

# Appendix NJ1



## APPENDIX TO STATEMENT OF EVIDENCE OF NIGEL IAN JOHNSON

### HISTORICAL BACKGROUND

- A1. Inland navigation in Britain has taken place on the nation's major rivers since pre-historic times. From the 17<sup>th</sup> century lesser rivers were made navigable by larger craft (mainly for the purposes of trade) through improvement by impoundment (using weirs and locks) and canalisation. It was the spectacular growth of British industry in the second half of the 18th century however that called for the construction of new, wholly man-made waterways or canals.
- A2. Most of Britain's canals were constructed between c1760-1840. They were privately funded enterprises and the motive behind them was profit. They were promoted by industrialists who usually owned factories and needed to import coal and raw materials and export manufactured goods. A proposed canal needed an Act of Parliament to permit capital raising, a share subscription, an engineer to design it, contractors to build it and a company to manage it and pay dividends to shareholders who were typically local businessmen. A canal company leased wharves and warehouses and collected tolls from boats. It also encouraged others to develop wharves, quays and landing places along the canal to generate traffic and consequent toll revenue.
- A3. The heroic period of canal construction, between 1790 - 1820 is typified by impressive programme built waterways like the Shropshire Union, Lancaster, Macclesfield and Kennet & Avon canals. These canals were typified by long tunnels, big cuttings and embankments, flights of locks, tall aqueducts and a standardised industrial aesthetic in the design of engineering structures. They were a transport infrastructure for mineral, industrial and agricultural cargos (particularly coal for both industrial and domestic use). Nevertheless pleasure boat usage, on a local scale, took place from the outset.
- A4. By the mid 19th century canal construction had ceased. Few canal companies could compete with the railways and the canal industry went into a prolonged decline. In the 1840s many canals were bought up by railway companies who were fearful of competition. Nevertheless they were required by transport legislation of the time to keep these canals open, though they often did so with the minimum of expenditure.

#### Use of pleasure boats on canals

- A5. The operation of pleasure boats was envisaged from the start of many canals and clauses affecting the use of pleasure boats often featured in canal Acts. The following



comprise a brief list of those clauses found in a small representative sample of canal Acts:

*Clause re Land owners' pleasure boats allowed to use navigation*

River Don: 1725, 12 Geo I cap 38, section XXVII; 1726, 13 Geo I cap 20, section XXXIV; 1739, 13

Geo II cap 11, section LIV

L&LC: 1794, Geo III cap 94, section LXXIX

S&KC: 1793, Geo III cap 117, section CVII

ACN: 1820, 1 Geo IV cap 39, section LXX

*Pleasure boats exempt from tolls*

ACN: 1774, 14 Geo III cap 96, section LVII & LVIII

Trent Navigation: 1782, 35 Geo III cap 48, section LXIX

*Lock tolls for pleasure boats*

Trent Navigation: 1906, , section 38: 1932, 22 & 23 Geo V cap ?, section 59

*Use of closed canals by pleasure boats*

LMSR: 1944, 8 & 9 Geo VI cap ?, section 9

- A6. Pleasure boats have been used on canals throughout their life. The Leeds & Liverpool Canal was a highly successful canal which continued to be used commercially into the 1960s. Even on this industrial canal pleasure boats have been used regularly, and in the Company minutes the following are mentioned:

*1839, June 13, Mr Brown of Keighley was given permission for a small boat on the canal; Mr Fletcher, the canal engineer, was requested to take steps to prevent pleasure boats being used or let for hire on Sundays; 1855, July 10, Rev J Bell was allowed a small boat on the canal at 5/- per annum; 1856, June 26, several pleasure boats at Leigh to be charged 5/- per annum; 1870, Sept 15, J V Goodwin allowed a small rowing boat on the canal at Apperley Bridge for 15/- per annum; 1916, June 21, motor boat allowed on the canal at Keighley for wounded soldiers from Keighley War Hospital on payment of 5/- per annum, organised by W A Brigg; 1922, Jan 18, Richard Abel & Sons ask to be allowed to carry passengers on toll, but not allowed; 1930, Nov 19, Northern Motor Boat Club asks to hold races on Foulridge Reservoir, but not allowed.*

- A7. By 1932 there were over 50 motor pleasure boats registered annually for use on the canal, and 32 were registered in 1947. Some were kept in boat houses on land leased from the canal company, with leases dating back to the first decade of the twentieth century. There were also additional permits for rowing boats and for motor boats just passing over the canal and not moored regularly on it.
- A8. The increasing use of pleasure boats was one reason for the Grand Union Canal introducing Section 50 to its 1943 Act, allowing it to remove unauthorised boats.



#### Mooring of boats on canals

- A9. Canal companies operated maintenance craft, such as icebreakers, dredgers, tugs (for towing dumb barges) and general purpose work flats. These craft were typically moored on the canal adjacent to company maintenance yards or depots, or adjacent to company wharves or minor maintenance outposts along the line of a canal. Such vessels would often be moored for in the canal for long periods pending use for their particular work purposes.
- A10. Cargo boats were either owned by canal companies or by carrying companies or later on by families who might own just one or two boats. Historical evidence from the earlier years of canals indicates that boatmen lived ashore and worked boats 'by the day' (hence the term 'day boat'). Early cargo boats were generally open decked, with protective cloths to cover goods. The Kennet & Avon Canal was built to take narrow boats (approved boat dimensions: 69 ft long x 4 ft deep x 6 ft 11 ins beam with capacity of 35 tons) and Kennet barges (approved barge: 69 ft long x 5 ft deep x 12 ft 4 ins beam with capacity of 60 tons). A type of wide boat called a 'mule boat' was also approved by the company. Narrow boats and barges were constructed mainly at Newbury and at Honeystreet.
- A11. Many boats on the Kennet & Avon appear to have been individually owned. On canals generally, from the 1840s onwards there were increasing numbers of families living on their boats. This reduced costs and kept canal carrying profitable in the face of increasing railway competition. The Canal Boats Acts of 1877 and 1884 made it law for local authorities to register boats used as living accommodation and issue them with a numbered certificate. These public health registers are often deposited in County Record Offices and provide evidence of a substantial number of families living aboard narrowboats on the Kennet & Avon and other canals.
- A12. Privately owned boats, including both cargo boats and pleasure boats, would generally be moored on the canal when not in use. Although there was the occasional canal basin on the Kennet & Avon (now all filled in), these were used mainly for loading and unloading cargos. Most wharves were built on the side of the canal where quays and landing places were also located. On the Kennet and Avon Canal, by 1823 the Canal Company owned six wharves at bath, three at Bradford-on-Avon, one at each of Hilperton Marsh, Semington, Pewsey, Great Bedwyn, Froxfield, Hungerford, Newbury, Aldermaston and Reading (two). There were also private wharves at Bath, Bathampton, Dundas aqueduct, Seend, Foxhanger, Devizes, Honeystreet, Burbage, Kintbury, Hamstead Marshall, Newbury (two) and Woolhampton.



A13. Cargo boats awaiting cargos, or laid up due to the absence of cargos would be moored on the canal in the vicinity of these locations or within less than a day's journey from them. Pleasure boats not in use were more randomly moored along the canal at the convenience of the owner – sometimes at a landing stage or boat house specifically licensed by the canal company (see paragraph [x] of my statement of evidence. Off-line moorings (i.e. not on the canal itself) are generally a modern feature of the waterways (and particularly the Kennet & Avon) arising from the significant growth in the number of boats in recent years.

#### The restoration and renewal of the Kennet and Avon Canal

A14. By the 20<sup>th</sup> century little traffic remained and this was further eroded by the growth of road transport after the First World War. Nationalisation in 1948 brought hope of a possible restoration programme, but decline continued and by the early 1950s a stretch was closed due to its dangerous condition. Eventually the canal became virtually unnavigable and was threatened by legal abandonment. The Kennet & Avon Canal Association (later the Canal Trust) was formed to combat this threat and in 1956 successfully petitioned the government against abandonment.

A15. In 1963 the British Waterways Board took over responsibility for the canal and a number of projects were begun at the initiative of the Kennet & Avon Canal Trust. In 1973 the canal was reopened from Hampstead Marshall to Hungerford and by 1984 reopened from Bath to Bradford-on-Avon, culminating in a fully reopened canal in 1990.

A16. The future of the Canal was not however secure, due to long-term leakage and embankment stability problems and the general backlog of maintenance works. The Kennet & Avon Canal Partnership was therefore established in 1994 to safeguard the future of the canal and a bid was submitted to the Heritage Lottery Fund with the award of £25 million in 1997 with match funding from the partnership.

A17. The partnership comprises the following members, British Waterways, The K&A Canal Trust, Association of Canal Enterprises and riparian local authorities. Due to local government reorganisation in 1995 the local authorities along the canal has reduced and now consists of: Bristol City Council, Bath & North East Somerset Council, Kennet D.C, West Wiltshire D.C, West Berkshire D.C, Reading Borough Council and Wiltshire C.C.

A18. The partnership has the following mission statement:

*'To secure the structure, operation and environment of the 87 mile working waterway heritage of the K&A Canal to make it operational, sustainable and accessible for the enjoyment of future generations'.*