

**MINUTES: of the meeting of the Basingstoke Canal Joint Management Committee held at the Basingstoke Canal Centre, Mytchett, at 10.05am on Friday 25 September 2009**

**Members**

**Hampshire County Council**  
Cllr Keith Chapman (Chairman)  
a Cllr Brian Gurden  
a Cllr Roger Kimber  
Cllr Jenny Radley

**Surrey County Council**  
Mrs Elizabeth Compton  
Ben Carasco  
Mr Chris Pitt (Vice-Chairman)  
Mrs Diana Smith

**Hampshire Districts:**  
**Hart District Council**  
Cllr Simon Ambler  
a Cllr Sara Kinnell

**Surrey Districts:**  
**Guildford Borough Council**  
Cllr Mike Nevins

**Rushmoor Borough Council**  
Cllr J H Marsh  
a Cllr M J Tennant

**Runnymede Borough Council**  
Cllr A J Davis

**Surrey Heath Borough Council**  
Cllr David Whitcroft

**Woking Borough Council**  
Cllr G Preshaw

**Special Interest Groups:**

**Natural England**  
a Carole Mortimer

**Surrey and Hampshire Canal Society**  
Mr P Redway MBE  
Mr P Riley

**Parish Councils**  
Alastair Clark

**Inland Waterways Association**  
Paul Roper

**Basingstoke Canal Houseboat Owners' Association**  
a Ms Kathy Williams

**Business Interests**  
Galleon Marine - Mrs Peile

a = absent

[All references to Items and Appendices refer to the Agenda for the meeting bound with the Minutes]

**PART 1**

**IN PUBLIC**

11/09 **ELECTION OF CHAIRMAN** [Item 1]

**Resolved:** That Mr Chapman be elected Chairman for 2009/10.

12/09 **ELECTION OF VICE-CHAIRMAN** [Item 2]

**Resolved:** That Mr Chris Pitt be elected Vice-Chairman for 2009/10.

13/09 **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS** [Item 3]

Apologies were received from Councillors, Gurden, Kinnell and Tennant and Carole Mortimer.

14/09 **MINUTES OF THE LAST MEETING: 8 April 2009** [Item 4]

The minutes were confirmed and signed by the Chairman. It was noted in relation to:

Minute 07/09:

Cllr Preshaw had not yet received the planning advice. It would be forwarded to her as soon as possible and appended to these minutes.

15/09 **DECLARATIONS OF INTEREST** [Item 5]

None.

16/09 **QUESTIONS AND PETITIONS** [Item 6]

Notice of two questions from Steve Dallan, a member of the public, had been received. The questions and replies are attached as Annexe 1 of these minutes.

17/09 **REPORT OF APPOINTMENTS SUB-COMMITTEE** [Item 7]

**Key Points Raised during the Discussion:**

New Members were welcomed to the Committee.

**Further Information to be Provided/ Actions:**

None.

**Resolved:**

That the representatives from the following organisations be co-opted on to the Committee:

- Inland Waterways Association for a 4 year period
- Basingstoke Canal Houseboat Owners' Association for a 3 year period
- Parish Councils for a 2 year period
- Business Interests for a 1 year period
- One vacancy to remain

Following the initial phased start to the appointments representatives will be appointed for a 4 year period.

18/09 **UPDATE ON HOUSEBOATS** [Item 8]

**Key Points Raised during the Discussion:**

- Rod Edbrooke apologised that the detailed planning advice promised at the last meeting had not been sent.
- A member asked for clarification as to whether anyone with an outside boat would be required to move it. Officers replied that it was not clear whether a lease could be refused for an outside boat. A decision would probably be made on a case by case basis.
- It was suggested that the rents received should be paid to the canal authority (BCA) and not the county council. It was reported that the county council currently have someone spending 50% of their time on this issue and the rent account is still in arrears. When the current situation is resolved it may be possible to consider allowing the BCA to collect the income if they agreed to employ a suitable officer.

**Further Information to be Provided/ Actions:**

- Planning advice to be circulated with the minutes of this meeting.  
Action: Rod Edbrooke to send to Nicola Morris.
- Mr Riley asked to see the heads of terms of agreement for the new lease. Action: Rod Edbrooke

19/09 **CANAL DIRECTOR'S REPORT** [Item 9]

**Key Points Raised during the Discussion:**

- The Director reported that he would be setting up a Stakeholder User forum and that user groups would be invited to nominate a representative to come along. Issues raised in the Forum would then be fed through to the Committee if appropriate.
- The BCA is working with Natural England on reducing tree shading to improve bank condition. An application has been made to Natural England for High Level Stewardship Funding and it is hoped that £50k will be made available this year.
- It was noted that the Canoe club may be able to access a small grant of between £10-100k which could be used to improve the toilet/shower facilities at the Canal Centre that could then be used by the camp site if the BCA were able to fund some of the improvements. However the Canoe Club would have to be assured of long-term tenure. The Director would be discussing this proposal further with the Canoe Club.
- A Member asked why there had been no action to dredge the Hampshire Pound as this would not only help boaters, but also improve the water supply to the Canal. The Director replied that a decision had been made to remove the invasive weed at Woking this year as part of the conservation plan as this could be done relatively cheaply. It is hoped that, working with Natural England, it may be possible to do some work in Hampshire next year. The cost would be in the region of £50k per mile.

- There was disappointment that it had not been possible for the Asset Management Plan to be presented to this meeting, as this would have allowed decisions to be fed into the budget process. Once major risks are identified it was suggested that work should be programmed for late in the season, when water levels are low. This would allow for all affected parties to be notified well in advance. Efforts should then be made to maintain water levels to prevent further structural damage caused by drying out.
- It was suggested that consideration should be given to seeking a grant from the Heritage Lottery Fund.
- Members felt that although there were still significant problems to overcome that progress had been made in the past year so that it was now possible to know what needs to be achieved which would help in securing funding.
- Members were asked to take the issue of rubbish clearance back to their authorities to see what they could do to assist the BCA with this difficult issue. It was suggested that perhaps a representative from the BCA could visit Winston Churchill School as pupils from there seemed to be responsible for some of the litter in that area of the Canal.

**Further Information to be Provided/ Actions:**

- Minute 06/09 of the minutes of the previous meeting had asked the Chairman to write to the two County Councils and Network Rail. It appeared that this action may have been overlooked and the Chairman agreed to write and circulate the letter. Action: Cllr Chapman
- Noted that subject to confirmation that the Hampshire County Council Consultancy Team has sufficient resources available to look at the feasibility of the Canal being run by a Trust the group that worked on this topic previously should be reconstituted. Action: Andrew Smith

**Resolved:**

- (a) That the Director be supported and allowed to carry out items as suggested and discussed in the report.
- (b) That Surrey and Hampshire County Councils be asked to support applications for capital funding.

20/09 **ANNUAL GOVERNANCE STATEMENT** [Item 10]

**Key Points Raised during the Discussion:**

None

**Further Information to be Provided/ Actions:**

None

**Recommendations:**

- (a) That the Annual Governance Statement for 2008/09 be approved and signed off.
- (b) That in order to accommodate the audit commission timetable the Committee meets in February, June and October commencing in February 2010.

21/09 **FINAL ACCOUNTS 2008/09, REVISED BUDGET 2009/10 AND FORWARD BUDGET 2010/11** [Item 11]

**Key Points Raised during the Discussion:**

None.

**Resolved:**

- (a) That the final accounts for the Basingstoke Canal Authority for the year ended 31 March 2009 be approved.
- (b) That the revised budget for 2009/10 be agreed.
- (c) That the proposed forward budget for 2010/11 be agreed.
- (d) That the proposed licence fees for 2010/11 be agreed.
- (e) That £13,625 be transferred from the Canal Centre and Mooring Basin reserve to cover the 2008/09 revenue deficit.
- (f) That £20,000 be transferred from the Canal Centre and Mooring Basin reserve to the Canal Infrastructure reserve.

22/09 **REPORT OF THE SURREY AND HAMPSHIRE CANAL SOCIETY** [Item 9]

**Key Points Raised during the Discussion:**

- Noted the report and the addendum report and thanked the Society for its hard work.
- Members asked whether it would be possible for the Asset Management Plan to be published before the next meeting to allow Members to get public support for the work required. Officers agreed to consider this.

23/09 **DATES OF FUTURE MEETINGS** [Item 10]

Agreed the following dates for meetings at the Canal Centre at 10.05am:  
 Friday 19 February 2010  
 Friday 25 June 2010

**[Meeting Ended: 12.05pm]**

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**Chairman**

- In planning terms, stationing of houseboats is a use of land, not operational development consisting of the construction of buildings
- This is also true of onshore ancillaries such as parking areas and gardens.
- Buildings within those gardens which supplement the houseboat accommodation will, however, be operational development. Such buildings will not benefit from the permitted development rights which apply to similar ancillary buildings within the curtilage of a house.
- Uses of land which have not been the subject of a planning permission become lawful and immune from enforcement action once they have taken place continuously for ten years.
- Operational development becomes lawful after 4 years.
- It is likely that the majority of uses / buildings within the enclave are lawful by the above criteria.
- The county council cannot take planning enforcement action on its own land. Action has to be taken against freeholders as well as leaseholders and this would mean the CC taking enforcement action against itself, which procedurally is a nonsense. Therefore, any planning enforcement can only be taken by the riparian borough or district council.

## **Questions submitted by Steve Dallan**

**Question 1** It is common knowledge that the Basingstoke Canal is in a difficult position regarding funding and revenue. The canal has a small population of boats which contribute a minimal amount in revenue. By contrast the River Wey, which the canal joins at Byfleet, has a thriving boating population. The River Wey has a perpetual and considerable waiting list for boat moorings. The Basingstoke canal has a back-pumping scheme installed at the lower end of the canal. What efforts are the BCA, SCC and HCC making to address this imbalance and tap this significant possible revenue source?

### **Response from Canal Director**

Considerable work has been undertaken this year in producing comprehensive data and information as a result of carrying out a full condition survey on the canal's structures. This information is currently being assessed and used to populate a data base that will be directly used to form an asset management plan. The first draft of this plan will be shortly ready for consultation.

A condition survey is almost complete and the results of this will be shared with the Committee in February. It is hoped that the BCA working closely with the joint canal owners, will put in place actions that will address the issues identified.

Once the structures are brought into a good state of repair, safe and reliable serviceability, the BCA will be in a position to provide the extra capacity to enable confident boating and mooring on the canal. As part of the Visitor Services and Recreation Development Plan, the BCA objective aim is to benefit financially from increased navigation use in balance with the management objectives of the Conservation Management Plan and the SSSI status of the waterway.

**Question 2** The lower end of the canal is not an attractive area. Much effort appears to be put into the upper sections of the canal, but the Woking pound, for example, resembles something out of 'African Queen' country. A programme of weed cutting and dredging was promised for late summer. As it is now 'late summer', when can we expect some action on this eyesore in the centre of Woking?

### **Response from Canal Director**

Over the last two years the BCA rangers have focussed efforts using the resources available to maintain the navigation on the Woodham, St John's, Brookwood and Deepcut Flights. In consequence a number of lock gates have been replaced, but due to the age and time that some of the older existing gates were previously fitted during and after restoration, the occurrences of failing gates and associated equipment has considerably increased.

Revenue and capital investment has been insufficient to keep up with this trend and again as part of the new asset management plan, the aim is to deliver a much more consistent approach to this problem.

This will require annual capital investment from both joint County Council owners and this will be requested.

Dredging a section of canal in Woking has been budgeted for, although limited funding is only available this year, the BCA will be working with a reliable contractor to dredge the navigable channel between Bridge Barn and the Chertsey Road Bridge. Removing invasive aquatic vegetation, obstructive material and siltation. This work will take place late October through to the end of January 2010.

Spot dredging will also take place through the winter under bridges and where there is known obstruction problems.