

POLICY STATEMENT FOR THE USE OF THE RIVERS WYE AND LUGG

PORTFOLIO RESPONSIBILITY: HIGHWAYS AND TRANSPORTATION

CABINET

6TH SEPTEMBER, 2007

Wards Affected

County-wide

Purpose

To note comments received in relation to the draft policy statement and adopt the revised statement as the basis for responding to proposals advanced in relation to the rivers Wye and Lugg, in particular by the Environment Agency in relation to their implementation of the Wye Waterway Plan.

Key Decision

This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was included in the Forward Plan.

Recommendation

THAT the revisions to the Policy Statement for the Use of the Rivers Wye and Lugg be approved and the document adopted as policy to promote partnership working with relevant organisations.

Reasons

The policy statement will enable Herefordshire Council to work more effectively with its partners and other organisations to promote uses for the Rivers Wye and Lugg that are sustainable and benefit local communities and the wider public.

Considerations

1. The Policy Statement on the Use of the Rivers Wye and Lugg was produced to indicate how the Council would work with partners, in particular the Environment Agency, on matters of mutual interest and concern. This followed the publication of the Environment Agency's Wye Waterway Plan (incorporating the Wye Navigation Plan) and the establishment of the Wye Navigation Committee upon which the Council is represented.
2. Cabinet Decision 2006.CAB 098, 14th December 2006 approved a draft Policy Statement as the basis for consultation with relevant organisations and the public.

Some 330 organisations/bodies together with a number of individuals who expressed an interest in commenting were directly advised upon the availability of the document. Its publication was also promoted through the press, at local info-centres and libraries, and upon the Council's web site. Comments were received from 35 bodies or individuals. A summary of these is presented in Appendix 1.

3. Although comments on any part of the document were invited the consultation asked, in particular, for views upon a number of issues. Generally all comments received could be linked to these issues, and their analysis is presented accordingly.
4. Does the Policy Statement provide sufficient information to enable those concerned to understand the issues covered?

Only limited comment was received upon this issue. Matters upon which more information was considered necessary included noise impact, pollution, the potential economic benefits of leisure and tourism uses of the river, legal requirements, byelaws and planning requirements, especially in relation to flooding.

Further explanation upon how policies were to be applied was also requested, as was the need for more specific policies and proposals in the future.

5. Did the 'Statement of Principle' provide a suitable balance between the various interests to be accommodated?

Again only limited comments were received on this issue. The principal concern was about how the balance between uses and/or users is to be determined and achieved.

6. Was the emphasis given to non-motorised boating and motorised craft correct?

The use of the rivers for non-motorised boating appeared not to be seen as a contentious issue, was generally accepted and some commented that they would like to see improved access in appropriate locations. Some views were expressed both for and against motorised craft using the rivers but most responses were cautious, recognising that there are environmental limitations.

Reference was made to utilising areas of flat water elsewhere for boating.

7. Was there further potential and capacity for more active use of the rivers and their surroundings for sporting use, informal recreation, leisure and tourism?

There appeared to be an overwhelming view that there was greater potential to use both the rivers and their surroundings for a wider range and extent of recreational use. However most respondents again referred to the need to ensure the environment is protected and for access to be within the capacity of the rivers and areas concerned.

A more proactive approach would generally be welcomed in terms of providing greater access for walkers through opening up riverbanks and promoting active recreational use and outdoor pursuits.

Some respondents referred to the rivers' tourism potential again highlighting accessibility as an issue. One respondent also raised the issue of increasing tourism potential through dredging.

8. How might relevant stakeholders be involved in managing the range of uses associated with the rivers?

A range of views was expressed upon ways to involve stakeholders in managing the rivers. They included maintaining a comprehensive database of all interested parties, calling annual or ad-hoc meetings to discuss events and general matters of interest, setting up a stakeholder consultative group, and consultation and news updates through newsletters and a website. The establishment of a specific department within the Environment Agency to control the use of the rivers is suggested by one organisation.

9. Are environmental concerns adequately protected and appropriate opportunities provided for their enhancement?

A number of respondents pointed to the obligations placed upon the Council, particularly in relation to protecting and enhancing biodiversity. As a consequence they would like to see a stronger statement to this effect within the policy document. A number suggested that protecting the environment should be the overriding principle when there is conflict and a more proactive approach be adopted, for example in relation to protecting river banks, trees, woodlands and geology.

Although comments concentrated on conserving biodiversity, some reference was made to landscape issues (polytunnels) and the historic heritage of the rivers.

Reference was also made to the need to address invasive species along the riverbanks.

10. How might the rivers' features be utilised to promote measures for rural regeneration, tourism and local awareness?

A range of suggestions was made about initiatives that should be taken to use the rivers to the benefit of local communities and the economy. They include facilities that might be provided (e.g. cycle ways, footpaths, trails, bridges); promotional activities (e.g. publicity leaflets, advertisements, festivals; interpretative material); activity holidays; bankside improvements; hydro-power schemes; better control of water levels (e.g. weirs for all year round use by visitors and local people); joint working; better river maintenance in terms of clearing rubbish etc. from the rivers.

Some reference is made to avoiding an approach that would lead to the loss of the unique and unspoilt character of the County and that there are limitations in terms of capacity that require careful (planning and access) controls.

11. Have all matters of importance been covered adequately?

Many comments reflected views expressed under other headings.

Environmental issues considered not to have been covered adequately included seeking extension to the Wye Valley Area of Outstanding Natural Beauty (AONB); the impact of climate change; water abstraction and related issues of irrigation and water use; the form of flood defences; quality of development associated with the rivers; silting up of the river, pollution and rubbish; the management of trees and woodlands alongside the rivers; and reference to geology and geomorphology of the rivers and their valleys.

Further coverage was felt necessary in relation to tourism and recreational use. Issues raised included the importance of and accessibility for fishing; other access rights; the need to limit access in certain areas because of inappropriate roads/parking and the impact this might have on local residents; funding for projects such as access; and

opportunities to use other sites, such as old mineral extraction sites, for water based recreation as suggested in the Rivers and Flat Water Study.

Inclusion of other rivers (River Arrow is specifically referred to) is requested. Explanation of how the Council proposes to respond where conflict arises between policies is also sought. It is also suggested that the document would benefit from the inclusion of graphics and contact details.

Analysis

12. The purpose of the document is to set out Herefordshire Council's general policies on the use of the Rivers Wye and Lugg in particular in order to respond to work of the Environment Agency in relation to the Wye Waterway Plan. It was never the intention to cover every issue associated with the rivers within the policy statement, but to concentrate on those relating to how people might use them and their riverbanks. A number of the issues identified as not being covered satisfactorily by those responding to the draft policy statement, such as water abstraction, some pollution matters, flood risk and climate change, will be subject to separate consultation arrangements, in particular by the Environment Agency, through such mechanisms as Catchment Abstraction Management Plans and River Basin Management Plans.
13. Similarly, Government is responsible for determining whether the boundaries of Areas of Outstanding Natural Beauty (AONBs) should be reviewed, on advice from Natural England. There is no indication that such a review of the Wye valley AONB boundary is imminent.
14. Some respondents have asked for more detailed policies and additional detail in supporting statements. Although this may be helpful in some limited circumstances, the document is largely one covering general statements of policy and giving strategic direction. Should there be a need to look at issues in more detail, this would occur when specific proposals are advanced.
15. Greatest interest appears to have been in upon the issue of accessibility to the rivers and their banks, with the majority suggesting this should be increased, particularly where this will not adversely affect the local environment. In this context the Environment Agency is seeking additional access points. Relevant comments have also been forwarded to the section within the Council who were consulting on the Public Rights of Way Improvement Plan.
16. Treatment of invasive species is not covered in the policy statement yet is an issue that is quite serious along the riverbanks.
17. A number of amendments to the draft strategy to take into account some of the views expressed are suggested. These are shown underlined in the revised draft Policy Statement document attached to this report (Appendix 2).
18. With regard to stakeholder involvement some of these measures suggested are already in place or planned. What is clear from this is that there is significant interest from many quarters. A comprehensive database of all with an interest in the management and future of the rivers could provide a useful basis for community and stakeholder involvement. It is suggested that the views expressed on this matter be forwarded to the Environment Agency for its consideration.

Financial Implications

There are no direct financial costs as a consequence of this decision, except the cost of printing the adopted document, which will be met from existing budgets.

Risk Management

Approval of the revised document should not present any notable risks. It should be reviewed from time to time in the light of its use and changes in circumstances.

Options

No specific or strategic options are provided, although it will be possible to determine which amendments to the report should or should not be adopted, or to request further consideration be given to the inclusion of matters where changes are not proposed.

Consultations

Paragraph 2 above describes the consultation arrangements undertaken upon the draft document. The list of bodies directly consulted is available from the Conservation Section of the Planning Office. The full text of responses received is similarly available from that section.

Appendices

Appendix 1 – Policy Statement for the Use of the Rivers Wye and Lugg: Summary of Responses and Comments.

Appendix 2 – Policy Statement for the Use of the Rivers Wye and Lugg: Revised version August 2007

Background Papers

Herefordshire Unitary Development Plan
Herefordshire Community Strategy
The Wye Navigation Order 2002
The Wye Waterway Plan
West Midlands Regional Spatial Strategy
Herefordshire Local Area Agreement
Wye Valley AONB Management Plan
Tourism Strategy for Herefordshire 2002 – 2007
Herefordshire Rivers and Flat Water Study