

Securing Effective Management of the Kennet and Avon Canal

Committee considering report:	Overview and Scrutiny Management Commission
Date of Committee:	22 March 2022
Portfolio Member:	Councillor Richard Somner
Date Portfolio Member agreed report:	Sent 04 March 2022
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Forward Plan Ref:	HSC/OSMC

1 Purpose of the Report

To consider how West Berkshire Council can work with the Canal and River Trust, Sustrans, Environment Agency and other partners in the effective management of the Kennet and Avon Canal Towpath.

2 Recommendation(s)

- 2.1 That the OSMC consider the proposals set out in this report so that the future effective strategic management of the Kennet and Avon canal can be secured.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	There are no financial implications directly as a consequence of this Report.
Human Resource:	None
Legal:	There are no legal implications as a result of this report
Risk Management:	None
Property:	None

Policy:	There are no Policy implications as a consequence of this Report.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		Not at this stage
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		Not at this stage
Environmental Impact:	X			Potentially improved environmental management of the canal in this area
Health Impact:	X			The canal is a great recreational facility. Greater strategic overview opens up the benefits to the community as a whole.
ICT Impact:		X		None
Digital Services Impact:		X		None

Council Strategy Priorities:	X			Maintain a green district. Support businesses to start, develop and thrive in West Berkshire. Ensure sustainable services through innovation and partnerships. Develop local infrastructure, including housing, to support and grow the local economy
Core Business:	X			Elements towpath maintenance are core functions of the countryside Service
Data Impact:			X	None
Consultation and Engagement:	Not required. Further discussions with key stakeholders will be required			

4 Executive Summary

- 4.1 The Kennet and Avon Canal is a wonderful recreation, leisure, heritage and nature conservation asset which is located within easy access to all of the main residential areas of the District. Management of the canal and towpath is not without its challenges however. This report considers in some detail the rather complex nature of the management of the canal including its associated cultural assets and in particular the towpath. The report sets out the main management challenges, mostly related to the often conflicting uses of the canal and the wider implications for its funding and promotion.
- 4.2 The report considers the main sources of funding, mostly local authority revenue, and also funding from the Canal and Rivers Trust under whose stewardship the canal rests. The report establishes that despite the keen interest of stakeholders, some of whom provide funding, and others who don't, there appears to be a lack of strategic management underpinning this valuable asset. Valuable in the sense that its promotion and use has undoubted benefits for all the key stakeholders in terms of its social value, health and wellbeing, and sustainable transport opportunities.
- 4.3 In light of these issues, and the fact that all three riparian authorities will cease funding at the end of the current management agreement in 2023, the report proposes potential options which the OSMC are asked to consider further in more detail. It is expected that further conversations will be required with stakeholders in order to progress these options further. It is apparent that a more holistic and strategic approach to the management of the canal will be vital over the coming years in order to address the concerns set out in the report and to identify joint funded improvement projects.

5 Supporting Information

Introduction

- 5.1 This report sets out the background to the current use of the canal and its towpath for leisure and recreation, and for the appreciation and enjoyment of nature. It identifies the main stakeholders and their respective roles and the current funding arrangements which are in place for the management of the canal. The report also briefly explains the major sources of contention and conflict and the maintenance arrangements which are currently in place to mitigate these.
- 5.2 In light of what is set out in the report, specifically in relation to the use of the canal and areas of conflict, and the funding and maintenance arrangements, the OSMC may wish to examine further the strategic and collaborative arrangements for the management of the canal and whether these are fit for purpose. This is of increasing importance in the context of the council's Environment Strategy and policies for sustainable travel and tourism, the regeneration of Newbury Town Centre, and the need to provide a canal infrastructure which supports the uses to which it is put. Furthermore without a strategic overview opportunities for securing external funding may be overlooked.

Background

- 5.3 The Kennet and Avon Canal runs for 87 miles and connects the River Avon at Bristol with the River Thames at Reading. It is, therefore, a waterway of strategic importance connecting London with Bristol and forming part of a group of canals in the South West. The Kennet and Avon Canal opened in 1810 linking the Kennet Navigation between Reading and Newbury with the River Avon which linked Bristol and Bath.
- 5.4 As with other waterways, usage of the canal declined in the face of competition from other forms of transportation and the Kennet and Avon Canal was eventually closed by the British Transport Commission in 1955. Subsequently, the Kennet and Avon Canal Association was set up to campaign for its re-opening and, by the 1960s, a number of restoration projects were being undertaken. Key capital projects included:
- A major lock rebuilding programme during the 1980s
 - Major works to reline the Dundas Aqueduct and remove landslips in 1984
 - Relining works and bridge improvements
 - The restoration of the Caen Hill flight of locks
- 5.5 The culmination of these projects was the official re-opening of the Kennet and Avon Canal to through navigation in 1990 by HM The Queen. The waterway however still suffered from significant and long-standing structural problems of water leakage and embankment stability which, unless they were addressed, would have threatened future usage of the canal.
- 5.6 A second major phase of restoration was thus undertaken following a successful £25 million bid made in 1996 to the Heritage Lottery Fund (HLF) for funding to complete the restoration of the canal. Match funding totalling an additional £4.24 million was provided by British Waterways (as was), the Kennet and Avon Canal Trust and riparian local authorities including West Berkshire Council. Work began in 1997 and involved key tasks such as ensuring adequate water supplies, repairing embankments and canal

structures, and Improving access, interpretation, and also nature/heritage conservation throughout the length of the waterway.

- 5.7 Work was completed in December 2002 and the works completion was celebrated by the visit of HRH the Prince of Wales in May 2003.
- 5.8 This ongoing restoration and maintenance effort meant that the canal was able to operate at 100 per cent cruising status. Moreover, the waterway supported a significant tourism and leisure economy which provided employment opportunities for local people. One of the justifications for the award of the HLF grant was, therefore, the protection and safeguarding of these jobs. In addition it was widely anticipated that the restoration programme, by raising the profile of the canal and resulting in increased usage, would have an impact on the local property market by making canal-side sites more desirable for both residential and commercial property development.
- 5.9 As part of the Heritage Lottery funding of the restoration of the Kennet and Avon Canal, three riparian Councils entered into funding agreements in October 1997 with British Waterways, now the Canal & River Trust (CRT) to support the restoration of the canal and its subsequent maintenance. These agreements run until 2023. West Berkshire Council's contribution is currently £25,700 per annum, although this funding is due to cease in 2023.
- 5.10 Further information on the history of the canal can be found here: [Kennet & Avon Canal | Bristol to Reading Canal | Canal & River Trust \(canalrivertrust.org.uk\)](https://canalrivertrust.org.uk/kennet-and-avon-canal)

Designations

- 5.11 The Kennet and Avon Canal fulfils a number of functions and purposes, not just boating (both leisure and commercial) and related water based activities but also many other leisure and recreation and nature conservation functions. Consequently, the canal corridor has formal designations in recognition of this. It should be noted that conflict between users can often be a significant issue for managers of the canal navigation itself and also the local highway authority with regards to any right of way that exists. These are set out in detail at paragraph 5.54 below.
- 5.12 **National Trails.** The Kennet and Avon Canal also forms part of the Thames Path National Trail at its eastern end. As the canal connects the River Thames at Reading with the River Avon near Bath it therefore provides a popular link between the Thames Path at Reading and to the Cotswold Way National Trail, following the canal through Thatcham, Hungerford, Pewsey, Devizes, Bradford-on-Avon, Bath and Bristol. In Bath the canal is joined by the waymarked River Avon Trail. The canal therefore provides an excellent cross England walking route.
- 5.13 **Rights of Way.** Much of the canal towpath in West Berkshire is also designated a public right of way. The remainder is designated as a permissive path. Rights of way provide the single most important route into and through private land in England and are critical as sustainable transport routes and for health and wellbeing activities. Funding for rights of way management comes from local authority budgets. Funding is discussed in more detail at 5.46 below.

- 5.14 **Sustrans Routes.** Sustrans are custodians of the National Cycle Network (NCN), a UK-wide network of signed paths and routes, connecting cities, towns and countryside. More can be found here: <https://www.sustrans.org.uk/national-cycle-network/>. NCN Route 4 connects Fishguard to London via Bristol, Bath and Reading. It follows the canal towpath between Bath and Devizes, then switches to quiet roads between Devizes and Marsh Benham where it re-joins the towpath and follows this all the way to Reading, with the exception of a couple of short sections at Thatcham and Burghfield Mill. As part of the creation of NCN Route 4, extensive improvement works were carried out, including widening of the towpath and construction of a crushed aggregate, all-weather surface. The route was officially opened in June 2000 to mark the first 5,000 miles of the NCN.
- 5.15 **The Kennet and Avon Cycle Route** is part of the Sustrans network and is around 83 miles in length from Bath to Reading. It uses the canal towpath network and by the same method as the National Trails this Sustrans route links to other national cycle routes along the length of the canal. The Kennet and Avon Canal route links to the 13 mile Bristol and Bath Railway Path, which in turn becomes part of the Severn and Thames cycle route between Gloucester and Reading.
- 5.16 Bearing in mind the linking nature of both footpath and cycle routes above it becomes apparent just how important the canal and its towpath are to the communities of West Berkshire. One of the significant weaknesses of our rights of way network (1100km) is its rather fragmented nature. Many footpaths and bridleways often end up in a dead end with no linking route to centres of population and local attractions. The exception is the canal towpath which forms a perfect linking route potentially bringing tourist and day tripper spend to our local communities.
- 5.17 **Sites of Special Scientific interest.** The canal and its environs are important for wildlife conservation. Many of these exist directly as a consequence of or are reliant on the canals existence. Note however that the use of the canal can have significant negative impacts on some adjacent river habitats. These impacts are discussed at paragraph 5.63 below.
- 5.18 There are several Sites of Special Scientific Interest (SSSI) along the canal corridor, which exhibit great biodiversity. Key sites that are home to several rare species include the River Kennet, Aldermaston Gravel Pits at Woolhampton, Thatcham Reed Beds (this site is also designated a special Area of Conservation, one of the highest levels of protection in Europe) and Freeman's Marsh, Hungerford. There are also many non-statutory nature reserves along the canal. Although these sites do not have statutory protection they are nevertheless highly valued by local communities.
- 5.19 More than 100 different species of bird have been recorded in surveys over the length of the canal, of which 38 could be classified as specialist waterway birds, including grey heron, reed bunting and common kingfisher. Fourteen species have been confirmed as breeding including sand martins, which nest in drain-pipes in the brick walls of the canal in the centre of Reading. Further, Wilton Water by Crofton Locks and the Kennet Valley gravel pits provide habitats for breeding and wintering waterfowl. Several species of dragonflies and damselflies and other invertebrates have also been recorded. Common reed is among the plant species growing along the edges of the canal. Measures to preserve and create water vole habitat have had considerable impact on the restoration

of the canal, and new "vole-friendly" techniques of bank protection have been developed.

5.20 Heritage designations. Originally constructed over 200 years ago to serve the transport needs of the Industrial Revolution, the Kennet and Avon Canal is one of the finest examples of living, working industrial heritage in the world. There are over 300 designated heritage assets within or close to the Kennet and Avon canal corridor so the canal has undoubted cultural and historic importance. These assets are mostly listed buildings – especially bridges – but also scheduled monuments and the World Heritage Sites at Avebury. Designated assets in the vicinity of the canal reflect a variety of themes: transport – both across the waterway and along it; trade; milling; military; religious and domestic. In addition to normal development controls specific protection is provided for Scheduled Monuments, Listed Buildings, Conservation Areas and archaeological sites.

Functions and use of the Thames Path and K&A towpath

5.21 More than 8.5 million people (nearly 15 percent of the population) live within 1km of one of England's waterways. In urban areas, the percentage is often much higher. Research carried out by the CRT shows that spending time by water, whether it be at lunchtime, part of a daily commute, or just taking a leisurely walk improves the health and wellbeing of the local community. With ever increasing rates of obesity, stress and declining mental health in the UK, canals are well placed to make a significant contribution to improving the physical and mental wellbeing of millions of people. The Kennet and Avon canal runs through, or is adjacent to some of the largest communities in West Berkshire, providing accessible green and blue space where it's needed the most.

5.22 Tourism and Leisure: In 2002, the tourism and leisure economy along the Kennet and Avon canal was worth between £25-30 million p.a. This economy directly supported between 740-860 FTEs, and between 965-1,120 FTEs once indirect and induced effects have been taken into account. I would be not unreasonable to assume that this figure has grown significantly over the years up to present given the general economic conditions over this time. More recent national data for August 2013 suggests that record numbers of people made a trip to the nation's canals and rivers. During August 2013 5.4 million people visited a canal or river breaking previous visitor records. More recently we know that during and post the Lockdown, canals and other blue and green spaces received significantly increased visitors, with increases in some areas as high as 160% (London Sustainable Development Commission October 2020).

5.23 The Overview and Scrutiny Management Commission may consider it appropriate to follow up with the CRT whether they have any more up to date information and statistics since the ECOTECH report as undoubtedly Tourism is a significant factor of interest. The greater the potential income generation the easier it is to justify expenditure, whether this be from government sources, local taxation or grant aid.

5.24 Boating: Unfortunately officers do not have access to up to date canal boat tourism data in relation to the Kennet and Avon Canal. The last detailed study we have access to was carried out in 2014 by a company called ECOTECH working on behalf of the CRT and providing information to the key local authorities involved in contributing funding to the management of the canal. This report highlighted the general increase

in the popularity of boating on the canal across all categories of boat; visiting boats, day boats and hire boats. In the 10 years between 1995 and 2005 the number of visiting boats increased by 20%, while the number of hire boats and trip boats increased by 25% and 55% respectively. The number of privately moored boats grew much more slowly in this period due to capacity issues with over 200 individuals on a waiting list for a British Waterways mooring on the Kennet and Avon Canal.

5.25 Canoeing: There is no specific data on the number of canoeists using the canal as far as our research can establish. Sport in England: Public Funding and Participation in the UK, a report by Statista has established that there are 128,000 canoeists in the UK in 2021 but that this figure has decreased over the last 5 years. What is clear however is that canoeing is a popular pastime on the canal, so there is clearly demand for facilities, consequently there are a number of canoe hire facilities along the canal. There are also several canoe trails which are promoted by the Canal and Rivers Trust.

5.26 There is no specific data on the number of anglers using the canal. Angling faces some very serious challenges nationally. It has had declining participation, partly from reduced marketing and therefore reduced fishing licence sales. A consequence of this is reduced funding from government, the profile of people who take part is increasingly the older generation and it does not encompass some sections of the population. For angling organisations this is a significant concern, consequently a national Angling strategy has been published which aims to increase participation in angling, and:

- To increase the numbers of people getting active outdoors through angling
- To improve the health and well-being of those that take part.
- To connect more people to nature through angling for their well-being and to improve the environment.
- To increase the economic impact of angling and in particular deliver economic benefits in rural and coastal communities and revenue to clubs, fisheries and businesses

5.27 Cycling: Again data is limited or historic however Sustrans, undertakes monitoring of patterns of use on the national cycle network. Data from over 300 automated counters forms the basis of Sustrans' user monitoring. This reporting indicates that there has been a steady increase in usage of the national cycle network (by both cyclists and walkers).

5.28 Research carried out as part of the ECOTECH study makes a direct correlation between the increase in cycling (and other participation activities) and canal business turnover. Many cycling visits to the canal are often also made by people staying overnight in the local area. This assumption is justified by the results of the Kennet and Avon Towpath Survey 2005, the results of which indicate that 20.2% of respondents were in the area on a short-break or holiday (although over a quarter of these were staying with friends and relatives rather than in paid accommodation).

5.29 In its report 'Economic Benefits of Cycle Tourism', Cycling UK estimates that the Total tourism spend from cyclists and mountain bikers in the UK is £520m. There are 1.23m overnight cycle trips per year in the UK, contributing around £443m – with an average spend of £360 per trip or £46.75 per day

- 5.30 **Walking:** There is no specific data on the use of the canal towpath by walkers. According to the Active Lives Adult Survey (2018) walking for Leisure, and walking for travel, are still the most popular activity in the UK with 18.6 million of adults achieving 150+ minutes of activity each week. According to the survey, increasing numbers of older people are exercising each week. An increase in participation rates with activities such as brisk walking, has resulted in the number of 55-74 year olds meeting the 150 minute threshold, a rise from 58.3% to 59.6% between November 2016 and November 2017. It is very clear therefore that the canal provides a popular off road route between residential areas and local amenities as well as being a visitor destination in its own right and is vital in helping our communities achieve recommended activity rates.
- 5.31 **Volunteering:** According to CRT, the Trust employs 158 volunteers along the K&A Canal, recruited from local communities and those interested in adopting sections of the canal. There has been a reduction in the number of active volunteers across the entire region, largely as a result of Covid-19 and consequently this has had an impact on volunteer activity. Volunteers along the canal continue to play a crucial role in the day-to-day maintenance of the waterway: working in a towpath taskforce group; carrying out preventative maintenance works; volunteering in customer service and administrative roles; attending events; and taking part in heritage and environment projects. There are a range of partner groups along the waterway, including Bath College, Claverton, Devizes Moorings and Community Matters Newbury. Throughout 2019/20, Trust volunteers supported the local CRT operations team by delivering projects including; re-pointing of stonework, including the pedestrian bridge at Kintbury, grass cutting, carpark maintenance, litter picking, painting of structures and graffiti removal.
- 5.32 In addition to the above, Sustrans has its own network of volunteer rangers who have responsibility for regularly checking NCN Route 4 and carrying out minor maintenance work, such as cleaning and replacing cycle route signs, removing overhanging branches and vegetation, and picking up litter. They also organise regular task days to carry out bigger activities over a larger stretch of the National Cycle Network.
- 5.33 **Sustainable Transport:** Britain's canals offer huge opportunities to help local councils and their communities on the challenging journey towards achieving the Government's 'net-zero' carbon targets by 2040. And with its extensive 'Blue/Green' corridors, it's ideally placed in our towns and cities to be at the forefront of the new 'Green Industrial Revolution' too. [PM outlines his Ten Point Plan for a Green Industrial Revolution for 250,000 jobs - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/pm-outlines-his-ten-point-plan-for-a-green-industrial-revolution-for-250000-jobs)
- 5.34 With the right investment, the canal and towpath offers a fantastic sustainable transport link, east to west and within and between towns and villages. The Canal and Rivers Trust has worked with many councils in recent years to transform muddy towpaths into all-weather surfaces, providing perfect off-road routes for walking and cycling for both commuting and recreation, and collaborated with developers and councils to provide active travel routes to support sustainable development.

Management Stakeholders

- 5.35 **Canal and Rivers Trust (CRT):** Formerly the British Waterways Board. The Canal and River Trust is a charity which was set up in 2012 to care for England and Wales' waterways, network holding them in trust for the nation in perpetuity. It has responsibility for 2,000 miles of navigable canals and rivers, together with bridges, tunnels,

aqueducts, docks and reservoirs, along with museums and archive collections. The Trust receives a fixed grant from the Department for the Environment, Food and Rural Affairs over the 15 years commencing 2012. Its major other sources of income are from utilities (including fibre optic data connections and water sales) and property rentals from a £500 million property endowment granted by the government. It also receives an income from issuing licences for boats using and mooring on the waterways; this is one of the largest income streams that Canal and River Trust Limited has, after the government grant and has been given a funding pledge by the People's Postcode Lottery of over £1 million. Further details on the funding of the canal are set out at paragraph 5.43 below.

- 5.36 In West Berkshire District the CRT's primary purpose is to manage the canal as a navigable waterway and also help to maintain the towpath and other canal structures and buildings under their care. They also have a role in promoting and marketing the canal as a leisure and tourist destination
- 5.37 **National Trail's Office:** National Trails are long distance footpaths and bridleways in England and Wales. They are administered and funded by Natural England, a statutory agency of the UK government. Each Trail in England and Wales has a National Trail Officer who is responsible for overseeing its management and maintenance to nationally agreed standards. Each National Trail Officer co-ordinates maintenance, improvement and promotional work on the ground. Much of the maintenance work is undertaken by the local highway authority together with landowners and also with the help of volunteers. In West Berkshire only a very small section of the canal is also a Towpath so the Ridgeway & Thames Path National Trails Office input to the management of the towpath in this area is minimal.
- 5.38 **The Environment Agency (EA):** Whereas the Canal and Rivers Trust manages the canal network, the Environment Agency manage all inland river, estuary and harbour navigations. They are also involved in fisheries, conservation and ecology, water quality and resources and controlling waste from industry. If we consider that the Kennet and Avon Canal is effectively a canalised river (the River Kennet in this District) then the role of the EA becomes clearer. At paragraph 5.58 below there is further discussion about the tensions which exist between those managing the canal, and those with an interest in the river. The EA is not a major funding source for the canal however as their expenditure is focussed in inland rivers.
- 5.39 **Sustrans:** As set out earlier in this report Sustrans is a United Kingdom walking and cycling charity, and the custodian of the National Cycle Network (although they only own around 2% of the overall network).
- 5.40 Several Sustrans routes link to the Canal towpath and National Route 4 follows the canal towpath between Bath and Devizes, and, between Mash Benham and Reading with a couple of minor exceptions. Sustrans does not receive ongoing Government funding for the maintenance of the National Cycle Network and so it has traditionally not contributed significant sums to the maintenance of the towpath.
- 5.41 Sustrans currently has many sources of funding; supporters' donations, Department for Transport, and the National Opportunities Fund, specifically for the Safe Routes projects. Additional funding comes from charitable grants and trusts, local government and income from the sales of merchandise, maps and books.

- 5.42 **Local Authorities and the Kennet and Avon Canal Partnership.** Local authorities who are currently actively involved in the management of the canal are; Bath and North East Somerset, Wiltshire County Council and West Berkshire Council. All three council's (or their predecessors) have been working with the British Waterways Board, and latterly the CRT, ever since the canal reopened in 1990. The CRT are the freehold owners of the canal whilst the local authorities have both riparian and other freehold ownership interests and specific management responsibilities as a consequence of the towpath being a right of way.
- 5.43 In September 1996 British Waterways, working on behalf of the Kennet and Avon Canal Trust and the local authorities was awarded a grant of £25 million towards the continued capital improvement of the canal. The project was framed following an extensive consultation process, which revealed much interest in and support for further works to the canal. This arrangement saw the formation, in 1997, of the Kennet and Avon Canal Partnership (the Partnership) which exists to this day. The Partnership includes the key local authorities and the Kennet and Avon Canal Trust but notably does not include other organisations such as Sustrans.
- 5.44 As part of this agreement in September 1997 the local authorities and the BWB signed a joint funding agreement which committed each local authority to contribute agreed sums each year until the 31st March 2018. Current funding arrangements are set out below.
- 5.45 The Partnership met on a regular basis over the years but latterly the meetings have diminished and most recently appear to have ceased altogether. This is unfortunate given that this is the only significant strategic body involved in management and funding of the canal.

Funding Arrangements

- 5.46 **Local Authority Funding.** The financial contributions of all three councils is set out in the current funding agreement. The initial payments from all the councils totalled £383,000 per annum, and these sums were to be uplifted each year by RPI. The then Newbury District Council, now WBC contributed £51,000 per annum to this total.
- 5.47 This arrangement continued until 2012/13 when the various councils asked for a review of funding contributions in light of Austerity measures. In order to reduce the burden on the local authorities the agreement was renegotiated and the remaining sums due until 31st March 2018 were profiled over a longer period. The agreement is now due to end in 2022/23 financial year. Combined payments are now £135,000 per annum whilst WBC contributes £25,000 to this sum each year.
- 5.48 OSMC should note that there will be no local authority revenue finding towards the canal as of 31st March 2023. Community Infrastructure Levy (CIL) expenditure for capital projects is possible and the canal towpath would be a worthy recipient of capital for structural and surfacing improvements. In West Berkshire, a sum of £300,000 of developer contributions 106 was secured from the Newbury Racecourse development to for the improvement of the canal towpath from Hambridge Road to Victoria Park. A project which was completed in the 2019/20 financial year. This mirrors similar projects by other authorities along the canal. Officers are however mindful that any expenditure has to be seen as part of a strategic approach to the management of the canal, which

has diminished since the Partnership ceased to function. Without this overview then there is a likelihood that 3rd party funding opportunities will be overlooked.

- 5.49 **CRT Funding.** Further detail on the funding of the canal is set out in the Kennet and Avon Canal Partnership Annual Report (Appendix 1). Overall the total cost of operating and maintaining the canal in 2019/20, the last year for which figures are available, was £6.1 million. This includes all operating costs and capital projects, some of which were defrayed from the previous year. In terms of projects, in 19/20 the CRT spent just over £2.5 million on the canal: £826,950 in West Berkshire, £1,231,147 in Wiltshire and £461,141 in Bath and North East Somerset.
- 5.50 **Government Funding.** Government funding for the canal network is focussed on the CRT. The CRT receives approximately £52 million per year from DEFRA for the national waterway network, this appears to be a fairly stable income stream. The CRT has a rather complex funding portfolio but in summary its £261million budget comes from a number of sources including; investments, donations and legacies, charitable activities, and boating and mooring. The full CRT annual report with accounts can be found here: <https://canalrivertrust.org.uk/media/original/42580-annual-report-and-accounts-2019-20.pdf>
- 5.51 Sustrans does not receive ongoing Government funding for maintenance of the National Cycle Network. However, on the back of its Paths for Everyone Report, it has managed to secure £52 million from the Department for Transport and £5 million from Highways England. This has been used to improve stretches of the Network through improved signage, surface and width, with 55 'Activation Projects' scheduled to be delivered by the end of 2023. These include an improvement to the section of NCN4 between Padworth and Ufton Lane. The priority of this project is to improve the quality of the surface and increase the width of the towpath. The estimated completion date: 30 September, 2023
- 5.52 **Other funding available.** Government grant funding may be available to local authorities including West Berkshire Council. Certainty Bath has benefitted in recent years from Department of Transport funding under the Cycle City Ambition Programme. Grant funding for specific projects is worthy of specific investigation.
- 5.53 Charitable grant funding may also be available, although there may be limitations on which bodies can apply. Recently, West Berkshire Spokes leveraged £10,000 of its own funds to raise over £100,000 of additional funding from various bodies through the Good Exchange, including match-funding from Greenham Common Trust. This paid for the upgrade of the towpath on the section east of Colthrop up to Brimpton Road.

Key Issues on the Canal

- 5.54 This section merits a report in itself however the key issues along the canal mainly relate to conflict between users, towpath condition and pollution at the intersections between the Canal and the River Kennet and Dun.
- 5.55 Canals have historically been spaces for recreation and leisure, in addition to its commercial use. Today, multiple groups (walkers, cyclists, anglers, canoeists, rowers, swimmers) vie for the recreational use of the canal network. The Kennet and Avon

Canal is no different, in fact it can be argued that due to its location in a heavily populated and affluent part of the country, the issues may be more acute.

- 5.56 The towpath is clearly heavily used and as a consequence both this council and the CRT receive complaints about the conduct of one category of user or another. We regularly receive feedback from residents about a few inconsiderate users who don't consider others when they use the canal towpath. Complaints are received regarding cyclists travelling too fast, anglers using scarce boat moorings, boaters who clutter up towpaths and pedestrians who 'walk in packs' - the list is endless.
- 5.57 Cyclists are often viewed as the main offender. Some years ago a permit system was introduced to manage cycling on the canal but in recent years this changed and there is now no requirement for a permit to cycle on the towpath. A general principle exists, often promoted locally via leaflets and signage that cyclists must cycle with care for pedestrians, wildlife and the fabric of the towpath to ensure that everyone can enjoy them to their full potential.
- 5.58 There are also conflicts between anglers and just about every other category of user. The towpath is often a venue for match fishing and the passage of boaters and canoeists on the canal, and runners, walkers and cyclists on the towpath, requires the constant lifting and replacement of fishing equipment, especially where long roach poles are used.
- 5.59 The issue of bad behaviour on towpaths led the CRT to run a consultation on 'Sharing Towpaths' earlier in 2021. It sets the CRT's proposed approach to towpath management to ensure that they are 'shared spaces' where a range of uses can be enjoyed. Consultation on this issue, carried out by the CRT, will result in the production of a Towpath Code in due course.
- 5.60 Much focus of local angst is the physical condition of the canal towpath. Extensive works were undertaken in the 1990s to upgrade the sections of towpath used by NCN Route 4, with the path widened to 2m where possible, and an all-weather surface constructed. This mostly utilised a crushed aggregate construction in rural sections, with bound or paved surfaces in busier urban areas. The crushed aggregate sections had a design life of around 12 years. However, there has been little in the way of ongoing structural maintenance of NCN Route 4, and so now, over 20 years on, these sections have deteriorated considerably with grass encroaching to such an extent that the path is now almost unusable by cyclists and wheelchairs in places. Originally 1.5 – 2m wide, it is now less than 0.3m in places and is virtually unusable by cyclists, families with pushchairs and wheelchair users.
- 5.61 Although much of the towpath in West Berkshire is also a right of way (highway authority responsibility), in some locations there is a permissive right (private landowner responsibility) only so the responsibility for maintenance is often confused. Towpath repairs are not a significant feature of the Council's rights of way capital improvement programme, partly as a consequence of the ongoing partnership funding which the Council contributes to the CRT. We consider that the ongoing funding should in part be allocated towards towpath repairs. There is however no obligation on the CRT to allocate this funding to towpath maintenance, whereas the council, as highway authority does have a responsibility for the surface of the sections of towpath which are rights of way. For our residents and users of the canal this only serves to create confusion.

- 5.62 The passage of increasing numbers of walkers, particularly those with dogs (dogs erode the towpath sides as they move into and out of the canal for exercise), and greater numbers of cyclists, and the actions of anglers who cut protective vegetation way from the canal side, all have a detrimental impact on towpath condition. Often this kind of damage results in the erosion extending across the width of the towpath. In addition, there is erosion from boats, both from their wash and also from them pulling on mooring pegs, which can tear chunks out of the bank.
- 5.63 Pollution concerns are also a significant source of contention. At a number of points along the canal corridor, water from the canal is discharged via overflow weirs into the Rivers Kennet and Dun. There is therefore an exchange of water from canal to river and vice versa. Significantly the River Kennet is a Site of Special Scientific Interest (SSSI).
- 5.64 The water quality in the river and canal differ greatly. The river is a groundwater-fed chalk stream whose chief characteristics are clear and fast-flowing water. Although the source water into the canal is much the same, the fact that these rivers are slow-flowing or static watercourses means that they act as a series of temporary sinks of catchment derived sediment. This makes the river vulnerable to pollution. Further, the long retention time of the canal water means it effectively becomes a bioreactor for algae and a source of other pollution (from agricultural run-off and hydrocarbons) and this manifests itself in discharges of turbid water from the canal to the river, especially at times when there is increased navigation, releasing algae in suspension and re-suspending sediments that have settled on the bed of the canal at locks.
- 5.65 As a consequence of this, there is a tension between the promotion of the canal as a recreational and leisure destination and any duties which the various partner organisations may have to the conservation status of the River Kennet.
- 5.66 All of the key issues set out above bring about greater pressure for coordinated management action on the canal. The difficulty is however, if you consider the rather complex nature of the various recreational use, the demands of the many stakeholders and the complicated funding arrangements for the canal, an uncoordinated approach can result in increasing tension and public dissatisfaction.
- 5.67 The CRT have their own maintenance teams who operate along the canal and who keep the towpath clear of vegetation and who make repairs to the towpath. This council also has similar responsibilities where the towpath is a right of way but it's not always clear who does what and whether there is a responsibility on the council to act where the CRT does not. Further, adjacent riparian landowners also have some responsibility to keep the towpath clear of vegetation. The Committee might want to consider whether there is a more effective strategic approach to be implemented in this respect. Note that the Kennet and Avon Canal Partnership has not met for some considerable time, something which might be considered strange as the local authority contributions to the CRT cease next year.

Proposals

In light of the discussion above officers propose the following for consideration by OSMC:

- That discussions are opened up with the Canal and Rivers Trust to establish how they intend to fill the shortfall of approx. £140,000 once the local authority funding ceases.
- To establish what role, if any, the Kennet and Avon Canal Partnership will fulfil in future.
- In the absence of a Strategic partnership body, to promote further discussion about what is the best model for the future strategic management of the canal and the towpath so as to ensure that all relevant partners are involved in sharing expertise and using the collective strengths to overcome some of the key issues set out in this report.

6 Other options considered

6.1 None

7 Conclusion

7.1 The Kennet and Avon canal is a fantastic local resource which provides opportunities for the Council to fulfil its objectives in terms of promoting health and wellbeing, sustainable transport and sound environmental management. The canal presents a number of management challenges locally, most of these requiring a more holistic and strategic approach. The solutions are likely to be found in partnership working with other key stakeholders and led by the Canal and Rivers Trust, however the current partnership arrangements have diminished over the last few years and therefore this might now be the appropriate time to review what management models may be most appropriate in order to maximise potential funding opportunities for the benefit of the canal infrastructure and more widely for the benefit of our communities and canal users.

8 Appendices

8.1 Appendix A - Equality Impact Assessment

Appendix B - Data Protection Impact Assessment

Appendix C - Kennet and Avon Canal Partnership Annual Report

Background Papers:

None

Subject to Call-In:

Yes: ☐ No: ☒

The item is due to be referred to Council for final approval ☐

Delays in implementation could have serious financial implications for the Council ☐

-
- Delays in implementation could compromise the Council's position ☐
- Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months ☐
- Item is Urgent Key Decision ☐
- Report is to note only ☐

Wards affected: Hungerford & Kintbury, Newbury Speen, Newbury Central, Newbury Clay Hill, Newbury Greenham, Thatcham, Colthrop & Crookham, Aldermaston, Bucklebury, Bradfield, Burghfield & Mortimer

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Owning Service			

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1			
2			

Appendix A

Equality Impact Assessment (EqIA) - Stage One

What is the proposed decision that you are asking the Executive to make:	That the OSMC consider the proposals set out in this report so that the future effective strategic management of the Kennet and Avon canal can be secured.
Summary of relevant legislation:	N/A
Does the proposed decision conflict with any of the Council's priorities for improvement? <ul style="list-style-type: none"> • Ensure our vulnerable children and adults achieve better outcomes • Support everyone to reach their full potential • Support businesses to start develop and thrive in West Berkshire • Develop local infrastructure including housing to support and grow the local economy Maintain a green district • Ensure sustainable services through innovation and partnerships 	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name of Budget Holder:	Paul Hendry
Name of Service/Directorate:	Environment
Name of assessor:	Paul Hendry
Date of assessment:	03/03/2022
Version and release date (if applicable):	

Is this a ?		Is this policy, strategy, function or service ?	
Policy	Yes <input type="checkbox"/> No <input type="checkbox"/>	New or proposed	Yes <input type="checkbox"/> No <input type="checkbox"/>
Strategy	Yes <input type="checkbox"/> No <input type="checkbox"/>	Already exists and is being reviewed	Yes <input type="checkbox"/> No <input type="checkbox"/>
Function	Yes <input type="checkbox"/> No <input type="checkbox"/>	Is changing	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Service	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

(1) What are the main aims, objectives and intended outcomes of the proposed

decision and who is likely to benefit from it?	
Aims:	Effective management of the Kennet and Avon Canal
Objectives:	A review of arrangements
Outcomes:	Public benefit, including potentially, equalities.
Benefits:	As above

(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?

Group Affected	What might be the effect?	Information to support this
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments:		
No direct impacts as a result of this report and its proposal at this stage.		

(3) Result

Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Strategic management of the canal may bring about improved access for all.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please provide an explanation for your answer: future management of the canal will consider access opportunities, there are unlikely to be negative impacts.	

(4) Identify next steps as appropriate:	
EqIA Stage 2 required	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Owner of EqIA Stage Two:	
Timescale for EqIA Stage Two:	

Name: **Paul Hendry**

Date: **03/03/22**

Appendix B

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Place
Service:	Environment
Team:	Countryside
Lead Officer:	Paul Hendry
Title of Project/System:	
Date of Assessment:	

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
Will you be processing SENSITIVE or “special category” personal data? <small>Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</small>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be processing data on a large scale? <small>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</small>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will your project or system have a “social media” dimension? <small>Note – will it have an interactive element which allows users to communicate directly with one another?</small>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will any decisions be automated? <small>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</small>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Yes	No
Will your project/system involve CCTV or monitoring of an area accessible to the public?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using the data you collect to match or cross-reference against another existing set of data?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using any novel, or technologically advanced systems or processes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<small>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</small>		

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix C

Kennet and Avon Canal Partnership Annual Report