

## **THE STRATFORD AND WARWICK WATERWAYS TRUST**

Registered Charity No. 1111975

**PROMOTING THE VITAL NATIONAL WATERWAYS LINK**

**Patron: Timothy West CBE**

**01926-624028**

**roger@swwaterway.co.uk**

**www.swwaterway.co.uk**

*The Cottage,  
Mill Lane,  
Barford,  
Warwick CV35 8EJ*

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Philip Clarke  
Head of Planning Policy, Projects and Conservation  
P.O. Box 2178  
Riverside House  
Milverton Hill  
Royal Leamington Spa  
Warwickshire CV32 5QH

Encl.  
PPG13 extract  
Revised scheme

Dear Mr Clarke

### **Warwick District Council Local Plan 1996 – 2011: Omission Sites Consultation**

In continuation of our urging that the Local Plan should protect banksides, proposed locksites and canal routes along the river Avon between Stratford and Warwick, I offer further considerations of the issue together with comments upon the Response of the Head of Planning and Engineering.

Firstly at risk of repetition I would restate the objectives of the Stratford and Warwick Waterways Trust. This Trust is now the lead charity in campaigning for increased access to and navigation upon the Warwickshire Avon between Stratford and Warwick.

Specifically we wish to see achieved:

- a. A riverside footpath between Stratford and Warwick.
- b. Access to the river by right for canoes and small boats.
- c. Through navigation from Stratford to the Grand Union Canal at Warwick.

The Trust has consistently advocated a junction with the Grand Union Canal adjacent to the aqueduct at Emscote and does not promote a navigation route along the Leam.

This project is for the most part at least, a restoration of navigation

There is historical evidence of navigation 'almost to Warwick' and other similar phraseology.

The 1635 Avon Act authorised the improvement of the (then existing) Avon navigation from Tewkesbury to beyond Warwick.

We are advised that this Act establishes the navigation rights on the whole of this section.

The 1751 Avon Act regularised tolls and reinforced the navigation right, clearly stating that the Avon is open to all traffic.

The Lower Avon Navigation Trust operates the navigation from Tewkesbury to Evesham under the above two items of legislation only, supplemented by their own bylaws

The Lower Avon Navigation Trust is the latest of a continuous and related sequence of operators of that navigation since 1636.

The Upper Avon Navigation Trust operates the navigation from Evesham to Stratford, also with its own bylaws. In addition the 1972 Upper Avon Act gives UANT the right to act as a navigation authority, since the sequence of operation was broken for almost 100 years

The Stratford and Warwick Waterways Trust is the promoter of access and restoration from Stratford to Warwick solely on the Avon.

A Transport and Works Order or other legislation will be needed to establish a navigation authority for this section.

Based on the above facts we contend that this scheme is a restoration project within the meaning of PPG13, Annex B, Inland Waterways, and that therefore the route of this navigation restoration scheme, locksites, footpaths, canals, etc should be safeguarded within the Warwick District Council Local Plan. There are numerous national examples of disproportionate increases in the cost and difficulty of waterway regeneration because of a failure in the past to protect the line. We contend that this is precisely the situation that PPG13 is designed to prevent in future, and that moreover this protection is not specifically dependant on the project having reached a particular stage.

It may be noted that during the design of the Barford Bypass both Warwickshire County Council and British Waterways checked to ensure that the design did not compromise the construction of a navigation including a canal section at this point.

With regard to the entry in the Response to Objection as shown below:

Object on the grounds that the plan should protect riverside access between Stratford and Warwick and a possible extension of navigation (Stratford and Warwick Waterways Trust ref: 3/RAA).

We feel that the objection should also mention the line of a footpath between Stratford and Warwick. Some sections of a riverside path do exist already, but we would suggest that the following line should be safeguarded:

On the north bank from Stratford to Hampton Lucy.

On the south bank from Hampton Lucy to Barford.

On the north bank from Barford to Warwick.

With regard to the Response from the Head of Planning and Engineering as shown below:

An extension of navigation between Stratford and Warwick would require massive engineering works involving a significant change to the current river network (the introduction of locks to by-pass weirs/ dredging and the canalisation of the upper Leam to accommodate boat traffic). This project was the subject of a scoping report prepared in the mid 1990's that sought to identify the range of issues that an environmental assessment would have to address. The Upper Avon Navigation Trust has failed to submit such an assessment for this Council to determine its position for or against such a proposal. In the interim the project was put to Warwickshire County Council where Members determined that it should not be supported / given County Council backing. In light of the lack of strategic support and the volume of objections to this proposal (plus the reluctance to forward an environmental assessment for consideration) it is not considered that this project should merit the safeguarding of a corridor for the purposes of boat traffic. A planning application with full supporting evidence (an EA) would appear the most likely way forward if this proposal were to be pursued.

The use of the word 'massive' is somewhat emotive. The locks for example would be no bigger than hundreds of similar structures throughout the national waterways network. Two significant items of engineering would however be required, i.e. a bypass canal near Barford and a flight of four locks or a boat lifting structure at the Emscote aqueduct.

There would be no significant change to the current river network, 92% of the in-river route is perfectly navigable and requires no work or attention of any sort.

No work is required on the Leam, it forms no part of this proposal. The scoping report for the Leam was therefore not proceeded with. We believed that this had been made clear during the 2004 Warwickshire County Council Consultation.

Warwickshire County Council were asked whether they would give conditional support in principle to the scheme prior to the commissioning of a Corridor Study, bearing in mind the potential benefits for recreation, tourism, employment, education and the local economy. Similar schemes elsewhere have proved to be of great benefit in all these aspects. However during the examination of the scheme the attempt was made to address detailed issues which might more properly be considered following a Scoping Feasibility Study or even a full Environmental Impact Study. Without the study and facts, the omission of which was a known precondition, the Warwickshire County Council declined to support the project. We completely agreed that a Scoping Feasibility Study ( Corridor Study ) is the next logical step in the planning process, likely followed by an Environmental Assessment, nevertheless we still most earnestly contend that the land and line for this scheme, at this stage, should be safeguarded in the 2011 Local Plan.

Yours sincerely

Roger Clay, Hon.Sec.  
Stratford and Warwick Waterways Trust