

DERBYSHIRE COUNTY COUNCIL

CABINET MEETING

11 February 2014

Report of the Strategic Director – Economy, Transport and Environment

CHESTERFIELD CANAL – RENISHAW (JOBS, ECONOMY AND TRANSPORT)

(1) **Purpose of the Report** To seek Cabinet approval for the recovery of monies paid to Yorkshire Water Services (YWS) for the diversion of a public sewer (funding originally secured through the former Derelict Land Reclamation Programme for restoration of Chesterfield Canal at Renishaw), and to the allocation of all recovered monies toward capital costs for design, procurement of further part of the canal and towpath corridor and the undertaking of further restoration work specifically at Chesterfield Canal – Renishaw Length, where work falls within the previously defined project boundary.

(2) **Information and Analysis** The Chesterfield Canal extends for 46 miles from Chesterfield in Derbyshire to West Stockwith in Nottinghamshire, passing through South Rotherham and linking the East Midlands with South Yorkshire. Of its total length, 37 miles of canal is restored, navigable and open to public use, however 9 miles from Staveley to Kiverton Park remains derelict. This missing link in the waterway prevents opening up of the entire canal corridor which would otherwise assist the creation of long term sustainable employment both directly linked to the canal, through restoration and subsequent operation, and within the wider economy through promotion of tourism and the provision of opportunity for commercial, office and residential development uses. An economic assessment study by Gibb Ltd in 2001 concluded that up to 1,200 jobs could be created and supported in association with the canal once restoration is complete. Restoration of the canal would provide a catalyst for the sustainable economic and social regeneration of the canal corridor, would protect, conserve and enhance the natural and built heritage within north east Derbyshire and would improve the quality of life in surrounding communities through provision of both jobs and recreational opportunity.

Over the past 20 years the County Council has achieved full restoration of over 5 continuous miles of the canal linking Chesterfield to Staveley, the

Public

towpath on this length now designated as part of local, national and European trails networks. This achievement was recognised in the report to Cabinet on 18 June 2013 entitled 'Waterways Development'. A 'Strategy for Protection and Restoration of Chesterfield Canal' was first published by the County Council in 1993, followed by the publication of the 'Chesterfield Canal 2020 Vision' in 1997, and the recent issue of 'Next Navigation West' a document describing in detail the remainder of restoration required within Derbyshire, and published earlier this year (2014).

All has been achieved by working closely with neighbouring authorities and volunteers from the Chesterfield Canal Trust.

Looking to extend the restored length of canal, on 29 March 2007, the Cabinet Member – Sustainable Communities approved the acquisition of land, and the procurement of grant to undertake canal restoration work at Renishaw, that led to an opportunity to accept (at nil cost) the freehold transfer of land consisting of the canal and towpath corridor at Renishaw (Minute No. 90/07 refers). In addition, a 100 year lease was negotiated with Sitwell Estates, at a peppercorn rent to allow restoration and operation of a further reach of canal, extending southward from Renishaw. Alongside these acquisitions, a bid was submitted to Alliance SSP in December 2007 for East Midlands Development Agency (emda) grant funding, under the Economic Infrastructure Commissioning Round 2007 for Derbyshire County Council's project entitled 'Chesterfield Canal - Renishaw Length'. The project was specifically targeted to achieve restoration of a 3.2km length of Chesterfield Canal at Renishaw, North East Derbyshire.

The bid was successful; an offer for funding was received and an acceptance of same returned to the then Strategic Sub-Regional Partnership Project Management Team at Alliance SSP, in March 2008. (emda project reference EMX05083). Further funding was secured from Landfill tax credits and Section 106 monies from the developer. Restoration within the land acquired in 2007 achieved construction and re-watering of approximately 450m of canal at Renishaw, together with removal of infill but excluding subsequent lining required to re-water a further 600m length to the south of the village. A substantive length of canal wharf walling was also built (under County Council supervision) by Chesterfield Canal Trust (CCT) volunteers using materials supplied both by the Trust and procured through grant funding, but this walling was subsequently partially buried pending clearance of the canal channel at Black Pits Corner.

Contained within the list of approved/eligible expenditure for the canal restoration was an item for the diversion of a public sewer located in the vicinity of Bridge Cottage, Spinkhill Lane, Renishaw.

Public

Initial design costs of £4,000 were paid to YWS in June 2006 and a further payment of £179,000 (for detailed design and estimated cost for works) made in March 2008, the latter accompanied by a signed agreement requesting that diversion work be undertaken.

A grant claim for the combined £183,000 payments made to YWS was submitted to emda through Alliance SSP in April 2008, to recover all costs incurred by Derbyshire County Council up to and including 31 March 2008. Grant payment was received by Derbyshire County Council on 23 April 2008 as part of a larger sum.

The physical diversion of the sewer, adjacent to Spinkhill Bridge, has not been undertaken to date as YWS has been unable to secure agreement from the current landowner; or has Derbyshire County Council so far been able to procure the land by agreement with the current owner.

Design costs totalling £13,000 have been incurred by YWS since 2008. The physical diversion remains outstanding and there remains approximately £170,000 lodged with YWS, a sum which it would return to the council if the diversion were abandoned at this time.

Despite the proximity of ongoing housing development, and the need for inclusion of extensive lengths of gabion and sheet pile retaining walling to protect that development, the part grant, part landfill tax, part Section 106 funded work at Renishaw achieved restoration of a 450m length of canal (as advised above). This located on its original alignment but isolated from other restored canal lengths. No surface water runoff is directed into the canal from the adjacent housing site and there are ongoing problems securing sufficient water supply into the canal for retention of water at reasonable depth in the restored section. This is needed to prevent reed growth and to protect fish stock. Derbyshire County Council's Countryside Service has an ongoing maintenance responsibility for the part filled canal which is made more difficult by the lack of water supply.

Restoration of further lengths of the canal is required to both facilitate the inflow of water from stream and spring inflow sources located some 180m north of the existing restored section and approximately 800m south of the restored section (the latter adjacent to Miners Bridge). The canal would also benefit from surface water runoff from woodland and agricultural land on the uphill side of the extended length which would assist in retaining water levels. An extended length of restored canal would provide increased opportunity for water in-flow, which would be easier to maintain and be of greater benefit to the local community for use as a recreational facility.

It is proposed that monies refunded by YWS be allocated in full to the undertaking of design, further land purchase, engineering construction works,

Public

procurement of construction materials and coordination of volunteer workforce to promote community involvement in the project. It is intended that the works be completed within the next 12 months.

Work will consist of excavation and offsite disposal of the current canal infill, completion of the wharf wall and proposed slipway, retaining wall construction at Blacks Pit Corner, opening up the canal corridor through selective tree removal on the uphill side of the channel, side spill weir repair, excavation of tipped material from within the already partially excavated but currently 'dry' section of canal, extending excavation this southward beyond the current excavated length south of Renishaw, installation of canal lining, placement of lining protection layer (clay or block-work) and towpath surfacing. The intended restoration work will extend southward, as far as funding will allow through the combination of both tendered contract works and works carried out by Chesterfield Canal Trust volunteers.

(3) **Financial Considerations** Monies which can be recovered from YWS amount to approximately £170,000 (plus VAT). Any monies refunded would need to be returned unless expended on grant eligible work within the area defined by the original project boundary. Both emda and Alliance SSP have now been abolished and responsibility for funding has been returned to the Department for Communities and Local Government. It is considered that re-allocation and full expenditure of refunded monies toward costs of further restoration work on the canal at Renishaw would comply with terms of the original grant and would obviate need to refund monies to the Department for Communities and Local Governments.

It is possible that match funding can be secured to assist further restoration of the Chesterfield Canal to the south and west of Renishaw using the monies refunded by YWS as a foundation for a future funding bid. Opportunity for match funding will only be explored once the refund of un-spent monies has been secured and a decision has been made in respect of the re-allocation of refunded monies toward further restoration work at Renishaw. If match funding can be found, this would enable an extension of restoration southward where the canal corridor is leased by Derbyshire County Council and where planning consent is in place.

(4) **Property Considerations** To the south, the canal corridor is under control of Derbyshire County Council through a 100 year lease from Sitwell Estates. Cabinet Member – Sustainable Communities approval to seek to secure title or long term access to land forming the canal corridor to the north of the restored section was granted on 29 March 2007. Planning permission for restoration to full navigable standard, including towpath provision from 'Burley Farm Bridge to Hague Bridge off Hague Lane, Renishaw' was granted by North East Derbyshire District Council on 20 June 2006. Drawings 9213A/20/015 and 9213A/20/016 attached to this report

Public

indicate the project boundary / planning boundary and identify locations on the canal specifically referred to in this report.

On completion of further restoration work, the Countryside Service will have management responsibility for the extended section of canal at Renishaw. This will be managed within existing Countryside resources, subject to reprioritisation from other sites and activities. In recognition of this, the scope of any project will be developed in full consultation with the Countryside Service as final recipient of the scheme. It is possible that even with the additional inflow secured at each end of the canal reach, occasional river water extraction by pumping may be required to maintain water levels during long dry periods, and a licence will be sought from the Environment Agency for such purpose.

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health and transport considerations.

(5) **Key Decision** No.

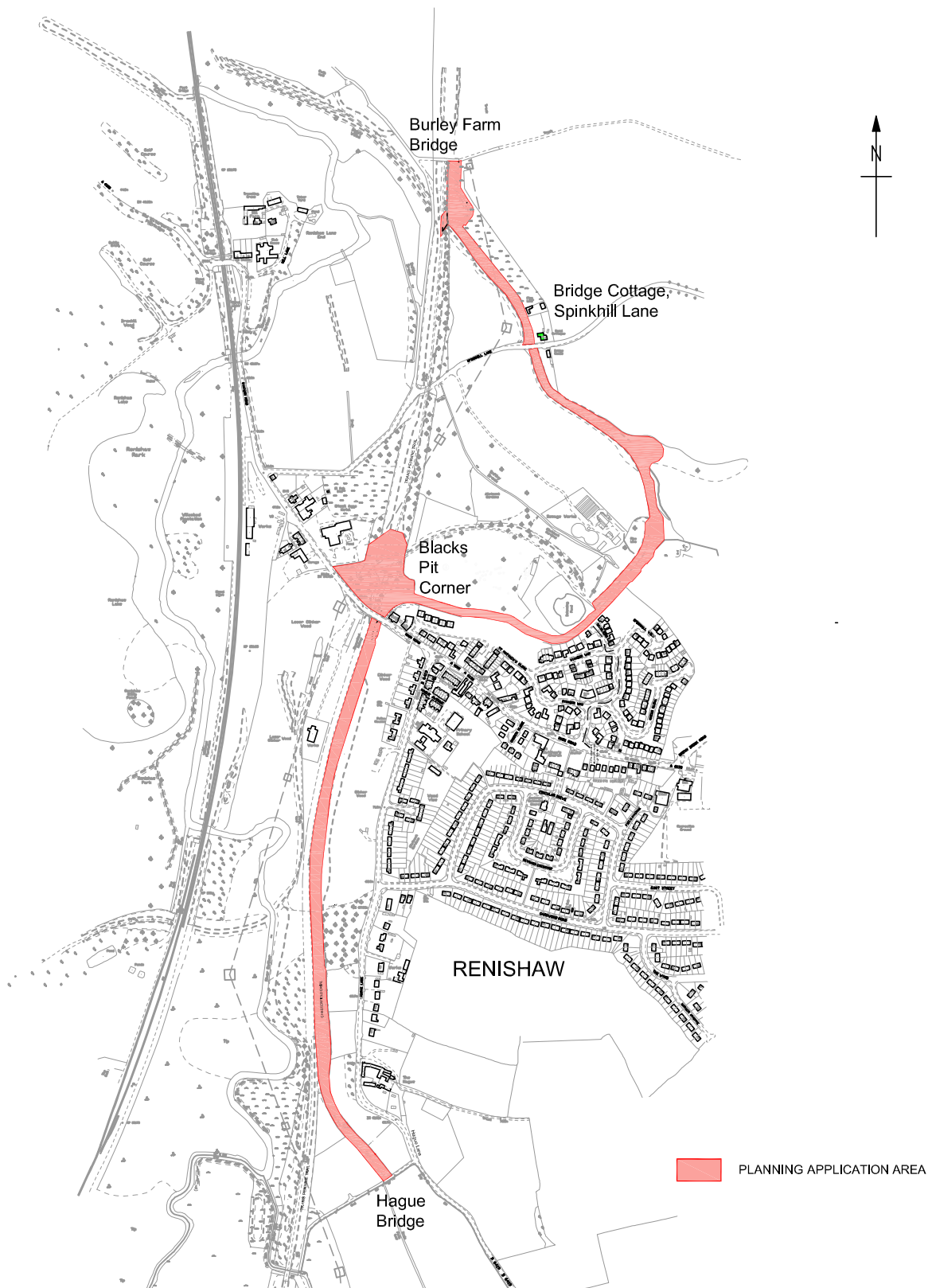
(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Report to the Cabinet Member – Sustainable Communities dated 27 March 2007. Officer contact details – Chris Beech, extension 35418.

(8) **OFFICER'S RECOMMENDATIONS** That Cabinet:

- 8.1 Approves the recovery of monies originally paid to Yorkshire Water Services (YWS) for the diversion of a public sewer adjacent to Bridge Cottage, Spinkhill Lane, Renishaw.
- 8.2 Approves the allocation of all grant monies so recovered towards further design and physical restoration of Chesterfield Canal at Renishaw within the scope of the previously approved scheme, as set out in the report.
- 8.3 Notes that responsibility for ongoing maintenance will rest with the Derbyshire Countryside Service.

Mike Ashworth
Strategic Director – Economy, Transport and Environment



**DERBYSHIRE
CONSULTING
ENGINEERS**



© Crown copyright and database rights [2011]. Ordnance Survey [100023251].
You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Mike Ashworth
Strategic Director –
Economy, Transport & Environment

PROJECT TITLE
**CHESTERFIELD CANAL
RENISHAW LENGTH**

SKETCH TITLE
**CANAL CORRIDOR WITH
PLANNING PERMISSION**

DRAWN
S Jones

Date
17th January 2014

DCE Project
Reference No. **9213A**

SKETCH
Number **9213A/170114**

SCALE
1:10,000

XREFS:

ORIGINAL DRAWING SIZE 297 x 210 (A4)

COMPUTER REFERENCE No.