City Council request that British Waterways produce a regular litter removal schedule for the water. It is also requested that the City Council work with British Waterways to consider the ways large accumulations of litter can be prevented.
- c) Reference to the relevant authority in (c) refers to the owner of the bridges and it is suggested that the City Council approach organisations such as the YMCA and the owners of the bridges with the idea to try and engage young people and prevent graffiti in these areas.
- d) In the past, the Community Safety Partnership has been able to access County funding to provide such lighting schemes but the future of this funding is currently under review.
- e) The City Council's Cycling Demonstration Town Project could support in principle the work with Sustrans but there are no funding proposals for this work from the Project.

2.7 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.

2.7.1 Officer Comments and preferred option (Head of Planning Services, Head of Cultural Services and Head of Economic Development and Tourism):

There are scopes for enhancing the towpath areas and security through Section 106 monies. Funds to do this however must arise from developments with some form of linkage to the canal, or where access to towpaths is a recreation benefit arising from the development. There is also evidence to suggest that British Waterways will use conditions or legal agreements imposed on developments as a means to “ransom” developers for licences to carry out works on British Waterways land. Such ransoms may render the practicalities of achieving such improvements inoperable.

The Cultural/Regeneration aspects (e.g., in terms of “leisure” and “museums” links, etc) are included and reflected in the Report and its Recommendations.

Support for the restoration of the Lancaster canal to Kendal is contained in the Tourism Strategy. The canal regeneration is seen as a support for rural tourism and businesses within reach of the canal. The Council has regular input to the work of the Lancaster Canal Restoration Partnership through involvement of Tourism and Planning officers.

There is some publicity through the Tourism section at present for the privately operated canal cruises.

2.8 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 to transform the vacant land adjacent to the canal on the Ridge Estate into allotments.
- c. That improvements to the canal through section 106 monies are 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 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.

2.8.1 Officer Comments and preferred option (Head of City Council (Direct) Services, Head of Corporate Strategy and Head of Planning Services):

The Head of City Council (Direct) Services reports that work for 8a is now completed – it is now a case of trying to ensure the area doesn't get tipped on again.

There is, at present, insufficient capacity within Corporate Strategy to carry out the suggested feasibility study to transform the vacant land adjacent to the canal on the Ridge Estates into allotments. However there may be a possibility the work could be carried out later on in the year but this cannot be guaranteed at this stage.

With regard to d) since access to external funding is limited, this will depend on how individual projects fit in relation to the Council's other regeneration priorities and the criteria of external funders. It should also be noted that there may be scope to achieve canalside regeneration through planning powers, including section 106 agreements.

In addition to the comments made relating to recommendation 7 proposals for new regeneration schemes adjoining the canal can be put forward to be considered as allocations in the emerging Local Development Framework land allocations document. Major proposals which already have an impact at the Canal Corridor North and Lunsfield Quarry, Carnforth have been designed to maximise the opportunities to enhance the canal and it's usage, although it is the latter case which has given rise to a potential ransom situation arising from a pedestrian and cycle footbridge between the site and a main food store in the town.

3.0 CONCLUSION

All details are contained within the attached report.

It should be noted that, if Cabinet is minded to approve the recommendations as set out in the report, each recommendation would be scoped and developed further with all relevant services consulted as to what can be realistically achieved within resources that are available. A number of recommendations would require further reports on options for implementation and the identification of potential funding.

<p>RELATIONSHIP TO POLICY FRAMEWORK</p> <p>A number of recommendations fall within the current budget and policy framework. However the recommendation that the status of the canal within the Council's priorities be reviewed will need to be considered as part of the development of the policy framework in future years.</p>
<p>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p>

Impact assessments have been identified in the covering report in relation to some recommendations. For others they will form part of a later report on the implications should Cabinet agree to pursue that option.

FINANCIAL IMPLICATIONS

Where recommendations can be implemented within existing budgets, this has been identified in the covering report.

The report highlights areas of work for which resources cannot be identified, however. Should Cabinet wish to pursue these it may be necessary to consider other areas of work which should no longer be treated as a priority, or potentially consider further resources as a future growth item, but current expectations are that budget savings will be needed in future years, as set out in the Medium Term Financial Strategy.

There is nothing further that can be added at this stage regarding the financial implications. As mentioned earlier, a number of the recommendations would require further reports on options for implementation, together with an assessment of costs and the identification of potential funding sources.

SECTION 151 OFFICER'S COMMENTS

Many of the recommendations have either resource implications (such as staff time) or direct financial implications attached, but which have not been quantified at yet.

Given the number of recommendations, the Council's current financial projections, and other key stakeholders' interests, it is difficult to see that all recommendations could go forward in some way. Where there is extra work involved outside current service business plans, or where new financial implications are expected, the s151 Officer would advise that Cabinet seeks to prioritise them if possible, in context of the Council's objectives, to give better focus.

Under the scope of the Task Group review, value for money considerations were defined as 'promoting the canal as a community asset- usage of the canal has increased greatly and maintenance needs reviewing so the canal can be enjoyed by users'. In order to give greater consideration to the financial and cost implications, alongside objectives, it has been agreed that some Financial Services' involvement will be arranged to assist with future scoping exercises.

LEGAL IMPLICATIONS

None directly arising from this report.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and would emphasise that any recommendations that are contrary to the Council's existing Budget and Policy Framework would need to be approved by full Council.

BACKGROUND PAPERS

Reports and Minutes of the Canals task Group

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