

CYNGOR SIR POWYS COUNTY COUNCIL

CABINET REPORT – Delegated Decision

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SUBJECT: Response to DEFRA Consultation: ‘Moving inland waterways into a new charity in England and Wales’ 2011

REPORT FOR: Portfolio Holder Decision

Summary

This consultation seeks views on how, in future, the inland waterways in England & Wales that are currently managed on behalf of the Secretary of State for Environment, Food and Rural Affairs, will be run. It sets out the rationale for moving these waterways out of the public sector and into a new civil society organisation, and the principles which will guide the Government in deciding on the way forward.

The creation of a New Waterways Charity (NWC) will give waterways users, and their local communities, a greater involvement in how the waterways are managed. The proposal will also help the waterways to be more financially sustainable, as the new charity will have access to new sources of commercial and private income, and fundraising, including legacies and donations. It will create the opportunity to grow a strong base of volunteers who can help maintain a range of waterways assets, through their knowledge, expertise, passion and commitment.

The consultation is aimed at:

- people who use the waterways as part of their daily lives or have an interest in them;
- people who do not use the waterways but want to or who could potentially benefit from them;
- people actively involved in the waterways;
- minority groups with an interest in the waterways;
- business users of the waterways, including hireboat and commercial operators, boat builders;
- waterside businesses and businesses with an indirect stake;
- national and local government and key national and local stakeholders;
- national and local interest groups;
- national interest groups such as environmental and recreational non-governmental organisations and industry federations; and statutory advisers to Government.

In Powys the waterways involved are the Montgomery Canal and the Brecon and Monmouth Canal.

Proposal

To make a formal response to DEFRA outlining the need to secure economic, regeneration and outdoor recreation objectives as part of any future constitution for the management body of Inland waterways; the response should include the following commentary relating to questions raised, namely -

In response to Question 3, the charitable purposes of the NWC should be agreed.

The following comments on the mission statement, belief statement and vision reflect the view that insufficient recognition is given to the value of waterways for recreation and their potential to contribute significantly to the regeneration of local economies. It is considered that these are core benefits, and which must be recognised within these statements and vision.

Q.4. It is recommended that the mission statement should be amended as emboldened :

“NWC exists to protect and promote our inland waterway network so that our unique waterway heritage will always be a valued part of local landscapes and communities **and for its recreational and regeneration opportunities.**”

Q.5 The belief statement should be similarly modified, as emboldened :

“Our unique waterways belong to us all, and we believe that they should be enjoyed today and protected for tomorrow. Waterways are part of our local communities, history and cultural identity. They **provide opportunities for recreation and regeneration** and refresh the spirit and provide a haven for wildlife and people amid an otherwise fast-paced and pressured world.”

Q.6 The vision should be amended, as emboldened as follows :

“We want **our regenerated** canals and rivers to be enjoyed, valued, used and cared for by everyone.”

Q.8 It is considered that the governance model needs to be amended to recognise the situation in Wales. The proposal in paragraph 3.3.1 for an All Wales Partnership at the strategic level is supported. However it is also considered that below this, the Montgomery Canal Partnership should be retained to continue effective partnership working at the local level including cross border collaboration, especially on canal restoration.

This would also reflect the spirit of agreement between the Welsh Assembly Government and West Midlands, in seeking to support and invigorate cross-border economic co-operation.

With respect to the statement in paragraph 3.2.6, it is vital that Local Authorities have adequate representation within the governance of the new body especially on Wales-wide and local partnerships. This would be particularly the case for Powys County Council, which hosts two Canals within its borders.

Q.10 As mentioned above, it is considered vital that Local Authorities have adequate representation within the governance of the new body especially on Wales-wide and local partnerships.

Para. 4.3.25 The new government funding agreement / contract should make provision for contributions towards canal restoration programmes.

Q.26 Investing in the restoration of waterways such as the Montgomery Canal in order to facilitate their use as cruising waterways would increase commercial income for the Community Interest Company and help to regenerate local economies.

Corporate Improvement Plan

There are no specific risks to the Council, however as inland Waterways are a significant contributor to the Council's Regeneration, economic development and outdoor recreation interests, the conclusions are important and a response is required. In particular, the consultation links to the Regeneration Strategy and Rights of Way Improvement Plan.

Options Considered/Available

The consultation report has been reviewed by Planning Services and Countryside Services, in relation to likely impacts on regeneration, economic impact and outdoor recreation. Response options include

Option 1: No response - this risks offering no opinion, and therefore overlooking the impact that poor consideration of the above issues then brings forward.

Option 2: Recommend that the publicly owned status of the managing body is retained, and that the role for regeneration, economic development and outdoor recreation is strengthened.

Option 3: To accept the main thrust of the Government's proposal and ask that the future direction is strengthened through inclusion of regeneration, economic development and outdoor recreation as part of its core work and raison d'être.

Preferred Choice and Reasons

To respond with option 3, as the Government have made it clear that change is necessary and that future funding enhancement for British waterways lies with a body that can access external funds, which are more limited with the existing public Quango.

Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc

The new management body would be required to have due regard to these issues, as it would inherit an existing public sector framework, legislation is already very strongly in place to safeguard wildlife and pollution issues, and an oversight body/ies is being considered, to which this Council will seek to be a part.

Children and Young People's Impact Statement - Safeguarding and Wellbeing

There is no impact in this area, as the response is to a Government Consultation only, and does not relate to specific Council actions or inactions.

Local Member(s)

Relates to county wide interests relating to tourism, regeneration, economic development and outdoor recreation. The consultation relates to mechanisms for service delivery rather than specific actions or proposals for a single member ward.

Other Front Line Services

The consultation relates primarily to external service delivery by a Government Quango, with the key interests in its delivery of service relating to Planning Services and Countryside Services, which fall under a single Portfolio holder for Regeneration and Culture.

Support Services (Legal, Finance, HR, ICT, BPU)

There are no implications for Council Services, as this relates to a Government Consultation, affecting an external Government sponsored body.

Local Service Board/Partnerships/Stakeholders etc

The consultation is public, with the Countryside Council for Wales having received their own separate consultation, which has independently also been provided to the Powys Local Access Forum who will also respond separately.

Communications

The issue relates to acknowledging the consultation and a formal response to the consultation, which seeks responses, through submission of a letter by the Portfolio holder for Regeneration and Culture.

Statutory Officers

Not applicable

Members' Interests

Not applicable

Recommendation: That the Portfolio holder for Regeneration and Culture respond by letter to the DEFRA Consultation	Reason for Recommendation: So that a response is made by Powys County Council

Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	
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Person(s) To Implement Decision:	Cllr Wynne Jones
Date By When Decision To Be Implemented:	Immediate effect

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Background Papers used to prepare Report: DEFRA Consultation web site version: <http://www.defra.gov.uk/consult/2011/03/30/waterways-1103/>