



**MEETING Thursday 5<sup>th</sup> September 2019 at 3pm**

Wiltshire Council Offices Monkton Park Chippenham SN15 1ER Committee Rooms C&D

Item	<u>Notes</u>	
<b>FdRP</b> <b>JL</b> <b>RWi</b> <b>AB</b> <b>RB</b> <b>DM</b> <b>KO</b> <b>GO</b> <b>TW</b> <b>RWe</b>	<p style="text-align: center;"><b>Attending</b></p> <p>Cllr Fleur de Rhé Philipe (Chairman)            John Laverick (President)            Cllr Richard Wiltshire Melksham Town Council            Cllr Alan Baines Melksham Without Parish Council            Richard Broadhead Wiltshire Council            David Morgan Canal &amp; River Trust            Ken Oliver Wiltshire Council            Gordon Olsen            Tim Wheeldon IWA            Russell Weymouth Swindon BC</p>	
<p style="text-align: center;"><b>1</b></p>	<p><b>Apologies</b>            Cllr Yvonne Constance Oxfordshire CC; Steve Petty Berryfield Residents Melksham Chamber; Cllr Gary Sumner Swindon BC            Cllr Tony Watts Melksham TC John Allan Cotswold Canals Trust</p>	
<p style="text-align: center;"><b>2</b></p>	<p><b>Notes from the last meeting</b> Thursday 6<sup>th</sup> June 2019 (pre-circulated) were agreed.</p>	
<p style="text-align: center;"><b>3</b></p>	<p><b>Chairman's Announcements</b> FdRP welcomed new members</p>	
<p style="text-align: center;"><b>4</b></p>	<p><b>Partnership Officer Report-</b></p> <p><b>CRT Reorganisation-</b> update Wales &amp; SW Region. <b>DM</b> noted the previously reported the change to CRT structure from 10 waterway units to 6 regions. This area now comes under the Wales &amp; South West Region. The originally appointed Regional Manager Richard Thomas has left and the acting Director is Jon Horsfall. <b>DM</b> has the responsibility of delivering strategic programmes and noted that restoration in this region is his responsibility (having been devolved from the work of the previous national restoration manager). Peter Walker still retained responsibility nationally for infrastructure. <b>DM</b> said CRT would do whatever they were able to support restoration via this regional setup.</p> <p><b>Local Plan Reviews Swindon &amp; Wiltshire</b>  <b>KO</b> made the meeting aware of a current consultation by Swindon BC prompted by a workshop held earlier in the year. The consultation is looking at three Heritage Transport options:-  <i>Heritage Transport Options</i>  <i>In view of the above, the LPA is seeking stakeholder views on a range of policy options. The following options have been identified:</i></p> <ol style="list-style-type: none"> <li>1. <i>Retain the policy in its current form</i></li> <li>2. <i>Retain the policy, but amend it to extend the protection to a 30m</i></li> </ol>	

canal corridor

3. *Retain the policy, but amend it to state that it does not apply within Swindon town centre*

### **Post Meeting Note**

At the meeting it was assumed that Option 3 was referring to the safeguarding of the 30m width and the lengthy discussion was focussed on a response on that basis. Details of that discussion are contained on the audio record of the meeting but are not included here .

Subsequent clarification from Swindon BC confirmed Option 3 was to remove the route protection altogether from the town centre.

From the Canal Partnership's perspective Option 3 is therefore unacceptable as it severs the possibility of a continuous route. **KO** has responded on behalf of the Partnership to this effect and contacted a number of Partner organisations to request that they make a similar response noting that -

Option 2 is the one suggested by WBCT and gives more certainty to delivery.

Option 1 is acceptable.

### **M4 Crossing Highways England Designated Fund Application**

**KO** noted the ongoing positive discussions between WBCT and Highways England with the aim of submitting a first stage application to the Designated Funds programme for a feasibility study including costing of construction. Subject to that work, a further application for the capital works will be submitted. **JL** asked how the position of the proposed crossing compared to the original route. **KO** said it was approx ½ km to the west of the original route at the closest point westwards where there is sufficient headroom clearance under the M4. **JL** also sought clarity that the route is protected within the Wichelstowe development. **RWe** confirmed that the canal will be built according to the 2013 masterplanning consent (known as LUMP2) on the northern side of the motorway .On the land owned by Swindon BC (tenanted farm land) on the southern side there is no commitment from SBC to construct the canal. There are a number of planting and environmental mitigation schemes for the Wichelstowe development required on this land and working with the GW Community Forest Programme, specific projects are being proposed to include the canal corridor to Hay Lane. **RWe** also noted continuing discussions with SBC Highways about including the canal culvert required to get under the re-aligned Wharf Road. .

Letters of support have been received from Chief Executive at Swindon and Robert Buckland MP for South Swindon.

**KO** acknowledged that the delivery of this crossing was a significant 'turnkey' for advancing the whole restoration.

### **Creating for interest in the Partnership in Oxfordshire**

In his new role as President **JL** said that in rejoining the Partnership after a gap of several years , despite the renaming of the organisation, not much progress had been made in engaging the 'eastern end' of the project . **JL** wondered therefore if some further effort should be made to try to attract support in Oxfordshire.

	<p><b>JL</b> suggested consideration of:-</p> <ul style="list-style-type: none"> <li>• Nominated officers for the canal project in both Swindon and Oxfordshire / Vale of White Horse DC to form an ‘administrative core’ for the Partnership.</li> <li>• Rotating the Chairmanship of the Partnership on annual basis</li> <li>• Rotating the venue of the Partnership meeting.</li> </ul> <p><b>GO</b> noted a number of major initiatives going on currently in Shrivenham including a major housing scheme to include the canal.</p> <p><b>KO</b> said that he thought that <b>RWe</b> already fulfilled the role as suggested in Swindon. The change of the Partnership name to include Oxfordshire initially attracted support from the County Council but as their Members moved on, the enthusiasm had dwindled. <b>RWe</b> said that the emphasis in Swindon now was solely on approved capital projects (like the Moredon Sports hub) and planning matters, and that is the basis on which support continues.. <b>RWe</b> said that in the environment of staffing contraction it was currently a very difficult request to contemplate. <b>KO</b> said that in terms of Oxfordshire, the Abingdon Reservoir would be as significant as the M4 crossing in terms of major progress and maybe that would be the trigger to re-engage. <b>RWi</b> thought the economic success of the K&amp;A restoration should be used to help recruit support. <b>FdRP</b> said that progress on the ground was likely to be the catalyst for support and both the Shrivenham and Reservoir schemes had that potential.</p> <p><b>JL</b> finally said it would be useful, if not essential to have a summary of progress between meeting reviewing actions and agenda items.</p> <p><b>KO</b> said that he produced a monthly report for WBCT and it would be possible to use this as a basis for filing this gap.</p>	<p><b>KO</b></p>
<p>5</p>	<p><b>Projects update – Melksham Link-</b></p> <p><b>Planning application.</b> <b>KO</b> reported that the latest round of planning consultation was complete with EA withdrawing their objection about flooding issue at Berryfield but maintaining it about mitigation of the effects of building a new weir (and a few other technical matters about the river lock). <b>KO</b> said that matters have been superseded by the formal complaint lodged by WBCT to EA on how the whole matter has been handled.</p> <p><b>Complaint to EA</b></p> <p><b>GO</b> confirmed that the WBCT have now escalated this complaint to the second stage after receiving what the Trust thought was a fatuous response from the EA Regional Director.</p> <p><b>JL</b> asked why Wiltshire Council planners are not simply granting planning consent with conditions to take account of the current EA objections.</p> <p><b>FdRP</b> said that she had asked this question before at the highest level possible and had been told the Authority would be at risk of being taken to judicial review ( with all the financial consequences) if the views of a statutory consultee were over-ridden. <b>FdRP</b> said she would take the matter again to the relevant Corporate Director but it would be helpful if WBCT could supply any planning case law to help lower the risk of judicial review.</p> <p><b>GO</b> noted the comments of WBCT land team who were asking the same question as to why conditional consent could not be considered.</p> <p><b>GO</b> agreed to share the EA complaint and response with <b>FdRP</b> as part of WBCT’s evidence of why Wiltshire Council should consider this approach.</p> <p><b>FdRP</b> said clearly using the approach was a risk to the project, as failure of the process (loss for instance of a judicial review) would jeopardise future</p>	<p><b>GO</b></p>

support from the Wiltshire Council. **JL** thought that the issues now that EA are objecting on were of a minor nature and therefore conditions would be appropriate. **KO** pointed out that EA's view was that these were major works on a main river including a new weir and considered to have a major impact.

**FdRP** asked to be fully briefed by **KO/GO** before making a further approach to the Corporate Director.

**KO** further commented that in taking this step of conditioning the Authority would need substantive answers to what mitigation would be proposed (and they would need to be acceptable to EA). The whole situation would so much more be easily be resolved with one to one engineering meetings with the EA (without cost to WBCT) .

**RWi** noted the continuing support of Melksham Town Council and the intervention of Michelle Donelan MP to support the case.

**TW asked** if judicial review was common. **RB** said that the Authority is challenged from time to time on process matters and recently had lost a village common case costing £100k's

For clarity **AB** wanted to check the issues about the Berryfield brook were now cleared up. **KO** confirmed as far as EA were concerned the flooding issue was resolved.

### Swindon Wichelstowe

**Canalside.** The canal is now reopened and current works completed. The Wichelstowe Games were very successful and raised funds to make a start on construction of a slipway at Westleaze Wharf. Planning work is now under way to extend the canal and infrastructure to what will be the new junction of the North Wilts Canal with the main line

**East Wichel- canal leak-** The first phase of 'stilling test' investigation has been completed. The second phase investigating the next section of the canal will start in the next few weeks. Swindon BC are spending a considerable amount on the investigation which is being helped by WBCT volunteers taking regular canal level readings.

There are initial discussions about the possibility of transfer of a redundant Thames Water reservoir at Wroughton for use for canal water storage.

**Swindon New Eastern Villages-** **KO** reported that Swindon BC and WBCT are close to agreeing a statement of common ground for the current planning application for the southern connector road. **RWe** said that the SPD for the New Eastern Villages was being reviewed and therefore if there are any changes to the canal plans they could be incorporated. **KO** said there are several route amendments that should be included as a result of planning application at Lotmead, the current SCR discussions and work in progress at Foxbridge. **JL** asked if there were developers for the housing in the NEV. **RW** said that the situation was very complicated but mostly it is promoters rather developers who applying for planning consent. **KO** noted that the most likely outcome at present is an agreed deliverable route, however there seemed to be little appetite to construct the canal as part of the housing scheme.

### Moredon Sports Hub

**GO/KO**

**KO/RWe**

	<p><b>RWe</b> said that the proposed link from the Sports Hub to the Western flyer cycleway using the canal route towpath had been shortlisted for funding from the Local Transport budget, If successful this would open the opportunity for joint working with WBCT on this section of derelict canal . It was agreed that KO/RW would develop the project if required for the next stage of project selection.</p> <p><b>Pewsham Locks</b>  <b>GO</b> reported that small projects were progressing on the site with funding allocated from Help for Heroes (Peoples Postcode Lottery)</p>	
6	<p><b>Wessex Waterways Restoration Trust</b>  KO noted that he was meeting with the new Chairman the following week and will report back.</p>	
7	<p><b>Partners Reports and Issues</b>  <b>RWi</b> reminded KO to write to Semington PC to invite them to join the Partnership.  <b>AB</b> noted the possibilities of the eastern bypass for Melksham were being put forward to Dept. for Transport for possible funding. Any of the options will need to cross the canal route. <b>KO</b> said that Local Plan policy will require the road to have suitable culvert for the canal.</p>	<b>KO</b>
8	<p><b>Date and time and location of next meeting :</b>  5<sup>th</sup> December 3 pm at Wichelstowe Project Offices Mill Lane Wichelstowe Swindon SN1 7BX</p>	