

Case studies

Some examples of waterway path projects, demonstrating the wide range of aims, approaches and outcomes, are listed in **Table 23**. Selected Case Studies that have been researched in more detail are indicated by yellow shading.

Table 23 Case studies - brief summaries

No.	Case study	Waterway and region	Key features of the project
1	Thames Path National Trail	River Thames South East	<ul style="list-style-type: none"> It is a national trail Visitor survey data are available A cycling policy has been developed Demonstrates approaches to funding and management Good practice guide for development plan policy has been prepared
2	Weaver Way	Shropshire Union Canal and River Weaver North West	<ul style="list-style-type: none"> It is an example of a multi-user route Developed via partnership working
3	Kennet and Avon	Kennet and Avon Canal South West	<ul style="list-style-type: none"> It is run as a charitable trust Involved significant restoration of a semi-derelict canal Developed via partnership working Europe's longest disabled access route Accessed heritage lottery funding
4	Lincolnshire Waterways Partnership	Witham East Midlands	<ul style="list-style-type: none"> Successful track record in developing waterway paths Developed via partnership working Water Rail Way – multi-user route with artworks Integrated development plan for both paths and waterways themselves
5	Falkirk wheel and millennium link	Forth & Clyde Canal and Union Canal Scotland	<ul style="list-style-type: none"> Major attraction/destination Educational resource Major boost to the image of Falkirk
6	Warwick Parkway to Hatton	Grand Union Canal West Midlands	<ul style="list-style-type: none"> It involved upgrading of a path for multi-use Has commuting potential (including links between urban areas and villages as well as rail links) Links rural and urban areas Provision of interpretation material (nature trail) Cultural heritage attractions (lock flight is a visitor draw) and artworks Provision of visitor facilities (car park, tea rooms and toilets)
7	Aire Valley Towpath – Leeds	Leeds & Liverpool Canal Yorkshire and The Humber	<ul style="list-style-type: none"> It involved surfacing and access improvement between Leeds Metropolitan University halls of residence and the main campus It is an example of the Links to Schools initiative - commuting route for students Forms part of the national cycle network

No.	Case study	Waterway and region	Key features of the project
8	Montgomery Canal cycle path	Montgomery Canal Wales	<ul style="list-style-type: none"> • Used for commuting and by recreational users including tourists • Multi-user path • High nature conservation interest (SAC – Habitats Regulations issues)
9	Leicester Riverside Project Development	River Soar and Grand Union Canal East Midlands	<ul style="list-style-type: none"> • Focus for regeneration within urban area • Connects different areas of the city • Users include cyclists and walkers, with separate paths for each along much of the riverside • Riverside rangers are used to patrol the riverbank
10	Erewash Canal Access Strategy and Development Plan	Erewash Canal East Midlands	<ul style="list-style-type: none"> • Series of discreet access projects together forming a masterplan • EMDA sponsorship • Deprived areas – ex coal mining villages
11	Lee Regional Park	Lee Navigation London	<ul style="list-style-type: none"> • Predominately urban waterway • London Boroughs and TfL support and good public transport links • Serves deprived areas • Olympics legacy • Multi-use path • Commuting route
12	Oxford Canal Walks	Oxford Canal South East	<ul style="list-style-type: none"> • Developed through partnership involving local waterway business and local train operating company • Well publicised by signs and leaflets
	Valley of Vision Landscape Partnership scheme	River Medway South East	<ul style="list-style-type: none"> • Visitor count and survey data are available • Developed via a partnership approach - joint working with the Environment Agency, county council, AONB etc • Aims to create better links and plug gaps in existing PROW provision • It has utilised heritage lottery funding
	Somerset Space Walk	Bridgwater & Taunton Canal South West	<ul style="list-style-type: none"> • Artworks representing a scale model of the sun and planets of the solar system distributed at scale distances along the towpath • Partnership working • Much of towpath is national cycle route 3 but this is diverted to minor roads to allow walkers and anglers priority on some sections
	Maidstone Millennium River Park	River Medway South West	<ul style="list-style-type: none"> • Provides free access to the river • Includes both rural and town centre riverside areas • Environmental improvement (new trees)
	Ouse Valley Way	Great Ouse East of England	<ul style="list-style-type: none"> • Multi-user path has been developed • The path connects several nature reserves
	Wey South path	Wey & Arun Canal South East	<ul style="list-style-type: none"> • The waterway is run as a charitable trust • It is a waterway path associated with a disused canal • Is promoted as a long distance path
	Calderdale Greenway	Rochdale Canal North West	<ul style="list-style-type: none"> • Involved the upgrade of a towpath • Was promoted through the use of leaflets • Conflict of users reduced with the 'two tings' initiative

No.	Case study	Waterway and region	Key features of the project
	Newport to Cwmbran Canal	Monmouthshire Canal Wales	<ul style="list-style-type: none"> • Involved improvement to the quality of the environment • Included the restoration of locks • Partnership created for the project • Visitor numbers have increased
	Goole section of the Aire and Calder Navigation	Aire & Calder Navigation Yorkshire and The Humber	<ul style="list-style-type: none"> • Development of a Nature trail • Work with excluded groups of the community (e.g. people excluded from schools) through the Sobriety Project based at the Yorkshire Waterways Museum (see IWAC report <i>Using Inland Waterways to Combat the Effects of Social Exclusion</i>) • Improvements were volunteer-led
	Great Glen Way Initiative	Caledonian Canal Scotland	<ul style="list-style-type: none"> • Long distance recreational route in a tourist area • Example of a waterway paths serviced by wardening who provide advice to walks and guided walks • Wardens also inspect routes and provide education and countryside interpretation • Working with communities
	River Nene Regional Park	River Nene East Midlands	<ul style="list-style-type: none"> • Delivery of Green Infrastructure • Partnership working
	Lifewalks Harlow	River Stort East of England	<ul style="list-style-type: none"> • Waterway walks promoted as part of a health and wellbeing initiative
	Pembrokeshire Greenways	Milford Haven/ Daugleddau Wales	<ul style="list-style-type: none"> • Provides integrated public transport opportunities • Establishes a network of high quality routes and trails linked to public transport in south Pembrokeshire • Rural tourism focus with links to tourism strategy • Has been developed by the use of partnerships • Promotes access-for-all by environmentally sustainable means
	Foxton Locks Masterplan	Grand Union Canal East Midlands	<ul style="list-style-type: none"> • Masterplan for honeypot visitor site including improved access and visitor attractions
	Pride in our promenades	Mersey North West	<ul style="list-style-type: none"> • Liverpool waterfront project - example involving urban city centre and large waterway

Case study 1 – Thames Path National Trail



Description of path

The Thames Path is one of 15 National Trails (long distance routes) that exist in England and Wales. As its name suggests, the Trail, for the most part, follows the River Thames, the second longest river in Great Britain and one of the best known rivers.

The Trail is 296km/184 miles long and was opened in 1996. It runs from the river's source near Cricklade in Gloucestershire through central London to the Thames Barrier.

Places of interest along the route include Oxford, Windsor Castle, Hampton Court and London. Within London the path passes through many points of interest including a number of World Heritage Sites (Kew Garden, sites at Westminster, The Tower of London and Maritime Greenwich).

Previous use - Parts of the path were previously available to walkers but not its entire route. Historically the Thames was used for trade and commerce and the towpaths were used by workers responsible for towing barges.

Target users – It is a long distance walking route only, for most of its length it is a public footpath, although in some locations cycling is permitted on the route. Users of wheelchairs or mobility scooters and people with pushchairs are considered under this category of user.

Developing the project

Promotion - Natural England (through its national trails unit), Environment Agency and the local authorities through which the trail passes (over 20 in number) are involved in promoting the route.

Design – Removal of stiles and the provision of signage (including signage from railway stations along its route) has made the route accessible to more people.

Connections/links – The Trail connects with 15 other long distance promoted paths. Links to public transport options are highlighted by appropriate signage on the route. Sections of the path between different railway stations are promoted on the National Trail website.



Thames Path near Godstow Nunnery

Managing potential conflicts – Potential conflicts between walkers and cyclists has been addressed through the Thames Path Cycling Policy.

“Around 30% of users on foot complained about cyclists – especially in London”

Funding – Generally up to 75% of the money needed to keep the Thames Path in good condition comes from Natural England and the other 25% from the highway authorities and the Environment Agency. Opportunities are also taken to find funding for specific projects from a range of partners and grant aid bodies.

Management - A National Trails Management Group composed of representatives of the highway authorities through whose area the Trail passes (22 of them), Natural England, the Environment Agency and Tourism South East manages the Thames Path. The Management Group publishes a Thames Path Management Strategy to direct the management of the Trail for five years at a time.

Marketing – The Thames Path is marketed as one of England's national trails with a dedicated website <http://www.nationaltrail.co.uk/thamespath/index.asp?PageId=1>. It is also marketed through the River Thames Alliance Marketing Partnership.



Thames Path signaace

Success – The Thames Path success is demonstrated by its popularity as one of the most popular walking destination in England.

“In 1999 the Thames Path attracted “half a million estimated user days by short distance users and 26,000 estimated user days by long distance users.”

Additional opportunities

Additional opportunities that are yet to be fully realised include the following:

- there is still a need to plug gaps in the route where it is currently diverted from the waterway;

“18% of users did not enjoy sections of the Trail that were diverted from the river”

- replacing stiles with gates;
- the development of circular walks (to date there are 12 circular walks promoted on the Thames Trail website); and
- provision of information on accessibility for users with mobility problems (the 12 easy, short walks promoted on the Thames Trail website are likely to be suitable for people with reduced mobility, users of wheelchairs or mobility scooters and people with pushchairs and young families).

Key issues for the project

The following key issues were identified and resolved in developing the National Trail path:

- creating paths next to the river when originally there were none;
- establishing a partnership for managing and maintaining the Trail;
- ensuing quality information is provided and kept up to date;
- river crossings and disused ferry points; and
- cost of implementation.

Case study 2 – The Weaver Way



Description of path

The Weaver Way is a 'multi-user' network which runs through The Weaver Valley Regional Park in Cheshire. Not only does the Weaver Way follow the River Weaver and Weaver Navigation, it also follows the canal towpath of the Shropshire Union Canal. Approximately 70% of the Weaver Way is along canal or river towpaths.

The trail is 65km/40miles long and runs from Audlem in the south (on the Shropshire Union Canal) to Frodsham in the north (on the Weaver Navigation) connecting six towns and 11 villages along the way. Key destinations along the route include the salt museum at Northwich and the restored Anderton Boat Lift, which links the River Weaver to the Trent and Mersey Canal.

The overall aims of the project are stated as:

"A wider network of walking, riding and cycling routes, based on the Weaver Way, will connect to public transport and the major road network. Phase one of the work (the linear Weaver Way walking route) already completed."

Previous use - The Weaver Way has been created from existing public footpaths, bridleways and towpaths.

Target users – The Weaver Way is a long distance multi-user route which aims to become *"the longest 'Access for All' route in Cheshire and the North West to increase equality and reduce exclusion of access to the countryside."*

A further aim is to provide *"a high quality, low maintenance off-road route (where possible) that is safe and accessible for walkers, cyclists and equestrians where possible"*.

The route also provides a sustainable form of transport for Weaver Valley Regional Park visitors and residents.

Developing the project

Promotion - The Weaver Way project is being developed by the Weaver Valley Partnership.

Design - The route is characterised by fairly level terrain, utilising mainly canal towpath or riverside paths, with some country lanes and road walking in town centres. Although the route has some gates, it is largely stile free.

Approximately one fifth of the Weaver Way route meets the BT Countryside for All Standards.

BT Countryside for All Standards is a national system of standards for physical access in the countryside developed by the Fieldfare Trust,

There are different standards for different countryside settings. These settings are defined as 'urban and formal landscapes', 'urban fringe and managed landscapes' and 'rural and working landscapes'.

The Weaver Way has multi-user routes with some routes splitting to accommodate different users groups e.g. routes suitable for walkers, cyclists or equestrian users only. A set of recommended design standards and guiding principles has been developed for the three different types of route that characterise the Weaver Way (i.e. urban and formal routes, urban fringe and managed routes and rural and working routes).

Connections/links – The Weaver Way links to other regional walking routes including the Crewe and Nantwich Circular Walk; Delamere Way; Eddisbury Way; Middlewich Challenge Walk; North Cheshire Way; Salt & Sails Trail; Sandstone Trail; Shropshire Union Canal; South Cheshire Way; Trent & Mersey Canal Walk; Vale Royal Round; and Whitegate Way. The route also provides the focus for a variety of circular walks. In addition the Weaver Way connects to the National Cycle Network Route 5 (Chester to Kidsgrove section).

Managing potential conflicts – Potential conflict between anglers and Weaver Way users is recognised, as are potential conflicts between walkers, cyclists and horse riders. Potential conflicts between route development and ecology and heritage are also considered and the 2008 document *Creating the Weaver Way Summary Report* accepts that “Where conflicts arise for which there are no mitigation measures, pedestrian only routes will have to be factored in where necessary”.

Funding – Funding the upgrading of the Weaver Way has been secured by the Weaver Valley Regional Park. “It will take between six and 10 years to develop the whole network with an estimated cost of £9 million expenditure.”

Management – The Weaver Way Partnership comprised: Acton Parish Council; British Waterways, Cheshire County Council, Crewe and Nantwich Borough Council, Vale Royal Borough Council, Frodsham Parish Council, Groundwork, Mersey Forest and Sustrans. Note, however, that following reorganisation in 2009, the local authorities have been replaced by two unitary authorities Cheshire West & Chester and Cheshire East.

Marketing – The route is actively marketed by the Weaver Valley Regional Park and Discover Cheshire, see:

www.weavervalley.org.uk/Projects/WVRP_Project_WeaverWay.htm and

www.discovercheshire.co.uk/Route.aspx?refnum=DC067®ion=1

Success – The Weaver Way has become a recognised route. Branded signage has been developed to provide a common identify to all sections of the route and has been sited along the entire length of the Weaver Way.

Additional opportunities

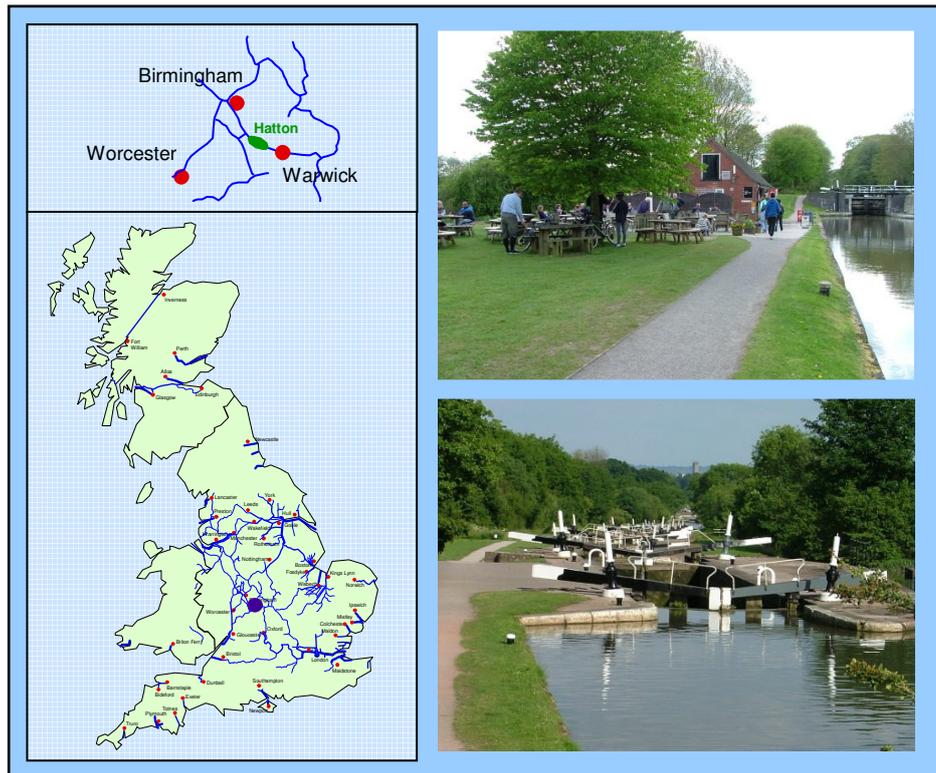
Opportunities to develop the wider network of walking, riding and cycling routes based around the Weaver Way still exist and are being developed by the Weaver Valley team.

Key issues for the project

The following key issues were identified in developing the Weaver Way

- achieving greatest accessibility where there are environmental and budgetary concerns;
- maintaining a recommended shared path width can be impractical on narrow canal towpath and riverside paths;
- width and height restriction on towpaths passing under low bridges; and
- replacing stiles, narrow gates and other obstacles *en route* and at access points with suitable kissing gates.

Case study 3 – Hatton Locks



Description of path

Hatton Locks are located on the Grand Union Canal just west of Warwick. The 21 lock flight, covering 2 miles is also known as the 'Stairway To Heaven', a name which emerged due to the hard work involved in navigating the flight and the subsequent easier journey to Camp Hill in Birmingham where the working boatmen would receive their wages.

Facilities at the locks include the following:

- two tactile maps and Audio trails (for the blind or visually impaired) produced in partnership with the Fieldfare Trust; the audio trails follow surfaced towpaths and have occasional resting points;
- Canal-side Café (Highly Commended in the 'Best Coffee House/Tea Shop' category of the 2009 Coventry and Warwickshire Food and Drink Awards);
- interpretation trail and restored working boats including a piling rig boat;
- nature trail and sculptures;
- restored canal buildings, used by British Waterways as office and conference facilities, and associated artefacts, which add to the historic ambience.

- boat moorings (Hatton Top Lock Moorings with water points, elsan disposal and refuse disposal); full waterway amenities are available at Saltisford Canal Centre on the short Saltisford arm, at the foot of the Hatton flight;
- parking, toilets and picnic tables on site, also a canal-side pub for drinks, snacks and meals; and
- day boat hire available from the Saltisford Arm nearby at the bottom of the lock flight.



Old van adding to the historic ambience

In addition the Locks are promoted for educational activities with a Hatton Lock fact file resource.



A number of these facilities have been developed following the award of a substantial grant from the Heritage Lottery Fund (HLF) and National Lottery Funding.

The well maintained towpath also attracts a number of cyclists from nearby Warwick and Hatton Park (a nearby

modern residential estate). Signs remind cyclists that pedestrians have priority.

Previous use – The old wharf and maintenance yard, where carpenters and blacksmiths made heavy oak lock gates, have been restored to create offices and a heritage skills training centre. The old stable block, where canal horses bedded down for the night, is now a popular café.

Target users – The recent developments at Hatton have sought to attract:

- educational groups;
- young families;
- visually impaired; and
- day visitors.



Dragonfly sculpture at Hatton Locks– protected from vandalism by location in water in a side pond off the canal

Developing the project

Promotion – The site is promoted both as a key destination point and as an educational facility by both British Waterways and tourist bodies.

Design – Surfaced paths make up the majority of the route between the locks. North of the locks the path becomes more typical of a rural towpath whilst to the south the path has a combination of surfaces as it passes through the urban environment of Warwick.

Connections/links – Hatton Locks falls on both the Grand Union Canal Walk and Shakespeare's Avon Way (two long distance recreation routes).

There are three promoted circular walks around Hatton Locks, which take in towpaths, public footpaths through fields, and some roads. These routes include Hatton Locks to Warwick Parkway (a park and ride railway station), Hatton Locks to The Wilderness (a wood) and Hatton Country World Watery Stroll. Some of these routes are made available through permissive access. The permissive routes create circular walks between the towpath at Hatton Locks to Hatton County Farm Village (an attraction for young families with farmyard animals, adventure play, children's shows, fun fair rides and seasonal events throughout the year) and Hatton Shopping Village (20 independent shops located within Victorian farmyard buildings).

Managing potential conflicts – As with all BW towpaths, cyclists are encouraged to follow the Waterway Code of conduct.

Funding – Funding from the National Lottery and Heritage Lottery Fund has enabled the creation of many of the facilities and activities associated with the Locks.

Management – British Waterways manages Hatton Locks and also owns the canal side café.

Marketing – The route is actively marketed by the websites run by Wild over Waterways, British Waterways, Visit Britain and Warwickshire County Council, see:

www.wow4water.net/grownups/destinations/hatton-locks

www.waterscape.com/in-your-area/warwickshire/places-to-go/215/hatton-flight

<http://search.visitbritain.com/en-TH/Details.aspx?ContentID=670384>

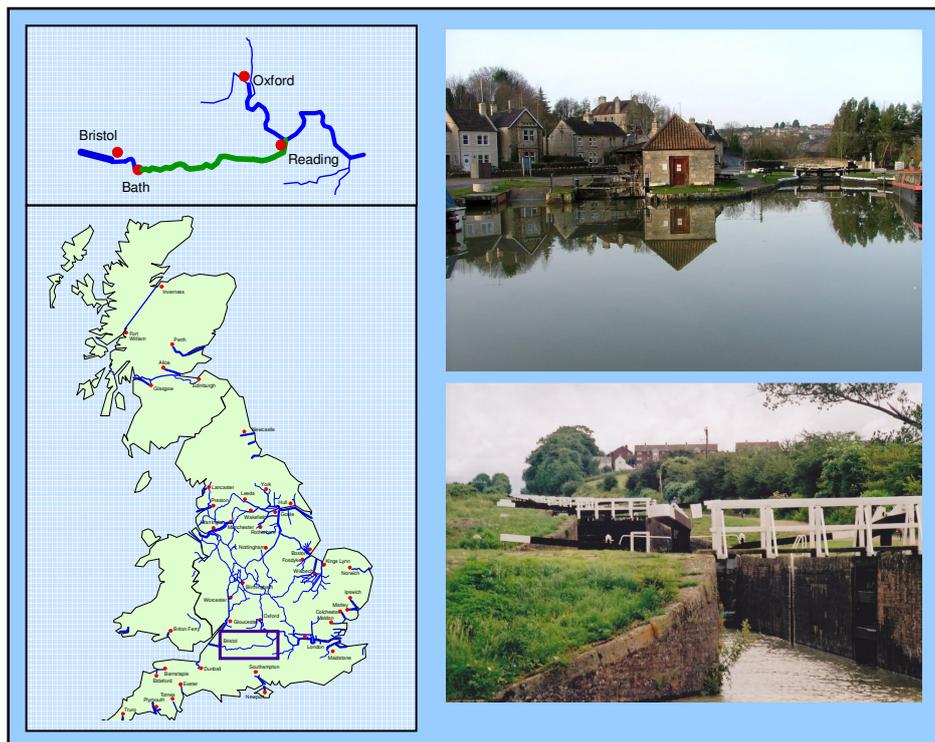
www.warwickshire.gov.uk/corporate/tourism.nsf/581a612e016bdbfc80256eda003a9ad8/c21fac2baf9c178680257059003261ec?OpenDocument

Success – The success is demonstrated by the delivery of the facilities which currently exist at the site and the high level of public use.

Additional opportunities

Hatton Locks are in close proximity to Warwick Parkway park and ride railway station on the Birmingham to London line. Currently there is no signage between the rail station and the canal towpath. Links between the rail station and towpath – which provides a route into Warwick town - could provide commuting opportunities.

Case study 4 – Kennet and Avon Canal



Description of path

The Kennet and Avon Canal is an 87 mile/140km canal that runs from the River Thames at Reading to Bath. The canal became neglected and derelict following its closure to through navigation in 1955.

Through the Kennet and Avon Trust and the Kennet and Avon canal partnership the canal is now reopened and restored to its current state. Attractions along the route include the World Heritage Site at Bath, the North Wessex Downs and Cotswolds Areas of Outstanding Natural Beauty, The River Kennet Site of Special Scientific Interest, Bath and Caen Hill Lock Flights and the Dundas and Avoncliff Aqueducts.

Bike, canoe and boat hire is available along the route. Other facilities include a museum (at Devizes Wharf) and six tea rooms distributed along the canals length, both the museum and tea rooms are operated by the Kennet and Avon Trust.

Previous use – During the period when the waterway was derelict there was limited use of the Kennet and Avon Canal towpath except in specific locations.

Target users – Today it is a heritage tourism destination attracting walkers, cyclists, nature enthusiasts, boat enthusiasts, anglers, day visitors and longer visitors.

Developing the project

Promotion - It is promoted both as a key destination point and as a volunteering opportunity by both British Waterways and the Kennet and Avon Trust.

Design – The towpath has been extensively restored as part of the restoration programme. Parts have been rebuilt to cycleway standard with much of the canal towpath forming part of National Cycle Network route 4. The surfacing of the towpaths also facilitates access for the less mobile as do the generally gentle gradients (with the exception of the flights of locks).

Connections/links – A traffic free extension to the Kennet and Avon Canal is provided by the Bristol to Bath Railway Path – a 16 mile route.

A Kennet and Avon Public Transport Map has been prepared that identifies which parts of the canal route are on road/traffic free and identifies links to bus and train services (including distance from the canal to train stations).

Wigglywalks are promoted circular walking routes centred on the Kennet and Avon canal.

Managing potential conflicts – Literature promoting the site specifically addresses potential conflicts with the provision of guidance to cyclists. Horse riding is not permitted on the towpaths.

“While all waterway users are welcome, it’s important that cyclists exercise caution around the canals. Please ensure your bike has a bell and that you use it to warn others of your approach. Remember, ring twice, pass slowly, be nice!”

Funding – Since the reopening of the canal in 1990 the Trust has worked with local agencies and British Waterways to enhance and develop the waterway for boating and leisure activities. In 2003, following the largest ever single Heritage Lottery grant of £25 million, the restoration was completed.

Substantial restoration works have been matched by the development of canal-side resources, including wildlife habitats and moorings.

Between 1995 and 2005 around £400 million of investment took place in waterside development along the canal, particularly in the Reading area.

Management – The Kennet & Avon Canal Trust was formed in 1962 from the Kennet and Avon Canal Association.

The Kennet & Avon Canal Trust is a volunteer organisation which has been doing vital work on the K&A for over forty years. With shops, cafés, museums and attractions in their network and many more activities going on on the canal, they offer a range of options for anyone interested in getting out and about on their local waterway.

The Kennet and Avon Canal Partnership comprises all riparian local authorities, the Kennet and Avon Canal Trust, The Kennet and Avon Canal Trade Association and British Waterways.

Marketing – The route is actively marketed by British Waterways and the Kennet and Avon Trust, see:

www.waterscape.com/canals-and-rivers/kennet-and-avon-canal and

www.katrust.org/

Success – The success of the Kennet and Avon towpath is demonstrated by its popularity as one of the most popular cycling routes in Britain.

The Kennet & Avon Cycle Route is Britain’s most popular long-distance waterside cycle route.¹²

The restored canal has:

- had an increase of visits of 22% between 1995 and 2005;
- delivered an additional 385 recreation and tourism relate jobs; and
- safeguarded 700 jobs.

Additional opportunities

To mark the Kennet & Avon’s bicentenary year, British Waterways is launching a £100,000 project to revitalise the waterway around the Bath Flight in the Widcombe and Bathwick areas of the city. British Waterways is calling on local residents and businesses to match this commitment by donating 200 units of their resources to the canal and its surroundings.

Key issues for the project

The following key issues were identified in developing the route¹³:

- insufficient resources to secure the canal’s sustainability and negotiation to secure the financing of its maintenance;
- the need for good leaders and champions for the project; and
- the need to ensure decisions were based on sound information.

¹² <http://www.waterscape.com/media/documents/20589>

¹³ Working together Effective Partnership Working

Case study 5 – Aire Valley towpath, Leeds



Description of path

The 'Aire Valley Towpath Route' comprises a 16 miles/26 km length of towpath on the Leeds & Liverpool Canal between Leeds and Bingley and is suitable for all towpath users: walkers, cyclists, anglers and mobility impaired users. It forms part of the National Cycle Network – Route 66¹⁴.

The section of the Aire Valley towpath for which improvements have recently been carried out is in Leeds between Leeds Metropolitan University halls of residence and the main campus.

Previous use – The towpath had a mainly conventional pedestrian usage. The varied quality of the surfaces and major encroachment by vegetation, rubbish dumping etc made it largely unsuitable for cycling or utility journeys.

Target users – Students were the targeted audience for the towpath improvements.

Developing the project

Promotion – The route is promoted by Leeds Metropolitan University.

“UTravelActive aims to increase the level of walking and cycling amongst staff and students at the University of Leeds and Leeds Metropolitan University, and in communities around the Universities.”

Design – Upgrades to the path included tarmac surfacing, the removal of steps and replacement with ramps and increased access at key points. New signage was also provided.

Connections/links – The route provides to various access points along the roads. New access points have also been created at halls of residence and the main campus.

Managing potential conflicts – It was previously a shared use path with a 'good fraternity' of use between walkers and cyclists.

An ecologist was employed to advise on the planning and construction work as the canal was recognised as an important wildlife corridor (including habitat for otters).

¹⁴ <http://www.airevalleytowpath.org.uk/>

Funding – Money was provided from the Links to School fund operated by Sustrans which was match funded by Leeds City Council. A commuted sum has been secured for the maintenance of the surface for the next 20 years.

Management – The project was managed by Sustrans who set up an agreement with Leeds City Council and British Waterways.

Marketing – The route is actively marketed by the university and Sustrans as part of the National Cycle Network.

Success – The successes of project include:

- partnership working between Sustrans, local authorities and British Waterways;
- increased usage of the route by students; and
- increased space due to the replacement of a highly worn path.

Additional opportunities

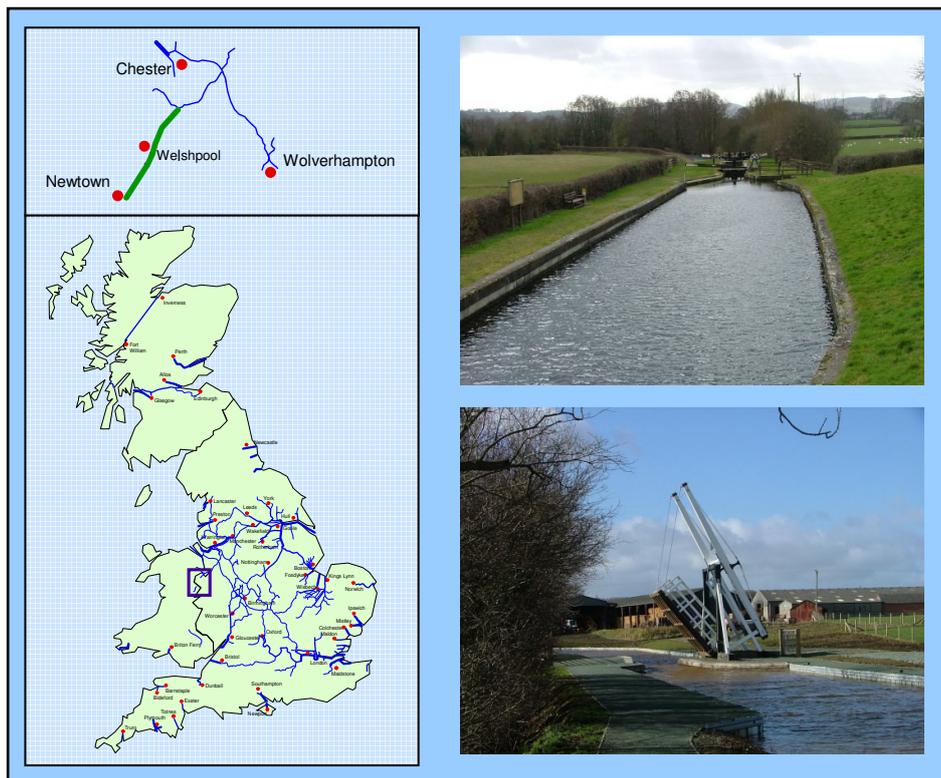
Further extension of similar improvements other sections between Leeds and Bingley could increase commuting use elsewhere.

Key issues for the project

The following key issues were identified in developing the route:

- securing funding;
- partnership working;
- how to resurface the towpath with a sealed surface but in keeping with the local environment;
- logistics of getting materials to site; and
- promotion of the route.

Case study 6 – Montgomery Canal



Description of path

The Montgomery Canal is the name now given to a 35 mile/55km long stretch of canal that runs from the Llangollen Canal at Welsh Frankton to Newton. The canal was effectively abandoned in 1936 following a bank breach and was legally abandoned in 1944.

The canal has been restored to navigation in parts at its northern end and around Welshpool. In other parts the canal is either dry or blocked. In total over half the canal is in water with only certain sections being navigable. The towpath is generally walkable throughout the canal's length.

The canal towpath is available for cyclists from Frankton Locks to Queens Head Bridge 76. In addition the Newton Traffic Free Cycle Route (a shared use path) follows filled in sections of the Montgomery canal as well as the River Severn.

Attractions along the route include the Vyrnwy Aqueduct, Llanymynech Heritage Area and Visitor Centre and a number of nature reserves (Ashton, Brithdir, Llanymynech Rocks and Wern Claypits).

The canal has been described as "the prettiest canal in England and Wales".

Canadian style canoes are available from The Friends of the Montgomery Canal to use on the canal. Along the canal oak benches have been installed, as well as eight pieces of art.

Previous use – The path was used for towing by horses until the canal's closure, following which there was little use except in the few urban areas.

Target users – The targets are recreational users, including walkers, cyclists, anglers and canoeists. Access for all is a key aim. The Friends of the Montgomery Canal with help from British Waterways have prepared a list of access points along the canal that are suitable for pram, push chair and disabled visitors. Facilities for the disabled are also provided on this list (e.g. car parking and toilets). Similar information (including a star rating for accessibility) is provided on the waterscape website.

The currently un-navigable sections of the canal are particularly promoted for fishing.

Developing the project

Promotion – Since 1999 restoration and regeneration has been carried out under the banner of the Montgomery Canal Partnership. Its members include: British Waterways, Powys County Council, Shropshire Council (formerly Oswestry Borough Council and Shropshire County Council), Montgomery Waterway Restoration Trust, Inland Waterways Association, Shropshire Union Canal Society, Shropshire Wildlife Trust, Montgomeryshire Wildlife Trust, Environment Agency, Countryside Council for Wales (CCW), Natural England, Cadw, RCAHMMW and English Heritage. The partnership is led by British Waterways.

The mission statement of the partnership is: *“To restore the Montgomery Canal as a flagship model of sustainable canal restoration with a strategic focus on rural regeneration. To protect the canal’s unique environment and heritage through research, management and excellence in design. To increase access for all through interpretation with the promotion of tourism and educational use”*

Design – Many sections of the footpath have been resurfaced to improve the towpath for walkers. Specific sections have been surfaced to be suitable for wheelchair, baby buggy and family access.

Connections/links – The towpath of the Montgomery canal from Newtown to Welshpool forms part of the Severn Way a long distance/recreational route. The Explorers Trail identifies circular walks that are focused on the canal but link up/provide additional attractions. The Montgomery Canal also links to Offa’s Dyke, one of 12 designated National Trails.

Managing potential conflicts – The Towpath Trail cycling leaflet advises cyclists to follow the Waterways Code and respect other users of the canal.

The route of the canal passes through a number of Sites of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC), designated for water plants, raising concerns about the effects of reintroducing navigation, and the waterway has 127 listed buildings and structures along its length.

A Conservation Management Strategy (CMS) was produced in 2005, which provides an agreed strategy for restoration, involving measures to protect wildlife and conserve heritage features. *A series of in-channel and/or offline nature reserves is proposed to mitigate effects on wildlife.*

Funding – The Shropshire Union Canal Society and the Inland Waterways Association, instigated the restoration of the canal and with the support of a range of voluntary organisations restoration has continued. Further support and funding has been received from a number of bodies, including British Waterways, Powys and Shropshire County Councils, CCW and Natural England and, more recently, Lottery funds and European funds.

A funding strategy is currently being developed to help secure funds.

Management – The canal is managed by British Waterways.

Marketing – The route is marketed as an Explorers Trail suitable for ‘a casual ramblers, the cycling family or individual on a weekend canoeing adventure’ by both British Waterways and Powys Canal Tourism. Part of the canal is promoted by Shropshire Council as the Towpath Trail, an off road route for cyclists. The canal also has a page on the Visit Wales website (www.visitmidwales.co.uk/thedms.aspx?dms=13&venue=1024694).

Finally there is a Visit Montgomery Canal website (www.visitmontgomerycanal.com/) which provides information on accommodation, activities and attractions.

Success – The success of the scheme will be judged against sustainability indicators set out in the CMS, which also contains detailed monitoring proposals.

Additional opportunities

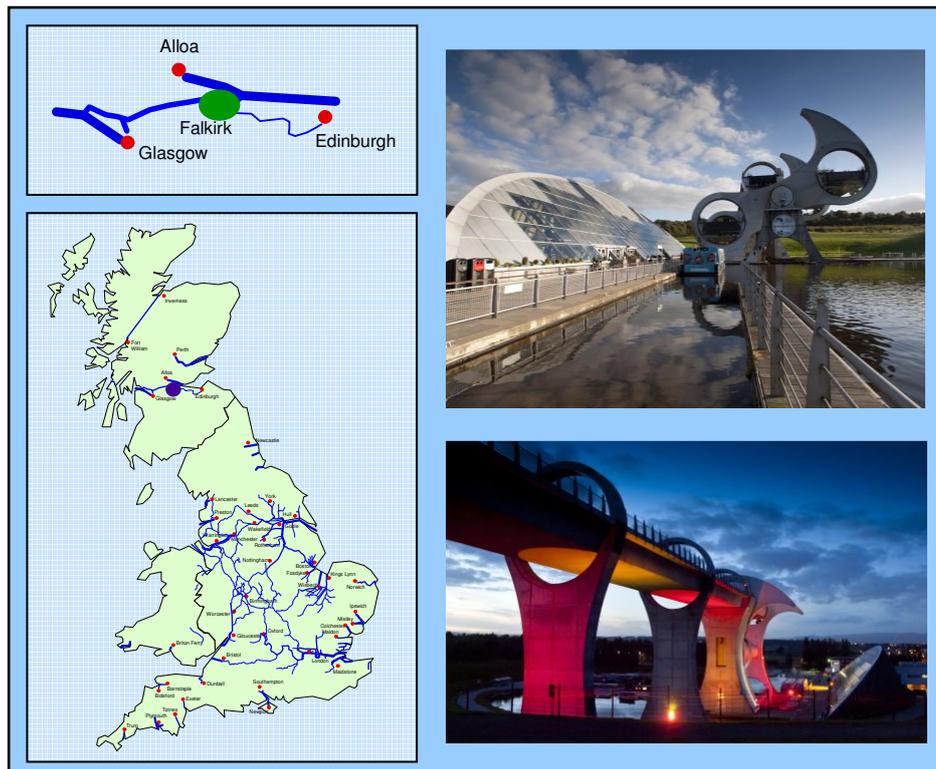
Restoration of the remaining sections to navigation along with associated nature reserves will increase the interest to towpath users.

Key issues for the project

The following key issues were identified (some relate more to canal restoration rather than paths):

- achieving consensus among a large number of stakeholders, with the added complication of separate bodies for the English and Welsh sections;
- overcoming physical blockages at lowered bridges on the A483 road;
- achieving acceptable compensation for adverse effects on the SAC and SSSI, including use of off-line nature reserves; and
- securing funding.

Case study 7 – Falkirk Wheel



Description of path

As the world's first and only rotating boat lift, the Falkirk Wheel is quite simply unique.

The Falkirk Wheel links the lower Forth & Clyde Canal with the Union Canal which is at a higher level.

Facilities on site include:

- Falkirk Wheel Experience – a boat trip that incorporates a journey in the rotating boat lift;
- Falkirk Wheel visitor centre - fully accessible, with dedicated disabled car parking spaces provided;
- interactive exhibition and viewing gallery;
- Falkirk Wheel Café;
- Falkirk Wheel Shop;
- picnic area and playpark;
- educational basin trail (to enhance the trail, audio handsets are available for hire);
- Antonine Wall (a world heritage site);
- tourist information centre; and
- canal walk and cycle paths.

Previous use - Historically, the two canals had been joined at Falkirk by a flight of 11 locks that stepped down across a distance of 1.5km, but these has been dismantled in 1933, breaking the link.

Target users – The Falkirk Wheel targets:

- recreational visitors – visitors to the Wheel and surrounding area;
- children – through tailored educational programmes, workshops, itineraries and resources that link in with different Curriculum For Excellence outcomes; and
- corporate visitors – through the use of the Falkirk wheel as a corporate hospitality venue.

Developing the project

Promotion – The Falkirk Wheel is widely promoted through British Waterways and The Falkirk Wheel website (see marketing below).

Design – The Falkirk Wheel Visitor Centre is fully accessible by wheelchair and there are a few available for use on site. The centre is also fitted with an induction loop for the hearing impaired. There are a number of disabled parking bays

close to the entrance to the Visitor Centre. In addition the trip boats allow for wheelchair access.

Connections/links – There are regular bus services from Falkirk High railway station direct to Falkirk Wheel. Short circular walks are available around the Falkirk Wheel.

The Wheel also provides links to the towpaths on the Forth & Clyde and Union Canals. The Union Canal benefits from a number of nearby railway stations between Falkirk and Edinburgh (at Falkirk High, Polmont, Linlithgow, Edinburgh Park, Wester Hailes, Kingsknowe and Slateford), which can facilitate one-way walks.

Managing potential conflicts – The Aqueduct that meets the top of the wheel is 11m lower than the Union Canal to allow the canal to pass in a tunnel under the historically important Antonine Wall. This arrangement required construction of additional locks to the south of the Antonine Wall.

Funding –

The Millennium Link was an ambitious £84.5m project with the objective of restoring navigability across Scotland on the historic Forth & Clyde Canal and Union Canal, providing a corridor of regenerative activity through central Scotland.

The Falkirk Wheel, the centre piece of The Millennium Link restoration project, cost £17.5 million. The Millennium Link restoration project as a whole cost £84.5 million (of which £32 million came from National Lottery funds).

A consortium of partners was responsible for funding of the Millennium Link project, including the Millennium Commission, European Regional Development Fund, Scottish Enterprise Network, the Waterways Trust Scotland and seven local authorities.



View of the Wheel from the tunnel under the Antonine Wall

Management – The Falkirk Wheel is managed by British Waterways.

Marketing – The wheel has its own website: www.thefalkirkwheel.co.uk/ and is highlighted as a key destination by British Waterways. It is marketed for recreational visitors, school visits and also as a corporate hospitality venue.

Success – The success of the scheme is reflected in the number of visitors.

The Falkirk Wheel attracted over 500,000 visitors in 2007, a 17.5% increase on 2006,

Ranking in the top 10 free admission attractions, the unique Scottish landmark had one of the biggest increases in this year's results, welcoming 513,907 visitors during the year, 76,519 more than the 2006 figure of 437,388

Additional opportunities

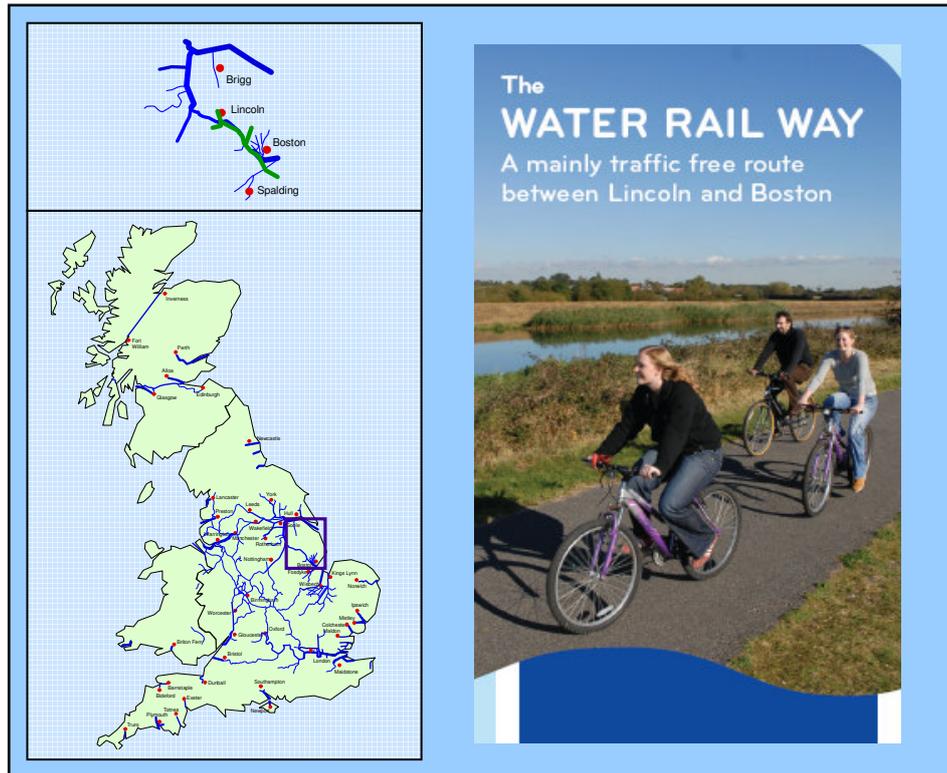
The proposed Helix Eco Park project extending down the Carron Valley between Falkirk and Grangemouth will increase further the attraction of the area to visitors. This country park will include a canal extension alongside the River Carron accessed from the existing terminal basin via a new lock flanked by two 30m high sculptures of mythical Kelpie water horses.

Key issues for the project

The following key issues were identified in developing the project:

- identification of a novel design that would attract visitors;
- the lack of tourism facilities in the immediate locality and perception of Falkirk as a tourism destination; and
- engagement of local communities.

Case study 8 – Lincolnshire Waterways Partnership



Description of path

The Lincolnshire Waterways Partnership (LWP) includes British Waterways, the Environment Agency and Lincolnshire County Council. Since 2003 the Partnership has been working on the regeneration of Lincolnshire's waterway corridors. The river corridors not only include the waterways but also the associated footpaths and cycle ways.

The partnership has a joint commitment to the regeneration of the river corridors of Lincolnshire, delivering a quality experience to boaters, walkers, cyclists, anglers and nature lovers alike.

A whole variety of projects have been delivered, multi user paths, new bridges and moorings, facilities for boaters, visitor centres, locks and a nature reserve. Other facilities that have been provided include a small heritage centre, a café and cycle hire.

One of the routes developed (the Water Rail Way) was developed with Sustrans, linking Lincoln and Boston, and incorporates an art-trail celebrating the local poet Tennyson.

Previous use - Previously many parts of Lincolnshire had been relatively inaccessible on foot or bicycle. The Water Rail Way runs along a previously disused railway track alongside the River Witham.

Target users - The work of the partnership has sought to attract tourists and day visitors (particularly cyclists). Target users include *"walkers, cyclists, anglers and nature lovers alike."*

Developing the project

Promotion – There are a number of leaflets advertising the routes developed by the Partnership. In addition the partnership publishes a free Waterways Newsletter three times each year which provides updates on the partnerships work programme and waterways workshops have been held to discuss projects.

Design – Sections of the routes developed have been designed to be traffic free wheelchair friendly. In addition angling pegs suitable for disabled people have been put in place at Five Mile Bridge together with an access ramp.

Connections/links - The Water Rail Way route forms part of National Cycle Network Route 1.

Managing potential conflicts – The leaflets for the Water Rail Way set out a code of conduct for shared use paths which should help reduce any potential conflicts between different users.

Funding – Since 2003 some 14 successful funding applications have been made for both EU and regional money¹⁵.

£14m of works have been completed, £2m is still in delivery and the LWP has even bigger plans for the future¹⁶.

Funding has come from a variety of sources including: European Regional Development Fund, Lincolnshire County Council, East Midlands Development Agency, Environment Agency, British Waterways, the private sector and West Lindsey District Council.

Management – The Partnership arose out of the County Council's commitment to invest £9.7 million in the waterways to match funding that was available through European Objective 2. The two main factors that led to a co-ordinated approach to waterways in Lincolnshire were the focus on tourism, and particularly cycling, in Objective 2, and the proposal from the Environment Agency to establish a navigable waterway link through to the Fens, thus creating a circular cruising route.

Marketing – The partnership and associated projects (i.e. the Water Rail Way) are promoted by the individual partnership members and Sustrans.

Success – Key successes delivered through the partnership include the Water Rail Way and the first part of the Fens Waterway Link. Also the partnership has been very successful in attracting funding.

An evaluation of the partnership took place in 2008 at it comes to the following conclusions:

- people are satisfied with the work undertaken;
- people believe it has been good value for money; and
- the majority think it has been a great success¹⁷.

Additional opportunities

Within the evaluation of the partnership the following additional opportunities were identified:

- more work needs to be done to promote use of the new facilities;
- the Partnership needs to set up its own website;
- there could be more involvement from voluntary bodies;
- dialogue needs to be established with key local authorities;
- need to work more closely with wildlife organisations;
- plans need to be made to ensure ongoing maintenance; and
- there is scope for more involvement with Parish Councils.



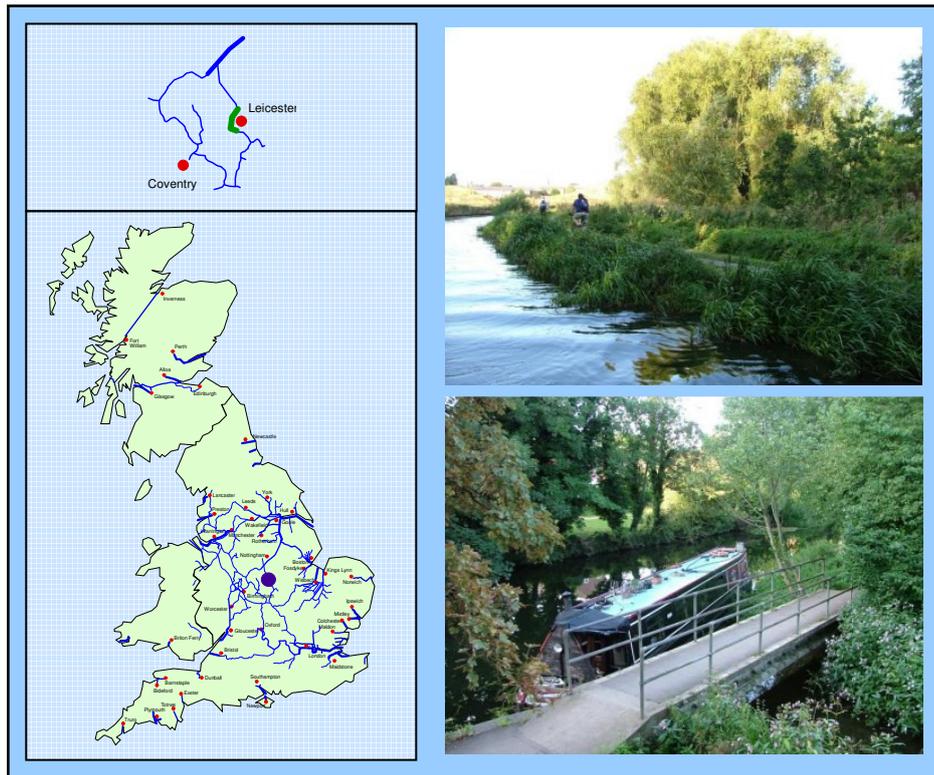
Sculptures over the waterway in Lincoln

¹⁵ www.lincolnshire.gov.uk/section.asp?sectiontype=listmixed&catid=20033

¹⁶ www.visitlincolnshire.com/site/things-to-do/waterways

¹⁷ http://capture.macaw.world.net/upload/LIN_GB_840_090121/LWPEvaluationFinalReport.pdf

Case study 9 – Leicester Riverside



Description of path

The Leicester Riverside waterway path runs through the city along the River Soar and the Grand Union Canal and stretches out to the adjacent countryside.

The route is 12 miles long and runs between Wanlip/Thurmaston (to the north of the city) and Blaby/Glen Parva (to the south of the city) passing through the centre of Leicester.

The route encompasses numerous greenspaces and includes several view points.

It is regionally important for wildlife and comprises a network of open spaces, nature reserves and parks.

It has a range of cycle paths and footpaths, connecting different parts of the City and is a focal point for regeneration in several areas of the City.¹⁸

Places of interest along the route include Abbey Park, Bede Park, The Rally Park, Watermead Country Park, National Space Science Centre, Abbey Pumping Station museum, weirs, locks, marinas, Belgrave Hall museum, Walkers Stadium, and Aylestone Local Nature Reserve. Facilities provided include, car parks, toilets and picnic sites. Refreshments are available from the near by facilities (these facilities are marked on the route maps).

In the central area, waterway path improvements have been accompanied by extensive redevelopment which has recognised the river corridor in its design.

The riverside routes are extensively used for recreation and commuting. Most are not public rights of way.

Previous use - The Great Central Way (a cycle way and part of National Cycle Network Route 6) that makes up part of the network of riverside routes, is the former line of the Great Central Railway. It became a footpath/cycle way in the 1980s.

Target users - Leicester Riverside targets walkers, cyclists and boat users.

¹⁸ www.leicester.gov.uk/your-council-services/ep/planning/conservation/leicestersriverside/

Developing the project

Promotion – The route is promoted on the Leicester City Council website, with route leaflets, including clear maps, being available for download. These leaflets “Discover Leicester’s Riverside Park” provide maps of the route differentiating between footpaths and cycleway and highlights places of interest. They also provide interpretive information about points of interest along the route.

Design – The route has both footpaths and cycle ways, which are generally separated although in parts they do follow the same route. Board walks have been provided in some of the wetland locations. Approximately 95% of the route is off route with the surface of the path (for the cycleway) being an all weather surface.

Wheelchair access is improving throughout the route.

Connections/links – In the south of the city there are numerous links to the part of National Cycle Network Route 6 (Derby to Oxford) that uses the former Great Central Railway line. To the north, the riverside path itself forms part of National Cycle Network Route 6.

As indicated within the route leaflets the Riverside is easily reached by bus.

Managing potential conflicts – The leaflets promoting the Leicester Riverside route asks users to be considerate to others. For cycle users it specifically recommends use of bells and to be considerate to non cyclists. The separation of routes helps greatly to reduce conflict.

Management – The Riverside Development Officer and Riverside Rangers (both Leicester City Council) work with other agencies, user groups and volunteers to develop the Riverside’s potential.

The Riverside Rangers in particular contribute to the management of the Riverside. They are on site helping to:

- increase awareness and involvement;
- ensure the Riverside’s positive management and development (for example they cut the grass and litter pick);
- minimise antisocial use (they patrol the site); and
- organise guided walks, talks and school events.

They also manage volunteer activities working closely with BTCV and Voluntary Action Leicester.

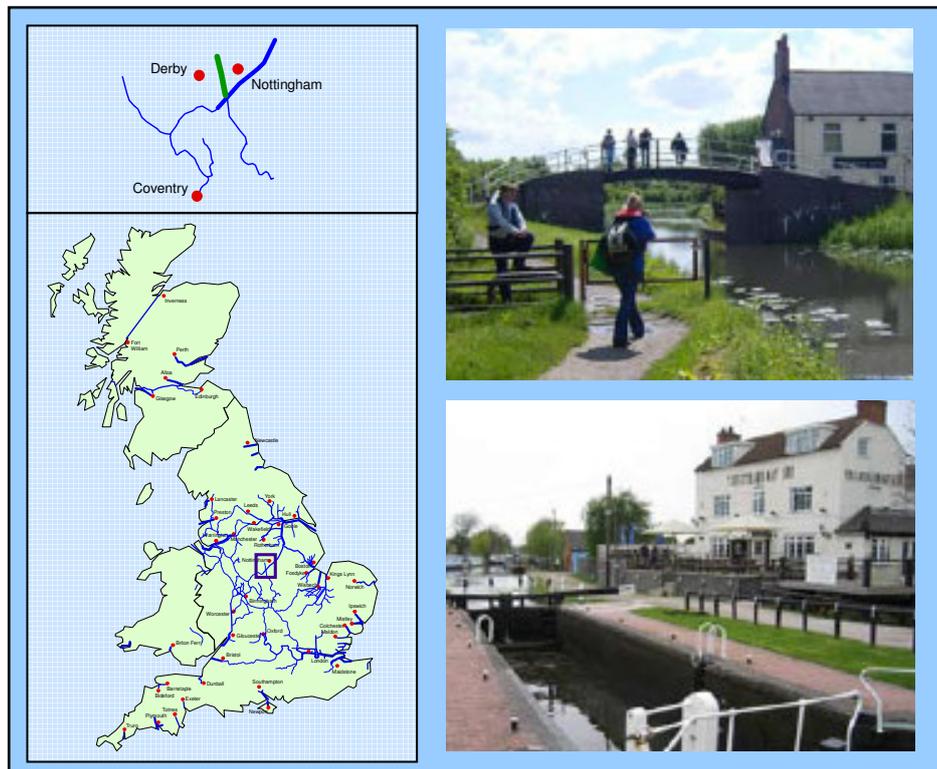
The Riverside Development Officer is involved in the regeneration projects taking place on the river and canal corridor.

On the canal sections, the towing path is owned by British Waterways but managed by the Council.

Marketing – The Leicester Riverside is marketed through Leicester City Council website, from which three maps can be downloaded showing the routes, visitor attractions and facilities and points of interest. It is also marketed on the Leicestershire County Council website.

Success – The Greenboat project, run by the Riverside Rangers, is an award winning project that enables people to join in helping keep the river clean.

Case study 10 – Erewash Canal Access Strategy and Development Plan



Description of path

The Erewash Canal is a 12 mile canal in Nottinghamshire that runs from Trent Lock (where the canal meets the River Trent) to Langley Mill. An Access Strategy and Development Plan was produced for the canal in 2009.

This strategy is intended to improve visitor and community access to the entire length of the canal, stretching from Trent Lock near Long Eaton to Langley Mill.

British Waterways is working with a number of partner organisations to deliver the project which is being part funded by the East Midlands Development Agency (EMDA).

The draft Access Strategy together with a number of proposals for the improvement of the canal have been developed and are designed to strengthen the relationship between the canal and surrounding communities.¹⁹

The canal passes in close proximity to a number of wildlife reserves and the canal is an attraction itself – specifically Trent Lock is seen as a key visitor destination point. Other places of interest include the Erewash Museum, Bennerly Viaducts, Shipley Aqueduct and mills.

The focus of the access strategy is

- improving access at various locations (establishing 'gateways') along its route;
- promoting/supporting increased use and activity (through provision of 'hubs'); and
- developing a strategy for implementation.

Previous use - The canal was not being used as much as what would normally be expected due to issues regarding:

- poor connectivity/access to the canal;
- the lack of significant destination points (Trent Lock being the exception);
- limited access for users with baby buggies and wheelchair users;
- no common brand to the canal;
- lack of directional signage; and
- crime and antisocial behaviour.

The Access Strategy and Development Plan seeks to address these issues.

¹⁹ <http://www.britishwaterways.co.uk/east-midlands/partners>

Target users - Target users are primarily walkers, cyclists, anglers and wildlife enthusiasts.

As stated in the Access Strategy and Development plan "*The Erewash Canal corridor has significant potential as a tourist and recreational facility*".

Enhancing the connection between the canal corridor and the surrounding areas aims to:

- *provide a safe and attractive walking/cycling route to work between urban centres.*
- *provide access to rural/wildlife locations and the wider countryside.*
- *promote access and provide a direct route to Attenborough Nature Reserve and Nottingham.*
- *promote linkage with other canal corridors and heritage, for example the Cromford Canal and the Derwent Valley Mills World Heritage Site.*

The strategy and implementation of projects to improve access will:

- *promote local community integration.*
- *address issues of anti-social behaviour.*
- *create opportunities for tourism and recreation, improving the visitor experience.*
- *aid green transport with cycle and pedestrian routes and links to buses and trains.*
- *assist in attracting business and investment by providing an enhanced environmental background.*
- *link with the Local Development Frameworks (LDFs) and related planning policy produced by individual authorities to ensure outcomes involving the canal corridor are maximised.*
- *protect and enhance the green infrastructure provided by the canal corridor.*
- *promote increased use and water based activity*
- *promote improvements to the canal infrastructure linked to future funding opportunities.*

Developing the project

Promotion – Erewash Canal Access Strategy and Development Plan has been promoted to the local community, they have actively been engaged in the development of the plan.

Design – The Strategy includes development of a Design Code for the Waterway Park and embedding the Erewash Canal in local planning policy. The Design Code could cover signage, interpretation sites, boundaries/barriers, etc to ensure consistency. Significant opportunities exist to promote an arts-led approach, reinforcing the distinctive character of the Erewash valley.

Connections/links – The Canal provides links to National Cycle Network 67 and 6.

The Erewash Canal links with the Trent at Long Eaton and with the derelict Nutbrook, Derby Cromford and Nottingham Canals.

Managing potential conflicts – A particular conflict exists between the use of barriers to prevent use of the route by motorcyclists, barriers which also limits access for people with baby buggies and wheelchair users. This conflict needs to be resolved.

Funding – East Midlands Development Agency and British Waterways funding has been secured to deliver priority projects associated with the Erewash Canal. Priority projects for this £250,000 sum have been identified.

Management – A partnership approach is encouraged to deliver the Strategy. Such an approach may include shared responsibility regarding towpath management and maintenance. It is also recognised that an overall partnership approach would have a collective strength to access funding opportunities (e.g. via Green Infrastructure and regeneration opportunities). Existing partnerships with local groups/councils (including health and volunteer groups) would continue.

Marketing – The development of the Erewash Canal is marketed through the Erewash Canal Access Strategy and Development Plan. The access strategy puts forward ideas on how to improve access to the canal and four focal areas have been identified as having potential for improvement and redevelopment (Langley Mill, Ilkeston, Sandiacre and Long Eaton).

Success – The Erewash Canal Access Strategy and Development Plan was the winner of the Waterways Renaissance Awards 2010 category for Strategy and Masterplanning.

The judges stated:

The aim of the project was to unlock the potential of the Erewash Canal as a fantastic leisure destination in the Midlands, which was achieved through a number of small projects that worked towards increasing access for the community and promoting the Canal as a leisure and tourism destination.

Key issues for the project

One of the key issues for the project is changing the image of the Erewash Canal, both locally and to visitors, so that people see it as an attractive and safe place to visit.

Case study 11 – Lee Valley



Description of path

The Lee Valley is a Regional Park following the River Lee. The Park is 26 miles/42km long and runs from Ware in Hertfordshire, through Essex, to the Thames at Bow.

Two key routes pass through the Park:

- the Lee Valley Pathway – this off road recreational route was opened in 1996 and provides a combined cycling and pedestrian route for the entire length of the park. It forms part of National Cycle Network Routes 1 and 61; and
- the Lee Valley Walk – is a 50mile/80km route, which stretches from the source of the Lea at Luton to the Thames. 25 miles/40km of this route lie within the Regional Park.

Lee Valley Regional Park – London's biggest open space

Key destinations within the Lee Valley Regional Park include regional sports centres, urban green spaces, heritage sites, country parks, farms and nature reserves.

The facilities/activities provided in the park are wide ranging and include but are not limited to:

- walking cycling and running routes;
- monthly guided walks (private guided walks are also available);
- toilet, picnic areas, parking provision and refreshments;
- youth/school visits (for a variety of ages) including the provision of teaching resources;
- corporate activities - team building and conservation days; and
- numerous recreational and sporting facilities (e.g. ice rink, golf course and orienteering course and boat hire).

Lee Valley Park –open spaces and sporting places

Previous use – The waterway paths are former towpaths. The character of the wider park is influenced by water supply infrastructure, including many reservoirs.

Target users - The Lee Valley Regional Park, with its diverse attractions, seeks to attract a variety of users including walkers, cyclists, runners, anglers and wildlife enthusiasts.

Children are key target users, with a dedicated 'kids' section on the Lee Valley Regional Park website.

Developing the project

Promotion – 40 walking routes are promoted within the Lee Valley Regional Park. The routes developed generally have a nature, heritage or water theme.

Design – The routes developed in the Lee Valley Regional Park are all suitable for walking and cover a range of terrains and distances. A number are suitable for runners and cyclists and some have disabled/pushchair access.

Connections/links – As mentioned previously the Lee Valley Pathway links into the National Cycle Network whilst the Lee Valley Walk extends beyond the Regional Park. These routes in turn link to many public rights of way. The Lee Valley Walk also links in with the Thames Path National Trail where it runs along the Thames.

Links to public transport are indicated on the Lee Valley Regional Park map.

Managing potential conflicts – The waterway paths are used by cyclists and pedestrians. Conflict is not as great as in some areas as the paths are reasonably wide. In some places, cycling and walking routes are separated.

Funding – The Lee Valley Regional Park Authority (LVRPA) is an independent statutory public authority established by an Act of Parliament. The Authority is financed from a levy calculated from the council tax base of Hertfordshire, Essex and Greater London.



Separate access for cyclists and pedestrians at Edmonton

Planned gross capital investment over the next four years will be £20.8m which in itself will attract at least a further £2.0m of external funding; and help to generate Assets in excess of £170m as a result of the Olympic venues.²⁰

Management – The Lee Valley Regional Park Authority (the Authority) is a statutory body responsible for managing and developing Lee Valley Regional Park.

The Authority is made up of representatives from:

- Essex and Hertfordshire County Councils;
- Broxbourne Borough Council, East Hertfordshire District Council and Epping Forest District Council;
- London Boroughs of Enfield, Hackney, Haringey, Newham, Tower Hamlets and Waltham Forest;
- Members of the London Councils (formerly known as the Association of London Government);
- British Waterways; and
- Environment Agency.

By virtue of its remit and geography, the Lee Valley Regional Park Authority finds itself at the heart of the Olympic project and is working with partners to deliver the venues on its land and secure a sustainable Olympic and Paralympic legacy for the region.

It is also responsible for regenerating derelict and neglected land into high quality public open spaces and wildlife habitats of ecological importance, as well as preserving the region's historical value.

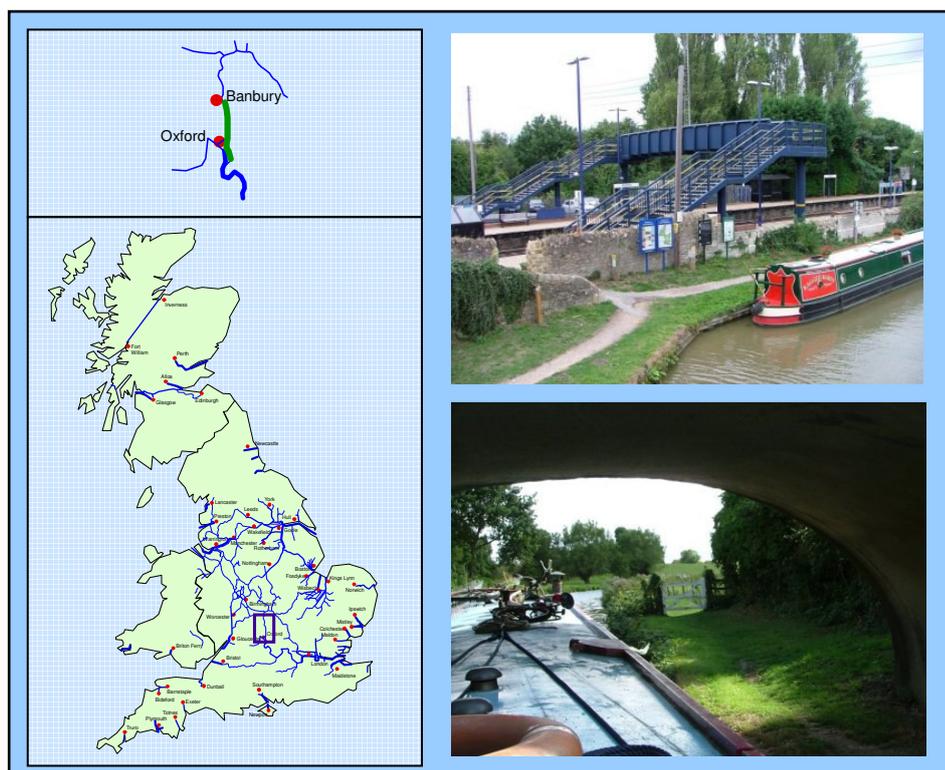
The Lee Valley Walk that falls within the Regional Park boundaries is mainly managed by the Lee Valley Regional Park Authority and British Waterways, other sections are managed by the local authorities for that area.

Marketing – There is a dedicated website that markets the Lee Valley Regional Park providing information and interpretation to potential visitors (www.leevalleypark.org.uk). The Lee Valley Walk is also promoted on the Walk London website.

Success – The Regional Park includes eight Green Flag winning open spaces, one Green Heritage Site and four Highly Commended Quest accredited sports venues.

²⁰ www.leevalleypark.org.uk

Case study 12 – Oxford Canal Walks



Description of path

This is a series of walks based on gaining access to the canal from railway stations between Oxford and Banbury (at Tackley, Heyford, Kings Sutton and Banbury).

The walks include both circular walks and inter-station walks and range from 3km in length upwards. All make use of the Oxford Canal towpath for a substantial part of their route, as well as including other villages in the Cherwell Valley. Examples include:

- Heyfords circular walk (3.5km) – via Lower and Upper Heyford, using the towpath in one direction and field paths and village streets in the other; a modified route is accessible to wheelchairs and pushchairs;
- Cherwell Valley Walks (22.5km) – a figure-of-eight walk from Heyford station via the Astons and passing Rousham Park, with options to undertake shorter walks of 11km or 6.5km;
- Heyford station to Tackley station (8km) – including 6.5km of towpath; and
- Battlefield walk at Cropredy (7km) – via the site of an important Civil War battle, including 2km of canal towpath.

Previous use – The waterway path sections of the routes make use of the towpath of the Oxford Canal, previously used by boat horses.

Target users – Although the Oxford Canal towpath is used by cyclists as well as walkers, the routes described here include footpaths across fields and stiles, so some are not suitable for cyclists. However, the partnership does promote bringing cycles to the Oxford Canal towpath by train and there are cycle hire facilities at Heyford.

Developing the project

Promotion – The promotion of use of the train to access walks and the introduction of summer Sunday trains has been achieved through the North Oxford Canal Partnership, which includes Oxfordshire County Council, Cherwell District Council, West Oxfordshire District Council, British Waterways, First Great Western Trains and Oxfordshire Narrowboats.

Other local groups have contributed, for example, Lower Heyford Parish Council devised the Heyfords Circular Walk and Cropredy Parish Council and Cropredy Historical Society contributed to the leaflet for the Cropredy Battlefield Walk. Some of the information at Heyford Station is provided by the Friends of Heyford Station.

Design – some of the walks include public artworks in the form of ‘poem sculptures’ at canal locks, funded by Cherwell District Council and Southern Arts, designed to reflect features of the canal environment.

Connections/links – As well as rail links, the short walks all link with the long distance Oxford Canal walk from Oxford to Coventry (124km).

Managing potential conflicts – As with all BW towpaths, cyclists are encouraged to follow the Waterway Code of conduct.

Funding – The principal costs associated with the creation of these walks are signage and marketing, as well as running the Sunday trains. Funding involves different partnership members contributing to their own responsibilities.

Management – Management of the project is divided, with each body fulfilling its own responsibilities (for example First Great Western Trains maintaining stations, British Waterways maintaining parts of the towpath which are not PROW and the local authorities maintaining PROW that form parts of the routes).

Marketing - The railway line is promoted as the ‘Oxford Canal Line’ and an award winning guide leaflet is produced by the partnership and available on the Oxfordshire County Council website at

http://portal.oxfordshire.gov.uk/content/publicnet/council_services/environment_planning/countryside/walks_rides/Oxford-Canal-Leaflet.pdf.

Guides to individual walks are produced by Cherwell District Council, with support from partners and are available at www.cherwell.gov.uk and at local tourist offices. British Waterways also produces guides to the Oxford Canal which promote the rail links and the walks and these are accessible on www.waterscape.com.

Additional opportunities

Building on the marketing of access to the Oxford Canal by train, other groups (such as parish councils), could easily develop further walks linked to the different stations, with little expense beyond signage and local publicity (on-line and via leaflets).

Key features of the project

The notable feature of this project is the number of partners involved and it demonstrates how small groups such as parish councils can build on a lead established by larger organisations.



Waymarks for the Cherwell Valley and Heyfords walks plus signage for the Heyford to Tackley inter-station walk

Glossary and Abbreviations

AEP	Annual Exceedance Probability
AINA	Association of Inland Navigation Authorities
AONB	Area of Outstanding Natural Beauty
BVPI	Best Value Performance Indicator
BW	British Waterways
CPO	Compulsory Purchase Order
CPP	Core Paths Plan (Scotland)
CROW Act	Countryside and Rights of Way Act 2000
DCLG	Department of Communities and Local Government
DDA	Disability Discrimination Acts (1995 and 2005)
Defra	Department for the Environment, Food and Rural Affairs
DfT	Department for Transport
EA	Environment Agency
FC	Forestry Commission
GI	Green Infrastructure
IWAC	Inland Waterways Advisory Council
IWVS	Inland Waterways Visitor Survey 2009
LAF	Local Access Forum
LDF	Local Development Framework
LHA	Local Highway Authority
NE	Natural England
PROW	Public right of way
RDA	Regional Development Agency
ROWIP	Rights of Way Improvement Plan (England & Wales)
SOAC	Scottish Outdoor Access Code
VW	Valuing Waterways

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Steering Group

Members of the Project Steering Group were:

Mike Cooksley – IWAC Member (Chairman)

John Manning – IWAC Policy Adviser

Amanda Nobbs – IWAC Member

Alan Stopher - IWAC Member

Colin Powell - IWAC Member

Appendix 1

Policy summary

<p>UK-wide sustainability policies</p> <p>Policies on climate change and sustainable development Choosing Health White Paper 2004</p> <p style="text-align: right;">DfT Transport White Paper (CM6234)</p>				
<p>Planning Policy Statements/Guidance</p> <table border="0"> <tr> <td style="vertical-align: top;"> <p>England</p> <ul style="list-style-type: none"> • PPS1 Delivering sustainable development • PPS9 Biodiversity and Geological Conservation • PPS12 Local Development Frameworks (Green Infrastructure) • PPG13 Transport • PPG15 Planning and the Historic Environment • PPG17 Planning for Open Space, Sport and Recreation • PPS25 Planning and Flood Risk </td> <td style="vertical-align: top;"> <p>Wales</p> <ul style="list-style-type: none"> • Planning Policy Wales • TAN5 Nature conservation & planning • TAN6 Agricultural & rural development • TAN12 Design (Design & Access) • TAN13 Tourism • TAN15 Development & flood risk • TAN16 Sport, recreation & open space • TAN18 Transport </td> <td style="vertical-align: top;"> <p>Scotland (NB - SPP/NPPG now withdrawn)</p> <ul style="list-style-type: none"> • Scottish Planning Policy guidance circulars • Designing Places • PAN42 Archaeology • PAN60 Natural heritage • PAN65 Planning and open space • PAN68 Design statements • PAN69 Flooding • PAN71 Conservation area management • PAN75 Planning for transport • PAN81 Community engagement </td> </tr> </table>		<p>England</p> <ul style="list-style-type: none"> • PPS1 Delivering sustainable development • PPS9 Biodiversity and Geological Conservation • PPS12 Local Development Frameworks (Green Infrastructure) • PPG13 Transport • PPG15 Planning and the Historic Environment • PPG17 Planning for Open Space, Sport and Recreation • PPS25 Planning and Flood Risk 	<p>Wales</p> <ul style="list-style-type: none"> • Planning Policy Wales • TAN5 Nature conservation & planning • TAN6 Agricultural & rural development • TAN12 Design (Design & Access) • TAN13 Tourism • TAN15 Development & flood risk • TAN16 Sport, recreation & open space • TAN18 Transport 	<p>Scotland (NB - SPP/NPPG now withdrawn)</p> <ul style="list-style-type: none"> • Scottish Planning Policy guidance circulars • Designing Places • PAN42 Archaeology • PAN60 Natural heritage • PAN65 Planning and open space • PAN68 Design statements • PAN69 Flooding • PAN71 Conservation area management • PAN75 Planning for transport • PAN81 Community engagement
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<p>Development plans (plans and information varying between administrations)</p> <p>Local policies/guidance set out in</p> <table border="0"> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Local Development Frameworks/Development Plans/Transport Plans • Rights of Way Improvement Plans/Core Path Plans • Sustainable Community Strategies/delivery through Local Area Agreements • Travel Plans (in case studies only) • Countryside Strategies/Green Infrastructure Strategies • Biodiversity Action Plans • Health Improvement Plans </td> <td style="vertical-align: top;"> <p>In particular, relevant policy/guidance within these plans on:</p> <ul style="list-style-type: none"> • sustainability (economic, social, environmental) • climate change • health and wellbeing • local distinctiveness/sense of place • community cohesion • cultural heritage • tourism </td> </tr> </table>		<ul style="list-style-type: none"> • Local Development Frameworks/Development Plans/Transport Plans • Rights of Way Improvement Plans/Core Path Plans • Sustainable Community Strategies/delivery through Local Area Agreements • Travel Plans (in case studies only) • Countryside Strategies/Green Infrastructure Strategies • Biodiversity Action Plans • Health Improvement Plans 	<p>In particular, relevant policy/guidance within these plans on:</p> <ul style="list-style-type: none"> • sustainability (economic, social, environmental) • climate change • health and wellbeing • local distinctiveness/sense of place • community cohesion • cultural heritage • tourism 	
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<p>Countryside and nature conservation agency policies</p> <ul style="list-style-type: none"> • Natural England's Inspiring people to value and conserve the natural environment policy paper (2009) • Natural England's Green Infrastructure Guidance (2009), ANGSt standards (2003) and Outdoor Recreation Strategy; • Natural England's 'One million children outdoors' campaign • Natural England's Walking for Health Initiative • CCW's developing Green Infrastructure Framework (2009); • SNH's policies on Green Networks. 	<p>Waterway management bodies' policies on</p> <ul style="list-style-type: none"> • leisure and recreation • heritage • environment • sustainability • waterside regeneration • waterway restoration 			

Appendix 2

Consultation

To inform the research project 'Making more use of waterway paths' a questionnaire was prepared. Key stakeholders were invited to complete the questionnaire online (provided online using Survey Monkey) or to provide a response over the telephone (an option taken up by some consultees). The email invite sent out to the stakeholder provided background to both the study and questionnaire with further background information being provided at the start of the questionnaire. A copy of the email invitation to participate and the questionnaire is provided.

Key stakeholders approached to take part in the survey were identified in consultation with the project steering group and included representatives from:

- navigation authorities;
- access authority/groups;
- national bodies with an interest in waterway paths;
- users groups with an interest in waterway paths;
- waterway path projects; and
- IWAC members.

Key consultees/representatives approached were:

- The Broads Authority;
- British Waterways;
- British Waterways Scotland;
- Environment Agency;
- Environment Agency Wales;
- AINA, c/o British Waterways;
- Waterway Recovery Group;
- Inland Waterways Association;
- Sustrans;
- The WfH National Team, Natural England;
- Defra;
- Scottish Government, Transport Directorate;
- Countryside Council for Wales;
- Welsh Assembly Government;
- Scottish Natural Heritage;
- Natural England;
- Institute of Public Rights of Way Management (IPROW);
- County Surveyors Society now called ADEPT;
- Association of National Park Authorities;
- National Association of Areas of Outstanding Natural Beauty;
- Chartered Institution of Water and Environmental Management;
- Sport England;
- Sports Council for Wales;
- Ramblers;
- Ramblers Cymru;
- Ramblers Scotland;
- Disabled Ramblers;
- Cyclists' Touring Club ;
- International Mountain Biking Association UK;
- British Horse Society (BHS);
- BHS Scotland;
- Angling Trust;
- Visit England;
- Visit Wales;
- Visit Scotland;
- British Canoe Union;

- Royal Yachting Association;
- Paths for All;
- Scottish Rights of Way Society (aka Scotways);
- Managers of the Thames Path;
- Senior Project Officer Weaver Valley;
- Great Glen Way Rangers;
- Neath and Tennant Canals Trust;
- Lincolnshire Waterways Partnership;
- Fens Waterways Link Project;
- North Oxford Canal Partnership;
- Medway Valley Countryside Partnership;
- Central Scotland Green Network Unit;
- River Nene Regional Park;
- Kennet and Avon Canal;
- Walk London;
- Lifewalks Harlow Coordinator;
- Maidstone Millennium River Park;
- British Waterways - North Wales & Borders Waterways;
- East London Green Grid;
- Pendle Canal Corridor;
- Pembrokeshire Greenways Officer;
- Leicester Riverside Project Development Officer;
- The Waterways Trust Scotland; and
- Three Rivers Way.

Of these approximately 100 contacts a total of 34 responses was received, with approximately 30 supplying a good level of information.

A questionnaire was sent to consultees using the *Survey Monkey* software. The invitation to respond and the questionnaire are reproduced below

Emailed invitation

Subject: Making more use of waterway paths - Questionnaire survey

The Inland Waterways Advisory Council (IWAC) are researching evidence on the potential for sustainably expanding the use of waterway paths and their surrounding corridors, the benefits that would accrue from such an expansion and how this expansion could be achieved.

Entec (www.entecuk.com) and Asken (www.asken.co.uk) have been appointed to undertake the research. The research will identify the existing waterway path resource, challenges and opportunities for potential expansion of waterway paths; and the delivery of waterway path expansion.

You, as **XXXXXX**, are invited to complete a questionnaire survey to inform this research. It is recognised that you will have some good insights on the subject and we would greatly appreciate your contributions. Please note an email request may have gone to an other(s) in your organisation however you as an individual have been suggested to us as a useful contact, hence sending this request direct to you.

Please populate the questionnaire on-line via the following link <http://www.surveymonkey.com/s/waterwaypathsurvey> . Alternatively, give me a call and you can provide us with your responses over the telephone. It would be greatly appreciated if you could respond ASAP (at the latest by **XXXXXX**).

The information collected from the survey will ensure the research captures as many of the strengths, weaknesses, opportunities and challenges associated with expanding the use of waterway paths. In particular any suggested examples and case studies identified through the questionnaire will be considered for possible investigation as part of the research.
Thank you for your time.

1. Introduction and background

Inland Waterways Advisory Council (IWAC) have appointed Entec (www.entecuk.com) and Asken (www.asken.co.uk) to undertake a study entitled 'Making more use of waterway paths and their surrounding corridors'.

The aims of the study are to:

- explore the potential for sustainably expanding the use in Britain of waterway paths and their surrounding corridors;
- identify the benefits that would accrue from such an expansion; and
- propose how this expansion could be achieved.

To inform this work, we need to gather information from key stakeholders. We would be very grateful if you could spare a few moments of your time to respond to the questions set out below that cover :

- the existing waterway path resource;
- challenges and opportunities for potential expansion of waterway paths;
- delivering greater use of waterway paths; and
- potential case study examples.

Definitions of 'waterway' and 'waterway corridor' that are used within this study are set out below.

'Waterways' includes navigable or formerly navigable waterways in England and Wales and navigable or formerly navigable canals in Scotland. In England and Wales, the waterways considered include canals, rivers, fenland drains, The Broads and riverine parts of tidal waterways but not areas that are primarily coastal. Derelict waterways are also included in the study's scope.

In the case of canals, the 'waterway corridor' is essentially the extent of ownership of the navigation authority. For navigable rivers the 'waterway corridor' is generally defined as the extent of the 1% AEP (1 in 100 years) floodplain, plus any paths which follow the flood plain margin (e.g. paths on the top of flood embankments).

1. Are you representing a group or organisation?

Yes

No

2. If yes, what type (if required you can select more than one)

navigation authority

waterway heritage group

local authority

sporting activity group

central Government Department/Agency

community interest group

group representing users of waterway paths

nature conservation group

tourism body

business

health authority/group

publicly funded body

Other (please specify)

	5
	6

3. On what basis are you answering this questionnaire?

In relation to a particular waterway system – if so please specify

On a general basis applying to waterway paths everywhere

In relation to a particular area – if so please specify

Please specify waterway/area as appropriate

Please complete the remainder of this survey on this basis

2. Use and benefits of waterway paths

4. What do you believe to be the 'main' uses of waterway paths? (you may select more than one use)

- | | |
|---|--|
| <input type="checkbox"/> walking (for leisure) | <input type="checkbox"/> watching boats, viewing locks working, natural events (e.g. tidal bore) |
| <input type="checkbox"/> walking (commuting to work, shops etc) | <input type="checkbox"/> natural history/bird watching associated with the waterway |
| <input type="checkbox"/> jogging/running | <input type="checkbox"/> access for boating/boaters (house boats, moorings, commercial boats, private boats etc) |
| <input type="checkbox"/> dog walking | <input type="checkbox"/> access for canoeing/canoe portaging |
| <input type="checkbox"/> cycling (for leisure) | <input type="checkbox"/> access for fishing |
| <input type="checkbox"/> cycling (commuting to work etc) | <input type="checkbox"/> access for rowing/ rowing |
| <input type="checkbox"/> horse riding | |

Other (please specify)

5. What do you think are the 'most important' benefits currently provided by waterway paths and their use? (you may select more than one benefit)

- | | |
|--|--|
| <input type="checkbox"/> improves physical health/wellbeing | <input type="checkbox"/> provides a recreational resource in its own right |
| <input type="checkbox"/> improves mental health /wellbeing | <input type="checkbox"/> provides access to recreational resources |
| <input type="checkbox"/> enables people to 'get outdoors' | <input type="checkbox"/> attracts tourism |
| <input type="checkbox"/> traffic free route for walkers and cyclists | <input type="checkbox"/> enables people to be more aware of their local area |
| <input type="checkbox"/> reduces congestion on the roads | <input type="checkbox"/> access to and between the countryside/urban areas |
| <input type="checkbox"/> reduces CO2/greenhouse gas emissions | <input type="checkbox"/> access to the water/natural environment |
| <input type="checkbox"/> saves money (i.e. a cheaper travel option) | <input type="checkbox"/> access to historic features/cultural environment |
| <input type="checkbox"/> available to all | |

Other (please specify)

6. Have you any survey information on numbers of users on specific waterway paths or knowledge of where such data exist?

- yes, I/we can supply such data (please give contact details)
- no but I/we know where such data are available (please give contact details)
- no, I/we have no access to or knowledge of such data

Contract details from whom data would/could be available

7. What do you think are the 'main' factors influencing people's choice of a route that might be relevant for waterway paths? (you may select more than one factor)

- | | |
|---|--|
| <input type="checkbox"/> attractive views and scenery | <input type="checkbox"/> doesn't cost much money |
| <input type="checkbox"/> away from traffic | <input type="checkbox"/> well maintained path |
| <input type="checkbox"/> feeling of safety | <input type="checkbox"/> places to sit and rest |
| <input type="checkbox"/> can not get lost | <input type="checkbox"/> circular walks |
| <input type="checkbox"/> can let dog off the lead (no cars, no livestock) | <input type="checkbox"/> availability of information |
| <input type="checkbox"/> quiet/tranquil | <input type="checkbox"/> can buy refreshments |
| <input type="checkbox"/> close to home | <input type="checkbox"/> clean toilets available |
| <input type="checkbox"/> relaxation | <input type="checkbox"/> clear signposting |
| <input type="checkbox"/> discovering new places | <input type="checkbox"/> access to moorings or water activity facilities |
| <input type="checkbox"/> easy to park | |

Other (please specify). Also add further notes here if you wish (for example if certain factors are associated with particular types of waterway path)

**8. What do you think are the 'main' things that discourage use of waterway paths?
(you may select more than one)**

- | | |
|---|--|
| <input type="checkbox"/> lack of connectivity to other transport routes | <input type="checkbox"/> lack of information on routes, features of interest |
| <input type="checkbox"/> lack of access | <input type="checkbox"/> unsure of legal status (i.e. what access is allowed) |
| <input type="checkbox"/> lack of car parking at access points | <input type="checkbox"/> cost of joining organised activities |
| <input type="checkbox"/> lack of public transport | <input type="checkbox"/> perceptions of personal safety |
| <input type="checkbox"/> lack of visitor facilities | <input type="checkbox"/> anti-social behaviour |
| <input type="checkbox"/> poor path surface/inadequate width | <input type="checkbox"/> misuse by others (e.g. unauthorised use by motorised vehicles) |
| <input type="checkbox"/> limited headroom (e.g. for horse riders, cyclists) | <input type="checkbox"/> rubbish and pollution (fly tipping, litter, dog faeces, polluted water) |
| <input type="checkbox"/> overgrowth by vegetation | <input type="checkbox"/> vandalism |
| <input type="checkbox"/> lack of lighting | <input type="checkbox"/> conflict between different users (please specify in box below) |
| <input type="checkbox"/> poor access for mobility impaired people | |

Other (please specify). Also add further notes here if you wish (for example if certain barriers are associated with particular types of waterway path)

5

6

9. How important do you think the surrounding landscape/townscape and cultural heritage interest is to users of waterway paths? Please explain your reason(s)

- essential
 quite important
 impartial
 not particularly
 not at all

Reasoning

5

6

10. How important do you think the nature conservation interest is to users of waterway paths? Please explain your reason(s)

- essential
 quite important
 impartial
 not particularly
 not at all

Reasoning

5

6

3. Expanding the use of waterway paths

**11. What do you think could be done to encourage greater use of waterway paths?
Please indicate what type of additional user you think your suggestion would attract.**

Suggestion 1	<input type="text"/>
Additional users	<input type="text"/>
Suggestion 2	<input type="text"/>
Additional users	<input type="text"/>
Suggestion 3	<input type="text"/>
Additional users	<input type="text"/>
Suggestion 4	<input type="text"/>
Additional users	<input type="text"/>
Suggestion 5	<input type="text"/>
Additional users	<input type="text"/>

12. Are there any situations where greater use of waterway paths should not be encouraged (please provide up to five examples)? Please give you reasons.

Situation 1	<input type="text"/>
Reason	<input type="text"/>
Situation 2	<input type="text"/>
Reason	<input type="text"/>
Situation 3	<input type="text"/>
Reason	<input type="text"/>
Situation 4	<input type="text"/>
Reason	<input type="text"/>
Situation 5	<input type="text"/>
Reason	<input type="text"/>

13. What additional benefits could waterway paths provide?(please provide up to five examples).

1	<input type="text"/>
2	<input type="text"/>
3	<input type="text"/>
4	<input type="text"/>
5	<input type="text"/>

14. Who should take the main responsibility for development and promotion of waterway paths?

- | | |
|--|---|
| <input type="checkbox"/> navigation authorities | <input type="checkbox"/> waterway businesses |
| <input type="checkbox"/> local authorities/access authorities and (where applicable) national park authorities | <input type="checkbox"/> the voluntary sector/charitable trust |
| <input type="checkbox"/> parish councils | <input type="checkbox"/> developers of waterside land |
| <input type="checkbox"/> regional Government | <input type="checkbox"/> partnerships (please suggest participants) |
| <input type="checkbox"/> central Government agencies (e.g. Natural England/CCW/SNH, Environment Agency/SEPA) | <input type="checkbox"/> other (please specify) |

5

6

15. Where should funding come from for the improvement/development of waterway paths?

- | | |
|---|---|
| <input type="checkbox"/> central Government | <input type="checkbox"/> grants, lottery etc (please specify) |
| <input type="checkbox"/> navigation authority | <input type="checkbox"/> private sector/local businesses e.g. sponsorship |
| <input type="checkbox"/> local Government | <input type="checkbox"/> users (e.g. via car park charges) |
| <input type="checkbox"/> voluntary fund raising | |

Other (please specify)

5

6

16. Can you suggest any examples of waterway paths you feel should be priorities for creation/improvement/expansion?

For each example please state what you think needs to be done and why.

5

6

17. Are you aware of any ongoing or completed waterway path projects that demonstrate factors for success or lessons to be learnt?

yes

no

4. Potential case studies

Please complete a separate table for each ongoing or completed waterway path project example you are aware of that demonstrates factors for success or lessons to be learnt

If you do not have time to complete the table, simply identifying a project would be much appreciated.

18. Example 1

Name of project/path system	<input type="text"/>
Brief description of project	<input type="text"/>
Waterway(s) involved	<input type="text"/>
Previous uses of paths (if any)	<input type="text"/>
Target users	<input type="text"/>
Groups/bodies involved in promoting the project	<input type="text"/>
Design features of paths	<input type="text"/>
Connecting linkages	<input type="text"/>
What user conflicts need/needed to be addressed	<input type="text"/>
Environmental sensitivities	<input type="text"/>
Funding sources	<input type="text"/>
How was the project managed?	<input type="text"/>
How are the paths being marketed?	<input type="text"/>
Outcomes regarded as successful	<input type="text"/>
Opportunities not yet realised as planned	<input type="text"/>
Key challenges that were addressed	<input type="text"/>
Main lessons learnt	<input type="text"/>

19. Example 2

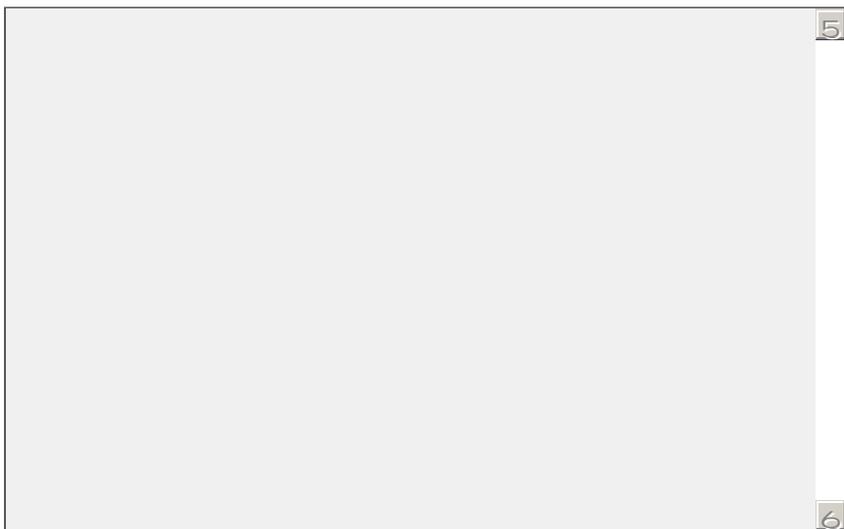
Name of project/path system	<input type="text"/>
Brief description of project	<input type="text"/>
Waterway(s) involved	<input type="text"/>
Previous uses of paths (if any)	<input type="text"/>
Target users	<input type="text"/>
Groups/bodies involved in promoting the project	<input type="text"/>
Design features of paths	<input type="text"/>
Connecting linkages	<input type="text"/>
What user conflicts need/needed to be addressed	<input type="text"/>
Environmental sensitivities	<input type="text"/>
Funding sources	<input type="text"/>
How was the project managed?	<input type="text"/>
How are the paths being marketed?	<input type="text"/>
Outcomes regarded as successful	<input type="text"/>
Opportunities not yet realised as planned	<input type="text"/>
Key challenges that were addressed	<input type="text"/>
Main lessons learnt	<input type="text"/>

20. Example 3

Name of project/path system	<input type="text"/>
Brief description of project	<input type="text"/>
Waterway(s) involved	<input type="text"/>
Previous uses of paths (if any)	<input type="text"/>
Target users	<input type="text"/>
Groups/bodies involved in promoting the project	<input type="text"/>
Design features of paths	<input type="text"/>
Connecting linkages	<input type="text"/>
What user conflicts need/needed to be addressed	<input type="text"/>
Environmental sensitivities	<input type="text"/>
Funding sources	<input type="text"/>
How was the project managed?	<input type="text"/>
How are the paths being marketed?	<input type="text"/>
Outcomes regarded as successful	<input type="text"/>
Opportunities not yet realised as planned	<input type="text"/>
Key challenges that were addressed	<input type="text"/>
Main lessons learnt	<input type="text"/>

5. Further comments

21. Are there any other points/comments you would like to make.



22. This survey is confidential and you do not need to provide any personal details. However, it would be useful if you could provide your email address then you can be removed from the 'chasing up' list.

Thank you for participating in this survey.

Please note the information collected will be used solely to inform research on 'making more use of waterway paths'.

If completing this questionnaire off-line (ie via a pdf/hard copy of the questionnaire) please return the questionnaire via the following methods:

Post:

Kay Adams
Entec UK Ltd
Gables House
Kenilworth Road
Leamington Spa
Warwickshire
CV32 6JX

Email

kay.adams@entecuk.co.uk

Appendix 3

ROWIP/CPP review

Birmingham City Council

Birmingham City Council covers an urban area and contains a major network of canals, as well as highways (the ROWIP notes that there are over 64 km of canal paths out of a path network of some 350 km). The ROWIP starts with a review of the policy framework; this provides some specific references of interest.

- The UDP is quoted as having a policy to “Use the canal network more fully”, although the ROWIP does not suggest in what way.
- It is inferred by the ROWIP that “The Future of Birmingham’s parks and Open Space Strategy”, the “Birmingham and Black Country Biodiversity Action Plan” and “Places for Living” each provide policy support to “Integrate the existing rights of way network with parks, open spaces, river and canal routes”.
- Hall Green Constituency Draft Community Plan 2004–2006 includes Point 6.6 “Promote the conservation and culture of the constituency, including establishing the Shire Country Park and exploring options to increase the leisure opportunities of the canals”.
- Perry Barr Constituency Community Plan 2005–2006 says “The North Birmingham cycle route (part of the proposed National Cycle Network regional route), the Harrier Run and the Tame Valley canal route will pass through the area. In parts of the constituency there is potential to capitalise on the network of canals, rivers and linked pieces of open space. Local improvements to this network could greatly improve its attractiveness for leisure users, nature conservation and also as a wildlife habitat...”.
- Aston Local Action Plan (1998) recognises the potential for a walkway and cycleway along the River Tame to link Witton to areas of public open space in Perry Barr. It will find opportunities to improve the environment and access to the river,

particularly through redevelopment on adjacent sites.

- Selly Oak Local Action Plan (2001) refers to improved access for pedestrians and cyclists, in particular a number of proposed routes (including along the castle) and improved canal walkways. These will need to be integrated into the wider pedestrian and cycling network.

Surveys of path usage in Birmingham suggest that recreation, utility and residential/domestic use and school runs each account for about a quarter of use. In passing, it is worth noting that this section of the ROWIP is illustrated by a picture of a canal and boat and another of a riverside walk. The review of the network mentions the Birmingham Walking and Cycling map on which canal towpaths are highlighted.

The Statement of Actions is split in two, with a series of generic actions, and a series of constituency-specific requests for improvements. One set of general actions deals with improvements and it is in this area where inland waterways may have a role. The actions of relevance are:

- “identify opportunities for creating better access with improvements to public footpaths in relation to developing improved walking routes or introducing cycle access where appropriate;
- examine existing rights of way and opportunities for new routes near to local centres to identify further improvements for each constituency;
- identify suitable sites for improving access for the visually impaired and disabled users and look at developing a leisure route in a suitable location; and
- identify opportunities for creating better links from the public right of way network to local parks from neighbouring residential areas.”

In the constituency-specific lists, actions of interest are:

- desire for improved access to the River Cole and Chinn Brook (both in Hall Green);
- in Ladywood, there is a project to “identify land ownership and opportunities for the creation of a new route to link to the canal;
- bridge over Stratford Upon Avon canal at Tunnel Lane is needed in Selly Oak; and
- in Yardley, suggestions have been put forward to “Improve path where necessary, signpost and designate for walking and cycling” ..., “along the bank of the River Cole from the Grand Union Canal to Bordesley Green East.” Further explanation is that this route is not currently registered as a public right of way, however it is presented as the River Cole Walkway linking to Project Kingfisher in North East Birmingham and Solihull. Improved access would benefit users in providing a longer route for recreation and access to Heartlands Hospital.

Cheshire

Cheshire’s ROWIP was completed before the county split into two unitary authorities but it is still current (until 2011). The county has over 3,100km of PROW, most of them footpaths. It also claims, within the introductory chapter, to have “more waterways than any other English county”.

The ROWIP works through an assessment of the current state of access provision in the county, starting with an area-by-area review. This draws attention to:

- the effect of the Manchester Ship Canal on severance of PROW in the Ellesmere area;
- poor access along the River Weaver north of Nantwich and a lack of continuity on the river south of Nantwich; and
- access along the River Dane valley between Radnor Bridge and Holmes Chapel is poor.

The assessment of access provision discusses access to water as follows: “Access to attractive countryside in Cheshire varies; access to water bodies, canals, rivers and other watercourses is good in some places but poor in others; most canal towpaths are open to walkers but to no other categories of user in

most cases; there is little coastal access ...”. Canal towpaths are recognised as a key element in the tourist offering in Cheshire, along with country parks, Forestry Commission forests and long-distance routes that cross the county.

The assessment of users’ needs highlights the demand for routes close to where people live, and there is a particular demand for circular routes of varying length. The statement of intent (i.e. actions) lists many general opportunities for improvements, including Action 17.5: “Identify, develop and deliver improved access to sites of natural/historic interest, starting with water features.” Given the comment early in the ROWIP about Cheshire’s abundance of waterways, it is surprising that more is not made of them when it comes to actions. Towpaths have the potential to satisfy many of the key aims of the county.

Devon

Devon’s ROWIP covers the whole of the county of Devon, but excluding the urban unitary authorities of Plymouth and Torbay. However, separate sections are provided for Dartmoor National Park and those parts of Exmoor that lie in Devon, so the ROWIP is, in effect, three-ROWIP-in-one; there are also five AONB but these areas are incorporated within the Devon section. The county has around 4,900 km of PROW, 75% of them footpaths. There are also substantial areas of open access land (e.g. on Dartmoor and Exmoor) – nearly 60,000 ha in total.

A major asset for the Devon is the South West Coast Path (SWCP) National Trail and some of the priority actions relate to its maintenance and promotion. Little mention is made of any other promoted routes apart from a map of strategic routes which includes:

- the Exe Valley Way;
- Tarka Trail (which runs alongside the navigable River Taw for part of its length);
- Little Dart Ridge and Valley Walk;
- Tamar Valley Discovery Trail;
- Erme/Plym Trail;
- Dart Valley Trail; and
- Grand Western Union Canal.

The above trails, together with the SWCP represent the majority of the promoted routes in the county.

In the preliminary sections, strategic policy documents are briefly reviewed (e.g. Structure Plans, Local Transport Plans) but no references are made to inland waterways and associated corridors. The subsequent section

sets out the council's policies with respect to PROW and countryside access management – many of the reflecting their statutory duties. Consequently, the policies do not really say what work will or will not be done, but what priority will be given under different circumstances. Access to riversides is not afforded any particular priority. Examples of stated priorities are shown in the table below.

Walking - Utility	Walking - Recreational	Off-road cycle network development
<p>The development of walking in urban areas will continue to be supported:</p> <p>i. for utility use, to encourage people to switch from car use to sustainable transport;</p> <p>ii. for health benefits; and</p> <p>iii. for the economic benefits accruing from tourism,</p> <p>by improving off-road links between destinations such as shops, schools and workplaces. This can be achieved through creation agreements and orders.</p>	<p>Priority will be given to the development of:</p> <p>i. short routes and circular links of 3km and 8km;</p> <p>ii. routes linking towns, villages and attractions and providing a true off-road network for utility and leisure; and</p> <p>iii. appropriate links to and from the recreational walking route network.</p>	<p>Opportunities will be sought to develop disused railway lines for cycle use and multi-use where appropriate.</p> <p>Opportunities will be sought to develop circular cycle routes, in addition to the long-distance National Cycle Network already in development.</p> <p>Public transport links will continue to be developed to help deliver circular routes, for example, using bike-buses.</p>

The ROWIP recognises that some of the standing policies will need to be modified in the light of environmental concerns. One of these is climate change and Policy E5 says that: "An assessment will be made of the likely impacts of climate change on public rights of way in the short, medium and long term, in particular where they are adjacent to water courses and the coast."

Shortfalls to be addressed in Dartmoor NP for different categories of user; one of the key needs for users in Dartmoor are for "Safety at river fording points" and this becomes one of the priorities for action within the Park (Action Ref DNP19).

In general, though, proposed actions within the ROWIP (for Dartmoor, Exmoor and Devon outside the Parks) give no particular emphasis to paths/routes within inland waterway corridors but tend to focus on general actions designed to:

- better maintain and promote the existing network;
- encourage use by a wider cross-section of society, especially those with mobility and visual impairments; and
- seek improvements in connecting up the network where possible, and taking

account of the interests of landowners and the environment.

Enfield

This ROWIP was produced by the London Borough of Enfield and runs from 2009 to 2019. As a London Borough, the area of land covered by the ROWIP is relatively small and the network of rights of way is small (65km); however, the population served by this network is large by comparison to a typical shire county.

A key recreational asset within Enfield Borough is the Lee Valley Park and the park (and links to/from it feature frequently within the plan). This starts with a discussion of the policy framework, in which various policy documents are reviewed to assess their relevance for ROWIPs.

Some important references in the related documents are:

- Lee Valley Walk is one of six key strategic routes identified by Transport for London to improve the network of north-south and east-west routes which run through central London. The route of the Lee Valley Walk, which passes through Enfield, is also designated as part of the Thames Path National Trail;

- Enfield's UDP says "In Enfield Borough, the New River offers the potential for linking the valleys of Turkey, Salmons and Pymmes Brooks with the Lee Valley Park. It also offers a potential link between Boxers Lake and Green Belt land. Within the UDP, the Council's aspirations include protecting and maintaining Enfield's historic watercourses, securing appropriate 'Green Chain' land for public use and repairing or reinstating redundant loops." and
- the Lee Valley Park Development Framework makes reference to a number of aspirations for the 'world water zone':
 - expand opportunities for activities on and in the water.
 - expand the informal network of routes around water bodies, waterways and wetland areas.

The review identified the importance of "ecologically diverse corridors" as a key asset in countryside access. Although not specifically stated, inland waterway corridors would meet this description (although specific mention is made of the Lee Valley). In contrast, reference is made to the importance of circular routes and the linear nature of inland waterways militates against such routes.

Section 3 reviews existing access provision, with some routes highlighted. In four of the six facilities, four have specific links with inland waterways.

- Pymmes Brook Trail is a 10 mile easy access, mainly level, hard surface route that follows the route of the Pymmes Brook, a tributary of the River Lee.
- The 28 mile New River Path follows the course of the New River linking the inner city to the countryside. The route follows the historic water channel wherever possible and finishes with a three mile Heritage Section where the route follows the historic, but now truncated, river course through open spaces and on-street.
- The Lee Valley Country Park encompasses the flood plain of the River Lee and covers 10,000 acres, stretching 26 miles from Ware in Hertfordshire down to the East India Dock Basin by the River Thames. The Park carries a cycle route (which is part of the NCN). Passing through the Park is the Lee Valley Walk,

which covers a total distance of 50 miles using the tow path of the Lee Navigation. The route starts in Leagrave (near Luton) and passes through Bedfordshire, Hertfordshire, Greater London and finishes in London's East End. The 13 mile section of the route which passes through London between Waltham Abbey and Trinity Buoy Wharf is part of the Strategic Network for London and is seen as an important source of leisure, history and conservation. Cyclists are also allowed on the path but only with a licence.

- The Trent Valley Country Park covers more than 400 acres of meadow, woodland and lakes and is situated adjacent to Enfield Chase in the north-west of the borough.

Further, the 'Living Rivers Project' is specifically designed to improve the environment (which includes more rivers and waterways than any other London Borough) and encourage public participation in the regeneration activities.

The network of routes in Enfield is characterised by the short lengths of paths, the poor level of connectivity, and heavy reliance (compared to many other areas) on permissive access and parks/open spaces. Yet routes are generally in a good state of repair. Although recreation is the most commonly quoted reason for use of PROW, utilitarian use is a key feature of usage in the more urban parts of the Borough. There is a lack of bridleways.

The Statement of Actions includes several that could have some relevance to inland waterways:

- keep existing permissive paths open and create new routes; and
- create new links to connect to the existing network and provide circular routes

Perhaps what is significant about the Enfield ROWIP is its lack of any specific references to making use of waterway paths to make improvements to the network of access opportunities, nor does it give any guidance on best practice in developing paths by waterways. Part of the challenge for Enfield Borough is to improve provision in parts of the Borough that are not well-served with PROW and to improve connectivity, particularly for cyclists and horse riders. It is possible that the distribution of inland waterways in the Borough is not seen to be conducive to achieving these ends.

Glasgow City Council

The CPP reviewed is the Final Consultative Draft dated 2008. In addition to explaining what core paths will be, it explains what they could be; first on this second list is "Provide opportunities for walking, cycling, horse riding and access to water" (note – this is likely to mean access to water for the purposes of, for example, canoeing).

Glasgow's CPP refers to the Forth & Clyde Canal in relation to the opportunities it provides but also the barrier it may create to people who want to cross it. The CPP also makes mention of river access points and "Core Paths on Water" (which are akin to canoe trails).

A series of 58 maps are available on line which show where core paths have been identified. Those that make use of inland waterway corridors are:

- River Kelvin (paths A12 and C37);
- Forth and Clyde Canal (path C13);
- Port Dundas (path A24);
- River Clyde (paths A8, A55, A64, C93, C109, C110);
- White Gart Water (paths A69, C116, C148); and
- Auldhouse Burn (path A69A).

Highland Council

Highland Council covers a huge area in the north of Scotland. The area of interest for this study is that part of the region crossed by the Caledonian Canal, along the Great Glen. As noted in the introduction, most CPPs are map-based but in the case of Highland, a brief commentary is provided to accompany each map. The Caledonian Canal crosses 4 maps, and the commentary on each is reviewed below.

- *Inverness and Nairn Map 1: Fort Augustus.* Research identified that the Caledonian Canal and Great Glen Way were amongst the most popular. Consequently, the following routes which link with inland waterways in some way, were identified as Core Paths:
 - Jenkins Park to Great Glen Way;
 - Caledonian Canal to A82;
 - Caledonian Canal from Bridge of Oich to Fort Augustus;

- A82 by Campsite to Fort Augustus by Caledonian Canal;
- Aberchalder to Fort Augustus by Great Glen Way/Caledonian Canal towpath;
- Bridge of Oich to Invergarry by Loch Lundie;
- Torr Dhuin to River Oich walk; and
- Great Glen Way Aberchalder to North Laggan.
- *Lochaber Map 7: Invergarry.* Riverside and loch side walks are prominent amongst the core paths identified in this area:
 - River Garry paths;
 - Aldernaig Burn – Loch Lundy;
 - Great Glen Way – Loch Oich;
 - Great Glen Way – South Laggan – Loch Oich (on canal towpath); and
 - River Garry access for water sports.
- *Lochaber Map 9: Fassfern and Corpach.* Initial consultations in the area highlight the importance of the Caledonian Canal towpath, which is popular for local recreation as well as being part of the Great Glen Way. Core paths within the area which are linked to the inland waterway corridor are:
 - Great Glen Way – Corpach Basin to Banavie;
 - Caledonian Canal and Great Glen Way – Banavie - Torcastle – Strone;
 - Great Glen Way – Caol - Corpach Basin:
 - Corpach link to Great Glen Way;
 - Caol Community Shore Path; and
 - Blar Mhor - Canal.
- *Lochaber Map 11: Caol, Lochyside, Inverloch and Torlundy.* The Great Glen Way is recognised as a key route through the area. The Plan recognises its importance for walkers and cyclists and also its suitability for horse riding and for 'all abilities' (due to its easy gradients and level surface).

Other candidates for core paths form loops and links with the promoted route. Paths which interface with inland waters are:

- Caledonian Canal and Great Glen Way – Strone to Gairloch;
- Caledonian Canal and Great Glen Way – Corpach Basin to Banavie;
- Caledonian Canal and Great Glen Way – Banavie - Torcastle – Strone;
- Caledonian Canal – Caol - Corpach Basin;
- Corpach link to Great Glen Way; and
- Blar Mhor - Canal.

In all the above cases, paths linked with waterway corridors represent the majority of the core path networks.

Kent

Kent is another shire county but with a larger resident population (than – say – Norfolk or Lincolnshire) and on the fringes of the major conurbation of Greater London; it is also carries major transport corridors for Continent-bound travellers. It has about 6,700 km of PROW, mainly footpaths (78%). Within Kent, there are two AONB – the Kent Downs and the Kent High Weald – a section of Heritage Coast and numerous SSSI (many of the larger ones being along the coastal marshes). The ROWIP covers the whole of the county apart from Medway (which is a separate unitary authority).

In its review of strategic documents, it is of interest to report on one of these:

- Kent and Medway Structure Plan – Policy EG: “EN12 – River Corridors: The environment within river corridors and river catchments, including the landscape, water environment and wildlife habitats, will be conserved and enhanced. Where consistent with this, provision will be made for:
 - increased opportunities for access and water recreation; and
 - increased public access for walking, cycling and horse riding and links to existing rights of way and cycleway networks.”

The ROWIP contains an assessment of the county’s access provision. One feature of Kent’s network is the routes developed by the Toll Rides Off-road Trust (TROT): these are permissive routes available to members of horse riding clubs. 36 such routes have been developed. Section 4.14 is devoted to rivers and inland water (uniquely, of the ROWIPs reviewed). This merits full reproduction (see Box below).

4.14 - Riverside and Inland Water

A survey showed that around 151 million leisure trips were taken in England to inland waters. As with most outdoor recreation, this figure represents a decline in activity. However, riverside routes are considered by many to be popular and interesting places to visit.

Mostly offering relatively flat terrain, rivers and inland waterways could be made more widely accessible for all. The rivers, Medway, Dour, Stour, Darent, Eden and Thames-Medway Canal through North Kent Marshes, all have popular routes along parts of them. Some of these routes could benefit from improvements, as paths often suffer from erosion, damage to bridges and vegetation overgrowth.

The Royal Military Canal managed by Shepway District Council, runs through Hythe and is a good example of improved access gained through Heritage Lottery Funding. A stretch of newly surfaced bridleway and footpath runs from Seabrook to West Hythe dam, these easily-accessible paths have led to a substantial increase in visitor usage.

With support from the Millennium Commission, a new riverside park was created along the river Medway through Maidstone. The park, which opened in 2001, offers ten kilometres of easily-accessible footpaths, following the river’s course from Teston to Allington.

Another popular waterside route is a circular path around Bewl Water, near Tunbridge Wells. This 12.5 mile circular route is open to walkers, cyclists and horse riders, and is mostly off-road, straddling the border of Kent and East Sussex.

The growth areas of Thameside and Ashford could both provide considerable lengths of additional waterside access. Routes will need to be identified at an early stage, in order for them to be included within developments. One recognised opportunity is for a ‘city to coast path’, linking London and the Thames path to the North Kent coast via the Saxon Shore Way.

According to information given by the British Canoe Union, only 2% of rivers in England and Wales have access rights to the public. The restriction affects not only canoeing, but also other water recreation activities, such as sailing, gorge walking or swimming. Figures for Kent are not widely available but it is accepted that more opportunities for water based activity should be provided, principally on the Medway, Stour and Gravesend to Higham Canal.

With respect to management, much of the debate is about the approach to PROW in a general sense. However, it is noted that Kent work with neighbouring authorities and projects at Bewl Water reservoir and the Royal Military Canal are given as examples of successful partnership working.

Another aspect of PROW management referred to is the additional erosion risk to which riverside paths are likely to be exposed as our climate changes to a wetter one with more intensive storms. Specific references are:

- “1. Increase in storm damage - fallen trees etc.
- 2. Increase in rainfall leading to flooding problems beyond existing capacity - affecting path surfaces and the integrity of structures and furniture.
- 3. Access to public rights of way restricted by flooding and storm damage resulting in increased legal and maintenance costs.
- ...
- 7. Instability of coastal and riverside paths and increased vulnerability of coastal landscapes and rights of way to tidal inundation, and strategic implications for rights of way arising from changing approaches to coastline management (e.g. managed realignment).
- ...”

As well as acknowledging the potential value of inland waterways in a general sense, the ROWIP identifies them more specifically in a review of opportunities by district. The following is an extract from a table in Section 8:

- Ashford: “Routes along the Stour to the wider countryside & coast”;
- Dartford: “River Darent Path enhancements”;
- Dover: “River Dour cycle route”;
- Maidstone: “Medway river path refurbishment to link towns to the wider countryside”; and
- Tonbridge & Malling: “River Medway routes”.

But, having recognised the value of river-linked routes, there is also recognition of some of the dangers, with a commitment to “Manage the rights of way network with consideration for public safety and security, including identifying and improving road, rail and river crossings where there are safety concerns.”

A SoA completes the ROWIP. Proposed actions are again of a generic nature and with some being of indirect relevance to inland waterway corridors.

- M10: work with other countryside access providers to promote managed sites as gateways to the wider countryside.
- D4: develop multi-user routes that allow walking, cycling and horse riding from towns to the wider countryside.
- N1: establish a more complete rights of way network.
- N3: increase provision for off-road cycling and mountain biking activity.
- ST1: manage the rights of way network with consideration for public safety and security, including identifying and improving road, rail and river crossings where there are safety concerns.

Leicester

Leicester’s ROWIP has been prepared by the city council – a unitary authority covering largely just the urban area of the city. Consequently, its rights of way network is relatively limited (to 22km). However, the true length is nearer to 170 km²¹. There is no access land in the city council’s area.

Various documents are reviewed in the ROWIP, including the ‘Wild about Leicester’ (Leicester’s Biodiversity Action Plan) which draws attention to the importance of the River Soar and the Grand Union Canal as being wildlife corridors through connecting the city’s heart to the wider countryside. It is also noted that the Riverside Way (NCN Route 6) is a key off-road transport route and that most of the city’s tourism is in some way linked to built heritage, such as the waterways.

One of the ROWIPs main priorities is the removal of barriers to disabled users. It recognises, however, that removal of barriers may pose challenges to their removal from towpaths, as this may allow motorcycles to use them (illegally). Leicester City Council is

²¹ The legislation requiring highway authorities to prepare definitive maps (National Parks and Access to the countryside Act 1949) gave authorities the power to not produce such maps for urban areas. Consequently, PROW in many urban areas in England and Wales are not mapped.

adopting the same five-stage evaluation method as used by British Waterways, to decide how to respond.

Another aspect of the ROWIP of interest is where there is an interface between new developments and waterways. One example is the “Waterside” Regeneration Area. Strategic Planning Guidance is being compiled at present. This area affects another part of the towpath and the Rally Park, including Forest Way (a permissive cycle track). LCC intends to work with developers to secure contributions to both improve and develop the Rights of Way network (and, it can perhaps be assumed, access along the canal). Another example is the Space Science Centre employment zone: this area affects the Riverside Path and part of the Grand Union Canal towpath. None of the actions listed in the SoA specifically relate to rivers, canals or waterways.

Lincolnshire

Like Norfolk, Lincolnshire is a large shire county with an extensive network of PROW and thinly spread population. It also has substantial areas of open access land. Agriculture is a major factor in the economy, the county having large tracts of high quality land which is ideal for arable cropping.

The ROWIP is only intended to set out a 5-year programme (unlike most ROWIPs, which run for 10 years). Again, there is a (brief) review of relevant policies, but none of these reveals any reference to inland waterways.

There is also a review of the different user types – what they look for and what they want to use. “Waterways, river banks and canal towpaths” are identified as an access resource but only seen as suitable for use by walkers. However, there is also a strong preference amongst walkers for circular walks (of 2 – 5 miles in length).

Further recognition is given to the possible significance of inland waterways. The ROWIP states that “access to rivers, waterways and woodland is variable across the county”. In response to this, the Lincolnshire Waterways Partnership has been formed which brings together the County Council, Environment Agency and British Waterways. The partnership works to improve the infrastructure of the main river systems for recreation and tourism. Much work has been done to improve access along the main waterways, and routes the River Witham have been provided as part of the National Cycle Network.

A section of the ROWIP sets out a series of key themes within government (local and national) policy to which PROW may contribute. These include health, economy, social exclusion and so on. Current projects that are relevant to each theme are noted. Under the “Rural economy and tourism” theme, reference is again made to the Lincolnshire Waterways Partnership and reference made to recent work by the partnership on the development of the “Water Rail Way”, a shared footpath cycle link from Lincoln to Bardney along the banks of the River Witham.

In the SoA, actions are of a generic nature, with few geographically-specific references. Again, though, there are several generic ones which inland waterways could help achieve. For example:

- SOA18 Identify and develop circular and linear recreational routes to and from countryside / tourism sites;
- SOA38 Develop a range of circular routes for cyclists and equestrians in areas of highest demand. Identify suitable roadside verges and “behind the hedge” links to create safer links between existing routes and improve management of those links identified. Support DEFRA schemes that increase access and link PROW; and
- SOA39 Identify areas deficient in access where access proposals would benefit the rights of way network.

One example of a specific being the action is SOA23 “Develop a Lincolnshire Coastal Trail”, and coastal access does appear to feature more prominently than inland waters.

Given the large number of significant rivers and variety of canals in the county, it would seem reasonable to suppose that more opportunities linked to inland waterways could have been identified. It may be that obstacles exist – such as the important role that these channels play in flood defence and the high value agricultural land that many new paths would have to cross – which militate against the promotion of opportunities within the waterway corridor. There is a commitment in the ROWIP to developing long-distance paths, and it may be the case that inland waterways have a role to play in their development.

Norfolk

Norfolk is a 'shire' county- characterised by a large geographical area, an extensive rights of way network (3767 km) and a low population density. The ROWIP covers the Norfolk Broads as well as the rest of the county. However, the Broads spans both Norfolk and Suffolk, and the Broads Authority felt that the ROWIPs of each of these counties failed to give sufficient focus on the Broads and so it produced its own strategic statement and action plan to be added as an annex to the Norfolk ROWIP.

In the ROWIP, the needs of different user types are discussed; this allows comparisons to be made between need and provision, thus

identifying gaps. Needs which are identified as common to all user groups are:

- "Safe, circular routes free from obstructions;
- Appropriate surfaces and infrastructure; and
- Information about routes (available before a visit and en route".

It is of interest to also highlight the identified needs of walkers, cyclists and horse riders – being the key target users for inland waterways:

Walkers	Cyclists	Horse Riders
Variety – differing grades, surfaces, scenery Natural surface and environment Not too muddy Adequate signage and way marks Ideally no busy road crossings, or at least a safe crossing point Paths not obstructed - clear across Field paths, no obstructions caused by farmers - headlands not ploughed, narrow paths, rubbish or slurry on paths Furniture and bridges in good repair, with gaps or kissing gates instead of stiles Adequate public transport for linear routes Safe and sufficient parking Effective response to complaints access to definitive Map as required	The security of knowing that they are unlikely to get lost or meet major difficulties (steep hills etc). (family groups, casual or occasional cyclists) A route of up to 5 hours' duration, over terrain suited to their interest (serious enthusiasts)	Free from obstruction and other obstacles like difficult gates, electric fencing, dogs, bulls, cows and other horses; Not overgrown with vegetation such as brambles and nettles, overhanging branches and low trees; Are well signposted and way marked; Generally level and preferably free from pot holes; and Well drained to prevent poaching, preferably with a natural unsealed surface.

No specific mention is made, within the review of users' needs, to paths alongside inland waterways.

In terms of provision, there are specific and indirect references to inland waterway routes.

Promoted routes in the county include several which have clear links to waterways:

- Fen Rivers Way - a long distance path running for nearly 80kms (50 miles) between the historic settlements of Cambridge and King's Lynn, which traces the course of rivers that drain slowly across the Fens into the Wash;
- Nar Valley Way - is a 34 miles long walk, running from the historic port of King's Lynn to the Museum of Rural life at

Gressenhall, and is contained almost entirely within the watershed of the River Nar; and

- the Angles Way – provides mixed walking along footpaths, riverbanks, through a combination of open countryside, coastal plain and then the Waveney Valley.

Two Norfolk routes which are clearly linked to inland waterways are not mentioned:

- Wherryman's Way - is a 35 mile route that follows the course of the River Yare between Norwich and Yarmouth; and
- Norwich Riverside Walk

Attention is drawn in the ROWIP to the:

- relatively poor provision of PROW in the fenland areas (this tends to reflect the absence of historic use of routes before they were drained);
- potential obstacles created if bridges are not well-maintained (Norfolk owns 760 and has responsibility for 3,400 more);
- fragmented nature and uneven distribution of the network, especially in the case of bridleways and byways;
- routes that cross busy main roads;
- limited opportunities for people with disabilities and for those wanting to drive vehicles other than on surfaced roads; and
- lack of information available to help people identify the opportunities available, especially amongst sections of society who do not normally visit the countryside.

The actions listed in the Statement of Actions are all of a general nature; no specific routes or locations are listed, so there are no actions that specifically relate to paths on inland waterways. However, there are some general actions which (arguably) inland waterway paths could help deliver.

- Action 2d: Through discussion and negotiation with land managers and user groups provide routes that will enhance the existing network and create local circular and other routes.
- Action 2f: Improve and create new routes that provide safe routes to services.
- Action 2g: Identify routes already suitable for those with limited mobility (easy access routes). Work with partners to ensure effective promotion. Develop and promote a series of easy access routes across the county.
- Action 2j: Improve, upgrade or create bridleways and cycle tracks where there is a demand.
- Action 5f: Reduce conflict between cyclists, walkers and riders on multi-use routes

As with Enfield, references to the potential to make use of paths alongside inland waterways are conspicuous by their absence. The challenges in the ROWIP are not dissimilar – fragmentation, skewed distribution (both

geographically and in terms of PROW type) and lack of appropriate information.

Powys

Powys is a unitary authority and is the largest county in Wales (covering about a quarter of the Principality). It is perhaps not surprising that it has a correspondingly great length of PROW – 9,244 km. Population density is very low and livestock farming is one of the major economic activities. The ROWIP covers the whole of the county which lies outside the Brecon Beacons National Park (the BBNPA has prepared its own ROWIP).

The ROWIP reviews the policy landscape and identified key themes of broader (national) government policy which have a bearing on countryside access, such as:

- promoting health, social care and well-being;
- ensuring learning opportunities for all;
- supporting social and economic development;
- enhancing the natural and built environment; and
- improving our corporate health.

A brief review of local policies reveals nothing of direct relevance to inland waterways.

A survey of local stakeholders revealed (amongst other things) that:

- a small majority of people prefer existing routes to be improved rather than new ones to be opened up;
- a large majority (79%) prefer circular routes to long-distance-linear ones;
- attractive routes that support tourism and routes that help users avoid busy main roads receive a high ranking amongst local community representatives; and
- walking and dog walking are the most popular activities on PROW, with cycling third.

Actions are linked to user type and, although these are mainly generic in character, it is possible to discern some actions which may be better realised if inland waterways were used:

- walkers: Action B5 - Identify and develop local, circular routes around settlements; and

- disabled: Action B4 - Identify and improve routes that are most likely to be accessed by people with mobility and sensory difficulties.

Inland waterway corridors are not mentioned in the research results or the suggested actions for different types of user.

Section 4.11 of the ROWIP discusses biodiversity and this contains the following comments: "Many of 'Powys' rivers are designated as SSSI, the River Wye is also designated as a Special Area of Conservation, to reflect that its' [sic] wildlife is of European importance. The Montgomery Canal, some of which forms part of the Offa's Dyke Path and Severn Way, is similarly designated for its aquatic plant-life."

In the discussion about recreational trails (Section 4.12), promoted routes in the county (including two Regionally Important Promoted Trails) are listed; this includes the Wye Valley Walk and Severn Way – both routes which derive their existence from following the eponymous river corridors. An independent survey of the Severn Way carried out by the Environment Agency in 2006, looked at the condition of the trail and the costs associated with bringing the route into a basic minimum standard. The Severn Way is considered to be of an average standard for Recreational Trails in Powys. Action B2 is broken down into a series of sub-actions and covers work on the national and regional recreational trails (including the Wye Valley Walk and Severn Way).

Section 7 of the ROWIP explores the potential for partnership working. One of the partners identified is British Waterways, with specific reference to the Montgomery Canal. At Section 7.2 (vii), the ROWIP says: "The Montgomery Canal offers a substantial access corridor within the Severn Valley and has considerable links with the wider PROW network. Much of it is designated as Offa's Dyke Path National Trail or Severn Way, and Countryside Services are working in partnership to develop a series of circular trails linked to the canal, following a successful partnership grant aid bid by the British Waterways. BW are also central to maintaining and improving access along the towpath, and are planning work to improve access as part of the grant programme."

Yet again, most actions in the SoA are general in nature rather than site-specific and, despite this, there are actions (in addition to ones

noted above) for which inland waterways could have some relevance, for example:

- B4b: "Identify and survey routes around key settlements and 'honey pot' locations. Work with local communities and access groups to identify and prioritise routes";
- B5b: "Work with local communities, businesses, services and access groups to identify circular routes and agree work programmes"; and
- B6a: "Work in partnership with Town and Community Councils to manage, maintain, improve and promote their PROW networks...".

North Yorkshire

North Yorkshire is the largest county in England (3,200 sq miles) yet with a relatively modest population (about 0.58M people). In total, the county has over 10,000 km of PROW (the longest of any authority in the UK), as well as substantial areas of open access land and a length of coastline. North Yorkshire's ROWIP runs until 2011. It covers the areas of the Yorkshire Dales National Park that are within North Yorkshire and the whole of the North York Moors National Park, as well as all parts of the county beyond the Park boundaries. Given the high quality of the landscape (there are three AONB as well as the two National Parks), it is not surprising that tourism is a major component of the county's economy.

In reviewing the access provision in the county, the reader's attention is drawn to navigable waterways. There are four canals within the county:

- Leeds to Liverpool Canal runs through Craven;
- the Aire and Calder Navigation travelling through Selby links Leeds and Wakefield with Goole;
- the Ripon Canal joins Ripon centre to the River Ure; and
- the Selby Canal links Knottingley and the Selby area.

Other navigable waterways include all or part of the following rivers which run through North Yorkshire: the Aire, Ouse, Ure, Derwent and Wharfe. The plan recognises that there are a number of navigable waterways in North Yorkshire, many with tow paths which can be enjoyed by the public and, whilst these are not

part of the local rights of way network, there is the potential to make better use of towpaths throughout the county. One of the consultees notes that riverside paths perhaps have more potential to be made wheelchair-accessible than other settings. Riparian owners (such as Yorkshire Water and British Waterways) are credited as being access providers on a permissive basis. Yet, some of the parishes responding to the ROWIP research identified river corridors were amongst the most common features in their areas with difficult access.

The opportunities presented by rivers also present obstacles. For example, mention is made of the effect of the Tees Barrage in raising upstream river levels and so making some river crossings more difficult. Further, low specification bridges mean that rivers can present major obstacles to cyclists and horse riders (as well as some people with limited mobility). Whilst bridges can help overcome these, costs are often prohibitive. Another concern expressed is the risk of losses through erosion (seen as likely to increase in the future) and one of the proposed actions arising is to ensure that river structures (e.g. bridges) are designed to allow for erosion - Action IM9 "Utilise moving path agreements where appropriate where access is likely to disappear as a result of coastal, river or land based erosion" and anticipated flow increases - AC30 "Install new bridges (future proofed) to connect routes over rivers, roads and railways subject to available funding and identified strategic demand." An alternative approach is being pursued (with the co-operation of local landowners) to avoid the cost of having to construct a new bridge over the River Leven.

Part 3 of the ROWIP discusses the other priorities for improvement. One of these is the need to create new access opportunities and the access created by Yorkshire Water and British Waterways is quoted as an example of good practice (identified as partners for future joint working). Another example quoted is the arrangements to improve the Dales Way through the Bolton Abbey estate using a path on the banks of the River Wharfe, especially as the design means that there is no impediment to wheelchair users. Another section of riverside path on the Dales Way (near Burnsall) has been upgraded to allow wheelchair users.

The Ribble Way is another river-corridor aligned route partly within North Yorkshire, although the route is not necessarily alongside the river. Even so, it is promoted as being

intimately linked with the river and is being improved. Improvements to access arrangements are also being made to the River Ure, near Hawes, specifically to benefit mobility-impaired fishermen.

Other issues and opportunities identified that are of relevance to inland waterways are:

Boroughbridge:

- a lack of crossing points over the River Ure resulting in long detours; and
- discontinuous riverside access, in a river catchment prone to flooding.

Catterick Garrison:

- busy roads and a lack of river crossings mean poor connection between a reasonable bridleway network to the south east around Tunstall, and in an area to the north east and south of Richmond, west of the A1.

Crosshills, Glusburn & Sutton in Craven:

- to encourage British Waterways to widen accessibility to the Leeds to Liverpool Canal to include cyclists and look at feasible use by horse riders in the future; and
- (reduction of) Route severance due to the railway, canal, River Aire and A629 that deters people from enjoying Farnhill Moor.

Harrogate & Knaresborough:

- a lack of crossing points over road and rivers.

Hawes

- Haylands Bridge which crosses the River Ure is heavily used by walkers and also motorised users heading to Hardraw and its waterfall on the other side of the dale; and
- the River Ure floods and there has already been bank erosion, forthcoming work in this area needs to be future proofed.

Helmsley

- route re-alignment and better maintenance alongside the River Rye, including the Ebor Way.

Kirkbymoorside

- a lack of crossing points over the River Dove restricting circular route options.

Leyburn:

- few crossing points over the River Ure apart from widely spaced road bridges.

Masham

- potential to widen accessibility to the footpath alongside the River Ure and barrier reduce the route to Marfield Nature Reserve through partnership but the risk of river erosion due to the Ure receiving the floodwaters of Wensleydale.

Richmond

- a lack of crossing points over the River Swale to the east of town; and
- riverbank erosion for routes located next to the Swale, this has been repaired but a long term view is required in the future when erosion becomes a problem again.

Ripon:

- riverside access improvements to Newby Hall and Lightwater Valley set within the constraints of wetland being prone to flood and bank erosion.

Skipton:

- potential to widen access to the canal towpath subject to safety and other discussions to include cyclists, people with disabilities and perhaps equestrians; and
- discussion with Yorkshire Water to widen accessibility to Embsay Reservoir.

Humberhead Levels:

- potential to provide more continuous riverside access but countered by flood risk.

The Lancashire Valleys:

- support discussion with British Waterways to widen access to the canal towpath.

North York Moors:

- the potential for a strategic bridleway linking with the Tees Valley proposed bridleway route along the north of the River Tees.

Magnesian Limestone:

- discontinuous access along the River Nidd at either side of the A1 (M) and the River Ure north of Ripon, access improvements need to be countered against flood risk;

- a lack of crossing points over the River Nidd; and
- discontinuous riverside access but flood and erosion risk.

South Pennines:

- this demand is expressed by the wish for more river crossing points such as Burley in Wharfedale, the cost of a bridge here would be in the order of half a million pounds at the county boundary with Bradford and would provide a strategic route into Nidderdale AONB; and
- severance by the A65 and A629 and increasing traffic volumes with the need to investigate ways to reduce route severance which is enhanced by canal, railway and river.

Tees Lowland:

- a high potential demand next to the county boundary which is expressed in the wish for better river crossing facilities;
- the Tees Barrage has affected river hydrology, leading to increased river levels making fords and stepping stones inaccessible as well as changing the erosive potential of the river and flood events which occur. This impacts riverside access and its assets; and
- The Teesdale Way is inadequately maintained for its status as a long distance route in the section which dips into the county.

Vale of Mowbray:

- crossing points along the River Swale are wide apart and road bridges are narrow, drivers need to negotiate cyclists and horse riders with care; and
- discontinuous access along the River Swale but the balancing of demand with potential erosion and flooding.

Vale of Pickering

- missing bridges at key points and the loss of bridges from localised storms, while new or re-instated bridges need to be future proofed against flood and erosion events.

Vale of York:

- potential to create a non-motorised ring route around York to link people with the surrounding countryside and link York with communities like Knaresborough. This needs to be countered by flood and erosion risk where routes potentially lie alongside rivers.

Swaledale:

- the River Swale regularly floods and erodes both river banks, moving path agreements may be appropriate and high river levels prevents use of stepping stones. Road bridges are wide apart with potential for more crossing points. Future bridges need to be built to withstand flooding and take into account users of the network.

Upper Wensleydale:

- bridges over the River Ure are wide apart and given over entirely to road carriageway. Stepping stones can flood and there is potential to improve crossing points, though this would need some investment.

It is clear from the above list that river corridors are important from two different aspects:

- as an opportunity for creating new access improvements; and
- as an obstacle to access – either from missing or inadequate crossings or because of flooding and/or erosion.

Tyne and Wear

The Tyne and Wear ROWIP is joint one, comprising the five metropolitan unitary authorities²² in the north east, centred on the eponymous rivers. The combined area embraces both heavily urbanised and rural settings.

This joint approach to the ROWIP mirrors that taken for other strategic plans (e.g. the joint Local Transport Plan). This is apparent in the review of the policy framework. Obviously, the five authorities carry the same statutory duties, so only a single review of these is needed. However, none of the documents and duties reviewed in the ROWIP makes reference to a role for inland waterway corridors.

Taken together, a total of nearly 680 km or PROW are available, mostly footpaths, but with an uneven distribution across the patch (especially when considering bridleways and restricted byways). Amongst the promoted routes available in the area is the Three Rivers Cycle Route, described as a 139 mile route that connects Middlesbrough, Stockton, Hartlepool, Durham, Consett, Newcastle and Sunderland.

Other access opportunities are listed and although access to the coast gets a mention, the only reference to river access is for canoes (so-called 'Blue Trails'). Throughout the ROWIP, consideration is given to the needs of canoeists, a feature not found in the other English and Welsh ROWIPs. However, the value of the river corridors for land-based users escapes attention.

Amongst the key priorities for future development is "the ongoing work to improve the riversides along the River Tyne and the River Wear. As part of the improvements, the respective authorities would like to see the expansion of riverside recreational routes." This is reinforced by a statement (in Section 6.12) that one of the authorities' top eight priorities (and the first one listed) is: "Make the countryside and river systems more accessible to everyone." Again, though, the reference to river system access is thought to mean access for activities such as canoeing.

The SoA sets out some actions in which inland waterway corridors could have a role. As with other ROWIPs, these tend to relate to:

- Action 3/3: Extend strategic open space for new population;
- Action 5/1: Missing links in the network;
- Action 5/8: Access to the waterside;
- Action 5/3: Circular walks;
- Action 7/4: Mapping routes which are not definitive; and
- Policy NA2: Identify missing links to the access network and take advantage of opportunities to create these links to form part of a wider functional access network.

²² Gateshead Council, Newcastle City Council, North Tyneside Council, South Tyneside Council and Sunderland City Council

Appendix 4

Legal mechanisms for path creation

There are various ways in which the public's use of a route can be secured and these are explained in the following section. It should be noted that this account is for general guidance only and should not be regarded as a definitive legal statement applicable in any particular circumstance.

Permissive Paths

It is possible for a landowner to give his or her permission for the public to make use of a route for general use or specific purposes. It is advisable to formalise the details of this agreement with the local highway authority (LHA) (such as over responsibility for maintenance) and for the landowner to deposit a declaration (under Highways Act 1980 s31(6)) so that the route does not become a public right of way. It is also possible to stipulate conditions for permission being granted, such as "no dogs" or "no access during bird nesting season". However, by definition, the subsequent use is not by right and so permission can be withdrawn. Also, unless agreed otherwise, the landowner would have a higher duty of care to users of the route under occupiers' liability legislation than he/she would for users of a public right of way (PROW).

One significant disadvantage from a user's perspective is that permissive maps are not always shown on Ordnance Survey maps. This is because they are, by definition, not permanent, as permission could be withdrawn by the owner. However, the OS will mark permissive routes on maps where they believe, by the nature of the ownership, that the permission is likely to be virtually permanent. Examples of ownership that will usually lead to a permissive route being shown on the OS maps are British Waterways, Forestry Commission and the National Trust. The same format is used to mark the routes as for PROW (small dashes for footpaths, longer dashes for bridleways) but, in order to distinguish permissive paths from definitive ones, the former are shown in orange and the latter in green. Where a route is a public footpath and permissive bridleway, the two are overlain on each other with the appropriate colours and notations used.

A disadvantage from a Local Highway Authority perspective is that they may be reluctant to invest public funds (e.g. on re-surfacing, waymarking/signage, promotion) if they have concerns over the certainty of the permission not being withdrawn in the near future. This does not prevent the landowner making improvements, though.

Creation of a Public Right of Way (PROW)

A route may carry the status of being a PROW. Several legal mechanisms are available through which a PROW can be created. These are:

- **express dedication:** in which the landowner states his intention that a PROW should exist. However, in order for the way to become a PROW, the dedication has to be accepted by the public. In practice it is more usual to negotiate a creation agreement which can offer more certainty to all parties – both over rights dedicated and future responsibilities (see below);
- **presumed dedication:** in which a route used by members of the public, and not just a specific sub-set of the public (such as, say, by canal boaters), for at least 20 years without interruption and 'as of right' is presumed to have been dedicated as a public highway. 'As of right' is a legal phrase which means that people have used the route without force (i.e. they have not broken down fences to gain access), without secrecy (usage has been in the open, during daylight etc.) and without the landowner's permission. Such rights can be confirmed by a court or tribunal under the Highways Act 1980 s32. Dedication can be deemed to have taken place in a shorter period of time in some circumstances. **Definitive Map Modification Order (DMMO):** where evidence has been discovered that a route not shown on the Definitive Map and Statement should be shown there, the surveying authority (usually the LHA) can make a DMMO to add the path to the map. The evidence can be either user evidence

(essentially evidence of deemed dedication), documentary evidence of historic rights (for example, inclosure awards, tithe maps etc.) or a combination of the two. DMMO procedures can be lengthy and are often controversial, with the potential to result in a public inquiry, and should only be used where there is strong evidence and that evidence has failed to produce a satisfactory negotiated result. The CROW Act has introduced a cut-off date of 1st January 2026 for claims for the existence of an unrecorded PROW based on historic evidence (although there is currently debate as to whether this should be amended). Note that it is unlikely that a towpath could be claimed as a PROW on the basis of historical evidence, as it would have been constructed and used by a special category of user (i.e. those taking boats along the canal) rather than for use by the general public;

- creation agreement:** Section 25 of the Highways Act 1980 enables district and county councils (and those with delegated powers, such as a national park authority) to enter into an agreement with a landowner for the creation of a footpath or bridleway. This should be the preferred approach in most circumstances. Accompanying such an agreement would typically be the agreement for accommodation works to minimise the impact on the landowner and/or occupier. In exercising its creation agreement powers, the Local Highway Authority must have due regard to the needs of agriculture, forestry and conservation interests (flora, fauna, geographical and physiographical features). The agreement may also include terms for payment and/or limitations. Parish councils can also make public path creation agreements with landowners under Section 30 of the Highways Act 1980. In this case, the local highway authority would be responsible for ensuring that the path was made up to a suitable standard and could seek expenses for achieving this from the local council. There has been recent debate in specialist journals (i.e. Waymark) about the possibility of routes being created by agreement between landowners and user groups under common law, without the involvement of the local highway authority. However, this mechanism has not been considered as relevant in this instance;
- creation order:** where justified by public need, especially where supported by a Rights of Way Improvement Plan, a local highway authority can make a “public path creation order” (under Highways Act 1980, Section 26) to create a PROW. Where an order is imposed and a claim is made, the Local Highway Authority may be required to pay compensation (as specified in Section 28 of the Act). This point is discussed further below. Where a creation order is made, regard has to be had to the material provisions of the Rights of Way Improvement Plan covering the area and also to the needs of agriculture, forestry and conservation. It should be noted that s26 orders are seldom used as they tend to meet great resistance from landowners. One exception is where National Trust land is involved; as a result of NT rules governing ‘inalienability’, it cannot give away property rights (as would be the case if it entered into a s25 agreement); however, this is not the case if a s26 order is made and it chooses not to object to it;
- purchase of the land, followed by dedication by the landowner:** an option in some circumstances may for the local authority to purchase land and then, as landowner, dedicate a bridleway across it. It is possible that some landowners would be willing to sell land but the price commanded may be in excess of its value. There may be scope under the Highways Act 1980, which gives powers to the Local Highway Authority to acquire land compulsorily for the purposes of creating a highway. If a Compulsory Purchase Order (CPO) were to be used, the chances are that it would be opposed. Tests that need to be met are those of need and sufficient public benefit. Objections are likely to be made against these two tests and on the grounds of protection of human rights of those with an interest in the land affected, having regard to Article 1 of the First Protocol of the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention.

Cycle Tracks Act 1984

A Local Highway Authority can create a cycle track in or by the side of a highway maintainable at public expense. This can be a route solely for the use of cyclists, (for example where a Local Highway Authority extinguishes the highway rights of a strip of land at the side of the road and then dedicates the strip as a

right of way for cyclists), or, where one exists, it may be a segregated or un-segregated area of the footway (the 'pavement') that cyclists are permitted to use (it is an offence otherwise to ride a bicycle on the footway) and as such is shared with pedestrians.

A Local Highway Authority can also designate by order any public footpath, or any part of a public footpath, as a cycle track. Such orders can be opposed and if opposed may be determined by an Inspector appointed by the Secretary of State for Transport, usually after the holding of a public inquiry.

Further considerations are that:

- an order to create a cycle track can precipitate a public inquiry, in the same way that a s26 creation order can;
- horse riders have no right to use cycle tracks; and
- statutory utilities would be able to use the cycle track for their infrastructure.

Given the need to have a suitable road width or existing footway or footpath, there are likely to be limited opportunities to use the Cycle Tracks Act for inland waterway corridors.

Dedication as CROW access land

Section 16 of the CROW Act enables landowners and holders of long-term leases to dedicate land for public access. The Access to the Countryside (Dedication of Land) (England) Regulations 2003 provide a mechanism for doing so. Any land so dedicated becomes access land, either in perpetuity in the case of dedication by the owner or until expiry of the lease (which has to be a minimum of 90 years) in the case of long-term leaseholders. Dedicated land would come under the same management regime as other access land, which allows for restrictions on access:

- up to 28 days per year at the landowner's discretion²³;
- for land management reasons (subject to a direction from Natural England);
- for health and safety of the public;

²³ Longer closure periods may be invoked by application to and direction from the relevant authority (LDNPA in the Lake District National Park and Natural England elsewhere)

- during periods of extreme fire risk; and
- for nature conservation and heritage preservation.

Dedication as access land would only automatically provide for access on foot (and for people reliant on mobility vehicles) for open air recreation. However, a mechanism – available under CROW Schedule 2 – is available for the landowner/lessor to relax the general restrictions on access rights to allow horse riding and/or cycling on the dedicated land or existing access land. Another relevant consideration is that dedicated access land benefits from a (slight) relaxation in the duty of care to legitimate access users, as described in CROW s13. This removes any duty of care to users of access land arising from “any natural feature of the landscape, or any river, stream, ditch or pond whether or not a natural feature” (note that this does not specifically include ‘canal’ within the list of water features).

In view of the greater scope to close the dedicated land under a range of circumstances, including at the landowner's discretion, this is unlikely to be an appropriate mechanism to use for inland waterway corridors (although a s16 dedication has been used by the Environment Agency to improve canoe access on a section of the River Mersey).

Access Agreements

Local authorities can enter into agreements to provide access to areas of 'open country', as defined in the National Parks and Access to the Countryside Act 1949, as amended by the Countryside Act 1968. Such agreements were used extensively in the Peak District and the Forest of Bowland to provide access to areas of moorland. However, the CROW Act, in effect made the power redundant in respect of mountain, moor, heath, down and registered common land. The Marine and Coastal Access Act 2009 has had a similar neutralising effect over coastal land (the 'spreading room'). However, two categories of 'open country' remain over which there is no automatic right of access, and so where access agreements could still be used, are woodland and land alongside rivers and lakes.

Local authorities may also make access orders over certain types of land (which includes land alongside rivers and lakes) whether or not the landowner is in agreement, under the National Parks and Access to the Countryside Act 1949, although the power is rarely used (to our

knowledge, in the sixty years of its existence only two such orders have been made).

Landowners can also enter into management agreements with local planning authorities under Section 39 of the Wildlife and Countryside Act 1981, in which provision is made for public access.

Disability Discrimination Acts 1995 and 2005

The implications of the Disability Discrimination Acts are still subject to uncertainty, as there have not, to our knowledge, been any test cases that relate to provision of access along inland waterway corridors. There are two areas where uncertainty exists – what aspects of access is a public service and what can be considered ‘reasonable’ in the provision of this service. However, the best way to interpret the applicability of the law has been the subject of debate and, in summary, the key conclusions are as follows.

A PROW or permissive route is not a public service, per se; however, some aspects may be. This would, for example, apply to promotional material (which may need to be made available in various styles to cater for people with disabilities), car parking, signage, seating, surface materials used and other features of a PROW that fall to a public sector body to provide. However, if a public body decides to develop a new route, it will need to ensure that it takes all reasonable steps available to it to ensure the route is suitable for use by people with disabilities. This would be the standard to aspire to in any situation where an inland waterway corridor was to be developed for new public access.

Gates and stiles are the responsibility of the landowner so any changes to these to remove them as obstacles to the disabled will be judged against what is reasonable for him/her. However, LHA typically meet a significant proportion of the cost of stiles and gates. They also have powers to enter into agreements with landowners to replace (say) stiles with gates.

In terms of what this means for design of paths, guidance is now available from the Fieldfare Trust and Natural England.

Health and Safety Considerations

Health and safety considerations do not feature directly in decisions over the existence or creation of PROW. These decisions are

based on evidence associated with users and usage. A Local Highway Authority can close a PROW for safety reasons. Also, landowners can apply to divert PROW (temporarily) for reasons of public health and safety.

An occupier of land has a duty of care to members of the public on his/her land (whether using a PROW or access land or trespassing), although the level of the duty varies depending on circumstances. Similarly, anyone who is self-employed or is an employer has a duty under health and safety legislation to operate his business in a way which reduces risks to members of the public to acceptable levels. As part of this process, such business managers have to complete a risk assessment.

It is pertinent to note, at this point, that there are some legal precedents associated with risks to the public from water. Cases such as the Thomlinson v Congleton Borough Council and Darby v National Trust (the ‘Hardwick Hall case’) have tended to suggest that the risks of drowning are risks that are obvious to users and so there is no need for the occupier to warn against them. In essence, this means that, because risks of deep water are obvious, anyone who, for example, swims in them is accepting the risks associated with this activity. In other words, both the provider and the user have responsibilities for avoiding or mitigating risk. However, special care is needed when children are likely to be at risk,

A summary of how the law of occupiers’ liability has been applied (based on case law up to 2004) is listed in the box below. A list of weblinks to some relevant examples of case law involving drowning is given in [Appendix 5](#).

Nonetheless, great care is needed when considering the relevance of case law and the requirements of occupiers to meet their duty of care: all cases are assessed on the individual circumstance of case and every case is different. Particular points are that the case law noted above relates to people swimming in water, rather than falling in accidentally; the cases also apply to adults and not children or other special categories.

An interpretation of the application of Case Law (McKenzie Skene et al (2004))

Features of the landscape: "It is clear from the cases examined above that there is no duty to fence or take other protective steps in relation to permanent, ordinary and familiar features of the landscape which are neither concealed nor unusual nor involve exposure to any special or unfamiliar hazard., whether these features are natural or man-made ... unless there are exceptional circumstances."

Notices: "It is clear from the cases examined above that there is no requirement to have warning notices in relation to obvious dangers, such as swimming in the sea.... There will, however, be a requirement to have warning notices where there are known to be special dangers which are not obvious."

Children: The duty under the 1960 [Occupiers' Liability (Scotland)] Act is owed to the particular pursuer and it is clear that a higher duty of care will be owed to children. ... Where, therefore, it is foreseen that children may be present, more may need to be done to protect them. Children may not be aware of dangers in the same way as an adult and indeed may be attracted to them."

Occupier's knowledge: "Occupiers should be aware that they will normally be presumed to have knowledge of what is on their land"

Duty of inspection: "In certain circumstances, an occupier may be in breach of his duty of care if he has not carried out appropriate inspections designed to identify actual or potential dangers (...). The requirement for and regularity of any such inspections will depend on the particular circumstances of the case, but matters such as the design characteristics and materials of constructions and normal practice will be relevant in this context.

Duty to have appropriate systems: "In certain circumstances it may be appropriate to have in place systems for dealing with situations which may potentially give rise to liability. Where an occupier has a reasonable system in place and this is properly implemented, this will be a good defence to a claim (...). In contrast, where there is no such system or it is not effective, liability may arise."

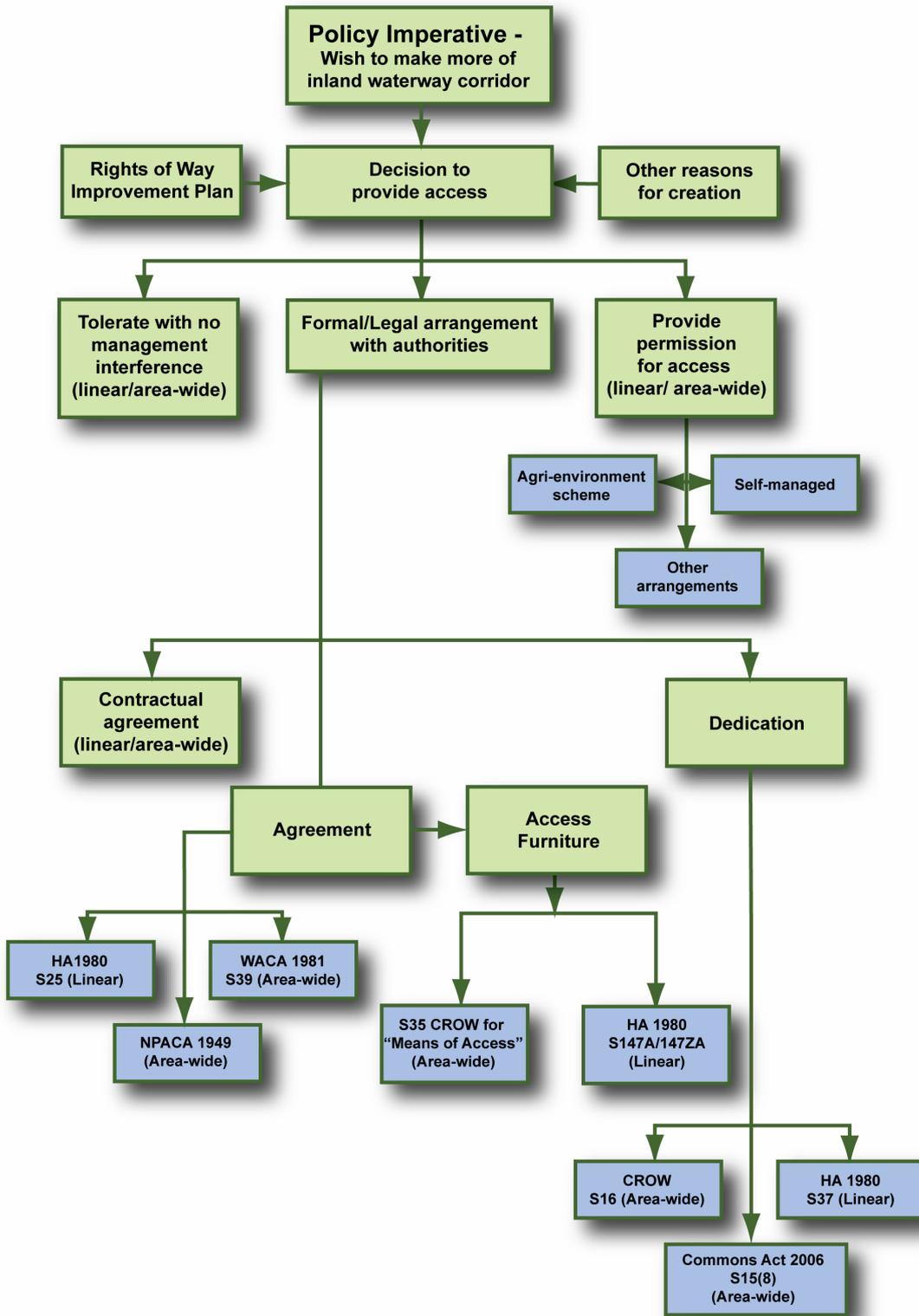
Where a new access route is created, it could be argued that there is a moral obligation to take account of health and safety considerations when deciding if the route is to be created or, more likely, how it should be aligned to minimise risks. Risk of drowning in a river or canal is an evident risk that should be taken into account when designing a new access route in an inland waterway corridor.

Other Legal Considerations

There are a number of other legal considerations.

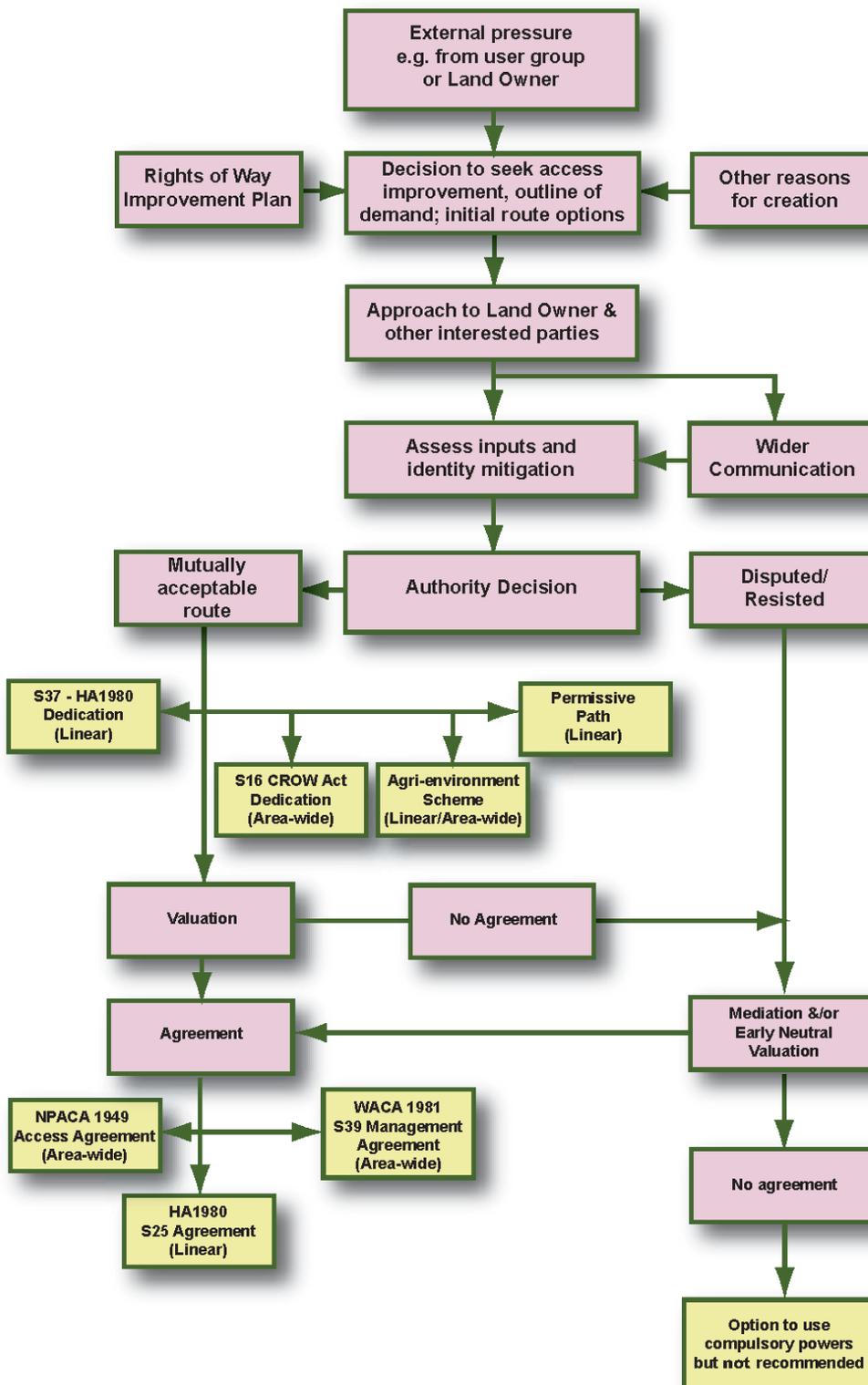
- Planning permission may be needed for some changes of use. For example, if a disused railway line were to be made into a public bridleway (especially if various new works are needed to accommodate it) then it is likely that planning permission would be needed.
- Public sector bodies are obliged by Section 28G of the CROW Act 2000 to have regard to environmental impacts when exercising their functions.
- There is a legal difficulty with granting permissive rights for bicycles over common land as bicycles are classed as 'vehicles' and, except in restricted circumstances, it is illegal to use a vehicle on common land.
- A number of native species enjoy legal protection under UK and European legislation. These species, particularly: bats, otters, dormice, badgers and newts, cannot be disturbed without first acquiring licences from the appropriate body.

Introducing or Improving Access - Flow Chart for Land Owners



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Introducing or Improving Access - Flow Chart for Local Highway Authorities



Based on flow charts included in: RAC and Mike Furness (2005). Creation of new Public Rights of Way. Natural England.

Appendix 5

Recent case law on occupiers' liability involving water

Darby V National Trust (2001)

<http://www.bailii.org/cgi-bin/markup.cgi?doc=/ew/cases/EWCA/Civ/2001/189.html&query=title+%28+Darby+%29+and+title+%28+v+%29+and+title+%28+National+%29+and+title+%28+Trust+%29&method=boolean>

Thompson V Congleton Borough Council (HoL Decision) (2003)

<http://www.bailii.org/cgi-bin/markup.cgi?doc=/uk/cases/UKHL/2003/47.html&query=title+%28+Congleton+%29+and+title+%28+Borough+%29+and+title+%28+Council+%29&method=boolean>

Bourne Leisure Ltd v Marsden (2009)

<http://www.bailii.org/cgi-bin/markup.cgi?doc=/ew/cases/EWCA/Civ/2009/671.html&query=title+%28+Bourne+%29+and+title+%28+Leisure+%29+and+title+%28+Ltd+%29+and+title+%28+V+%29+and+title+%28+Marsden+%29&method=boolean>

Graham v East of Scotland Water Authority (2002)

<http://www.bailii.org/cgi-bin/markup.cgi?doc=/scot/cases/ScotCS/2002/30.html&query=title+%28+Graham+%29+and+title+%28+v+%29+and+title+%28+East+%29+and+title+%28+of+%29+and+title+%28+Scotland+%29+and+title+%28+Water+%29+and+title+%28+Authority+%29&method=boolean>

Rhind v Astbury Water Park Ltd and another (2004)

<http://www.bailii.org/cgi-bin/markup.cgi?doc=/ew/cases/EWCA/Civ/2004/756.html&query=title+%28+Rhind+%29+and+title+%28+v+%29+and+title+%28+Astbury+%29+and+title+%28+Water+%29+and+title+%28+Park+%29+and+title+%28+Ltd+%29&method=boolean>

Redfern v British Waterways Board (1998)

<http://www.bailii.org/cgi-bin/markup.cgi?doc=/scot/cases/ScotCS/1998/92.html&query=title+%28+Redfern+%29+and+title+%28+v+%29+and+title+%28+British+%29+and+title+%28+Waterways+%29+and+title+%28+Board+%29&method=boolean>