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Mid Devon District Council

Grand Western Canal Joint Advisory Committee

Tuesday, 7 March 2023 at 7.00 pm

Please Note: this meeting will take place at Phoenix House and members of the Public and Press are able to attend via Zoom. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms

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Meeting ID: 870 7150 2413
Passcode: 677757

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A G E N D A

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

- 1 **Apologies**
To receive any apologies for absence.
- 2 **Public Question Time**
To receive any questions relating to items on the agenda from the public and replies thereto.
- 3 **Minutes (Pages 5 - 12)**
Members to consider whether to approve the minutes as a correct record of the meeting held on 4th October 2022.

- 4 **Matters Arising**
To consider any matters arising from the minutes of the last meeting.
- 5 **Chairman's Announcements**
To receive any announcements that the Chairman may wish to make.
- 6 **Canal Progress Report** (*Pages 13 - 28*)
To receive a report summarising the work that has taken place with regard to the canal since the last meeting.
- 7 **Bycott Farm (22_02102_MFUL)** (*Pages 29 - 32*)
To discuss whether the Committee, as an official consultee, should make a representation regarding this application.
- 8 **Coronation events**
To discuss whether there are any events planned along the Canal to celebrate the Coronation weekend.
- 9 **Any other business**
To consider any other relevant business.
- 10 **Identification of items for the next meeting**
To identify any issues for discussion at the next meeting.
- 11 **Date of next meeting**
To agree the date of the next meeting as Tuesday 3rd October 2023 at 7pm.

Stephen Walford
Chief Executive
Monday 27 February 2023

Meeting Information

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Zoom.

If you want to ask a question or speak, email your full name to Committee@middevon.gov.uk by no later than 4pm on the day before the meeting. This will ensure that your name is on the list to speak and will help us ensure that you are not missed. Notification in this way will ensure the meeting runs as smoothly as possible.

Please note that a reasonable amount of hardcopies at the meeting will be available, however this is a limited number. If you are attending the meeting and would like a hardcopy of the agenda we encourage that you notify Member

Services in advance of the meeting to ensure that a hardcopy is available. Otherwise, copies of the agenda can be found on our website.

If you would like a copy of the Agenda in another format (for example in large print) please contact Sarah Lees on: E-Mail: slees@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

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MID DEVON DISTRICT COUNCIL

MINUTES of a MEETING of the GRAND WESTERN CANAL JOINT ADVISORY COMMITTEE held on 4 October 2022 at 7.00 pm

JAC Members Present:

Cllr C R Slade	Devon County Council (Chairman)
Cllr R F Radford	Mid Devon District Council (Vice Chairman)
Cllr Mrs C Collis	Mid Devon District Council
Cllr L Cruwys	Mid Devon District Council
Cllr Mrs C P Daw	Mid Devon District Council
Cllr Mrs S Griggs	Mid Devon District Council
Cllr J Norton	Mid Devon District Council
Cllr K Browse	Halberton Parish Council
Cllr J R Rendle	Tiverton Town Council
Cllr D Cutts	Sampford Peverell Parish Council
Mr P Brind	Tiverton Canal Company
Mrs P Brind	Mid Devon Moorings
Mr Peter Burgess	Devon Wildlife Trust
Mr John Hampshire	Cycling UK
Mr R Hodgson	Friends of the Grand Western Canal
Mr Dion Howells	Community Patrol Boat
Mr G Moore	Canal Business Group
Mr A Pilgrim	Holcombe Rogus Parish Council
Mrs J Pilgrim	Inland Waterways Association
Mr P Saupe	Tiverton Unit Sea Cadets
Mr M Trump	Tiverton and District Angling Club

Officers:

Mr Richard Walton	Public Rights of Way and Country Parks Manager, DCC
Mr M Baker	Country Park Manager, DCC
Mr S Scriven	Parks and Open Spaces Officer
Mr Andrew Seaman	Member Services Manager, MDDC
Mrs S Lees	Member Services Officer, MDDC

1 Election of Chairman

RESOLVED that Cllr C Slade be elected Chairman of the Committee for the municipal year 2022/2023.

(Proposed by Cllr R F Radford and seconded by Mr Peter Saupe)

2 Election of Vice Chairman

RESOLVED that Cllr R F Radford be elected Vice Chairman of the Committee for the municipal year 2022/2023.

(Proposed by Cllr Mrs C Collis and seconded by Mr Peter Saupe).

3 **Apologies**

Apologies were received from:

- Cllr Andrea Davis
- Ray Jones
- Trevor White

4 **Public Question Time**

Mr Paul Elstone asked the following questions:

Before I ask my questions, allow me to introduce myself.

I am a Tiverton Town Councillor for the Lowan Ward – The ward closest to Red Linhay.

I live on Blundells Road and therefore am witness to the excesses of Red Linhay more than many if not most.

Given the questions I am going to ask I need to set some important context. This by validating things said.

I am a member of a multi-disciplined team made up of Farmers, Environmental and Energy Specialists, Accountants, and Councillors of various political persuasions who have been investigating Anaerobic Digester operations across Mid and East Devon for nearly 3 years.

I personally met twice with Neil Parish in his DEFRA Role and along with two others to provide evidence. This in support of him raising AD plant operating issues with the Secretary of State for the Environment, Food and Rural Affairs. Additionally in preparing a case for matters to be brought before a Parliamentary Select Committee at his suggestion.

QUESTION 1.

Are the Committee Members aware that the MDDC Planning Officer has recommended approval of the massively oversized silage clamp and an application coming before MDDC Planning Committee tomorrow. That in doing so the Planning Officer says there will be little or no impact on the local environment or road network?

QUESTION 2.

Is this committee aware that the silage clamp will contain enough silage to feed the registered herd of 17 Charolais cows and 23 calves born since 2020 for around 45 years assuming a 6 month indoor outdoor feeding cycle.

That the silage clamp will take around 500 18 ton loads of grass silage delivered by tractor to fill. That the Planning Officer has stated that there will be no additional impact on the road network as a result?

QUESTION 3.

Is this committee aware that when MDDC agreed the AD Plant Transport Plan as a condition of the application approval, a plan that not only defined agreed transport routes but which also stated there would be 748 loads per year of either feedstock or digestate over the year, that 264 of these loads would be on farm only?

Red Linhay weighbridge data shows that over the period August 2021 to August 2022 there were 3,972 loads passing across the Red Linhay weighbridge or 3,231 more than the planning application said there would be.

To indicate further concerns about Red Linhay in detailed checks of Red Linhay weighbridge data in a previous year and data provided BY Red Linhay to MDDC has revealed that Invalid Carriages, Quad Bikes, Ford Escorts and Mercedes Cars have all transported 25 ton loads of feedstock to Red Linhay and many times.

QUESTION 4

Is this committee aware that the transport route plan has the Blundells School Campus out of bounds given its over 3000 pupil road crossings per day. Despite this over 200 tractor movements per day and related to Red Linhay have been witnessed and routinely.

Similarly Halberton High Street has been witness to over 200 tractor movements per day.

QUESTION 5

Is this committee aware that the Anaerobic Digester is producing over twice as much electricity as the planning condition permits Figures from OFGEM month on month over 1000 Kilo watts per hour exported yet planning condition is for 500 kilo watts per hour produced. This in part explains the high tractor movements.

This gross over production was reported to MDDC Executive Officers and in a face to face meeting several months ago but so far no evidence of any enforcement action is in evidence.

QUESTION 6

Are the committee aware of the extent of the Red Linhay transport movements in Mid Devon and up to over a 20 mile radius which cover the following locations. Most of which the Red Linhay planning approval Transport Statement does not permit:

Tiverton - including Blundells School Campus

Bolham, Halberton, Willand, Cullompton, Updown, Craze Lowman, Sampford Peverell

Holcombe Rogus, Wellington, Bickleigh, Rewe, Crediton, Copplestone and Bow

- Amongst others

In response the Chairman stated that none of the questions were within the remit of the JAC to reply to. The Committee could only comment on issues as they affected the Canal. The questions were better addressed to the Planning Enforcement team or the Planning Committee itself. He also confirmed that the JAC had already made a representation regarding this site.

Note: Cllrs Mrs C Collis, L Cruwys and R F Radford declared personal interests as they were members of the MDDC Planning Committee.

5 Minutes

The minutes from the meeting held on 1 March 2022, having been previously circulated, were approved as a correct record.

6 Matters Arising

There were no matters arising in relation to the minutes of the previous meeting.

7 Chairman's Announcements

The Chairman thanked Cllr R F Radford for Chairing the Committee during the previous year. He also thanked the Country Park Manager and his team for the continuous upkeep of such a beautiful canal. They were to be congratulated.

8 Terms of Reference and membership review

Members considered the Terms of Understanding * and membership of the Committee.

RESOLVED that the Terms of Understanding and membership of the Committee be agreed.

(Proposed by the Chairman)

Note: (i) Cllr Adam Pilgrim requested that his abstention from voting be recorded.

(ii) * Terms of Understanding and membership previously circulated; copy attached to the signed minutes.

9 Progress Report

The Committee had before it, and **NOTED**, a Progress Report from the Country Park Manager summarising the work that had taken place on the Canal since the last meeting. A brief discussion took place regarding the following issues:

- The landing stage at East Manley was now much safer for horse drawn barge passengers and other canal users. It had become potentially dangerous in terms of being a trip hazard.
- Halberton Parish Council had recently agreed to pay for the replacement of two bridge name plates within their parish.
- Memorial benches needed to be sensibly spaced along the whole length of the Canal. The Tiverton end was now at its limit.

10 Update on the Community Patrol Boat

The following update was provided regarding the Community Patrol Boat:

- It had been a good year with two more volunteers being recruited meaning that there was now 4 in total.

- A number of repairs to the boat had been successfully completed
- The Facebook profile had expanded.
- Office space was going to be provided by a new shed beside the Rangers workshops and a laptop was going to be provided by the Police which would be very useful.

The Chairman requested that the thanks of the JAC be conveyed to the Community Patrol Boat crew.

11 **CSAS Powers update**

The following update was provided:

- The Committee were reminded that CSAS stood for 'Community Safety Accreditation Scheme'.
- A logo for the Accredited Police Volunteers scheme (a scheme similar to CSAS which the Community Patrol Boat volunteers were applying for) was waiting to be signed off by the Chief Constable.
- The aim was to build a better relationship between the canal team and the Police.
- One power would be for the canal team to be able to take action if there was a failure by someone suspected of an offence to provide their name and address.
- The new powers would also provide a better pathway for enforcing bylaws.
- Those responsible for using the new powers needed to undergo a certain amount of training.
- Once the CSAS and APV accreditation had been confirmed it would be well advertised within the media.

12 **Water Transfer System from Fenacre Brook to the Canal**

The Country Park Manager provided the following update on the Fenacre Water Transfer System:

- There had been no progress by Aggregate Industries (AI) on this matter since the last JAC meeting. At that meeting it was reported that a full application for a water resources transfer licence was about to be submitted by the Environment Agency (EA) and they would assess it.
- AI's Permitting Manager had warned that applications could sometimes sit with the EA for months or even years due to a backlog of work.
- Several attempts were made to check on progress with the application to AI and their consultants and eventually information was received that the application had not been submitted.
- It was felt that AI were potentially in breach of their S106 obligations, however, AI responded to this by stating that they felt they had broadly complied with the terms of S106 by submitting a Water Abstraction Licence application to the EA in November 2020.
- A meeting was held with the DCC Chief Planner last week where it was stated that any action DCC could take against AI for failure to comply with the S106 would need to proceed through the Magistrates Court after careful

assessment. He felt discussions with AI at a higher level could provide an alternative route to achieving the desired outcome.

- It was suggested that the Chair of the JAC write to the DCC Chief Planner with the views of the Committee and the Chief Planner would do his best to move the matter forward.

Discussion took place regarding:

- The Chairman was very happy to work with DCC to progress this matter.
- It was vital that there was a better system of harnessing the water when it was available. The future of the Canal depended on it.
- The frustration felt by Committee members that this had been going on so long and was still not resolved.

The Chairman concluded the discussion by stating that he, the Vice Chairman and Cllr Andrea Davis would pursue the matter on behalf of the JAC.

13 Anaerobic Digester Plant at Crownhill

The Chairman stated that discussion regarding this item had already taken place under Public Question Time.

It was confirmed that the silage clamp application would be brought before the MDDC Planning Committee the following day.

14 Signage on the canal

Cllr Mrs C Daw had requested that this item be brought before the JAC as she felt that there was no signage promoting the fact that the Canal had the last horse drawn barge in the south west and was a heritage site despite being the jewel in the crown of the local area.

Discussion took place with regard to:

- The popularity of the horse drawn barge which had increased since the pandemic. It was a living heritage attraction.
- There were brown signs but they just said 'Grand Western Canal'.
- Brown signs were the responsibility of Devon County Council Highways.
- Contact could be made with the MDDC Economic Development team who had responsibility for promoting businesses within Mid Devon and they may be able to help.
- A caveat was provided by the Country Park Manager who supported the proposal for better signage but pointed out that brown signs were supposed to be just for way finding, they were not meant to promote businesses and DCC Highways staff responsible for their provision had to act within strict rules. The location of any new promotional signs beside the junction of Old Road and Great Western Way may have road safety implications and therefore needed careful thought. There was however a nearby example showing that such promotional signs are possible – that being the Tiverton Hotel sign on the verge opposite the hotel.

The Chairman requested that he be sent an email with supporting evidence which he would then be able to use to speak to the relevant highways officers. There may also be an opportunity for himself and the Vice Chairman to use their Locality Budgets (as County Councillors) once they became available again.

15 Concerns about member involvement outside meetings

Cllr Adam Pilgrim had requested that this item be placed on the agenda for the following reasons:

- Over the last year some discussion had been stifled by some members having to declare interests as sitting members of the MDDC Planning Committee.
- There was very little response to his regular planning bulletins.
- The site visit in the summer had been poorly attended.
- Was it possible to appoint representatives to the Committee with the minimum number of declarable interests?
- Fears for the representation on the Committee in the future as some of the expertise may be lost.

Consideration was given to:

- The Committee did respond when matters were controversial.
- Elected Members sitting on the Planning Committee were bound by regulation.
- This issue could be taken back to Parish Councils where alternative representation could be sought.
- All organisations represented on the Committee were encouraged to consider this issue.
- It was confirmed that no deputies were permitted for elected MDDC and DCC Members.
- There could be a benefit to the JAC in having Planning Committee members among their ranks in that they heard and were able to take into consideration the JAC's views on matters when discharging their planning committee duties.

16 Any other business

An idea had been suggested by David Poxon, former Head Horseman of the Tiverton Canal Company that a raft race event be held on the Canal. Many years ago Tiverton had hosted a raft race on the River Exe and it was felt to be a huge loss when it had stopped. A raft race in the Canal Basin or along a longer length of the Canal would be a popular and enjoyable event and would provide an opportunity to raise some money for charity. Both ideas received support, perhaps in alternate years?

The Country Park Manager informed the Committee that he had spoken to David and also a member of the Rotary Club and they were keen to work together. The Sea Cadets would also be willing to help with an event in the Canal Basin.

It was suggested that a working group be set up to progress some of the ideas being raised and this had the support of the Committee. Volunteers to the working group included Robert Hodgson, Cllr Les Cruwys and Dion Howells. Phil Brind and Pat Brind would also be involved.

17 Identification of items for the next meeting

It was requested there be an update on the signage situation at the next meeting.

18 Date of next meeting

The date of the next meeting was agreed as Tuesday 7th March 2023 at 7pm.

(The meeting ended at 8.30 pm)

CHAIRMAN

Grand Western Canal Joint Advisory Committee 7th March 2023

Progress Report (October 2022 to February 2023 inclusive)

1. Tilting weir control system

The principal water control mechanism for the Canal is a 3m x 1m tilting weir located near Burlescombe.



In addition to manual operation, The Canal Ranger Service are able to control it remotely, avoiding the need for continual visits to Burlescombe to fine tune water levels, or emergency visits during heavy storms in the middle of the night (as was required prior to its installation). The system had worked very well since its installation in 2014, but unfortunately the Dutch company that provided the 'Greenbox' control system and

website portal for controlling the weir ceased operating last year.

Fortunately, an alternative company were able to provide an equivalent system (although this one is based on sending the control box text messages, rather than logging into to a website portal). However, the entire control box (circled red in the photo) including motor, gears, and solar panel, had to be replaced at notable cost.

The new control system was installed in January. Following a number of technical teething problems with the SIM card and calibration of the weir, the system is now working well.

2. Community Safety Accreditation Scheme

The Canal Ranger Service staff are all now accredited under the CSAS scheme and have received their ID cards and badges.

The Community Patrol Boat Crew are still waiting for their police vetting to be completed, before they are able to become Accredited Police Volunteers.

Following further training and scenario-based roleplay exercises, the accreditations will be publicised in the Spring.



3. New noticeboards and A2 information panels

Last year, the Canal Manager was successful in applying to the Westcountry Branch of the Inland Waterway Association for funding towards two new noticeboards and the design and production of a series of 11 new A2 panels to replace the very dated ones currently found in the noticeboards.

The two noticeboards have been delivered and installed at Sampford Peverell picnic site and Greenway Bridge.



The Canal Manager has provided designers with the text and images for eight of the 11 panels so far and will provide the remaining content by the end of February so that the

panels can be completed by the end of March. The panel for the Canal Basin is almost complete. A scan of the latest draft is shown below:

Canal Basin, Tiverton

Historic wharf

The Canal Basin was once a hive of industrial activity with banks of smoking limekilns and barges being loaded along the wharf. The panel mounted on the rock to your left and the displays in the visitor centre (the timber building to your right) provide more information and artist's impressions of the Canal in its heyday during the mid-1800s.

The horse-drawn barge, Tivertonian (photo: Christian Schoter)

Sea Cadets

The Canal Basin is also home to the Tiverton Sea Cadet Corps (based in the building in the car park below). Formed 1943, this waterside Unit was commissioned and named T.S. Hermes by Lady Amory in September 1953 accompanied by Sir John Amory, Mr. Derrick Amory and Admiral Sir Maurice Mansergh RN.

The Unit became affiliated to H.M.S. Hermes when it was launched in February 1953 and a strong bond developed over the years and continues with the H.M.S. Hermes Association.

Tiverton Town formally adopted H.M.S. Hermes in 1967 and the Freedom of the Borough was conferred on the Ship in 1973. H.M.S. Hermes was decommissioned in 1984 and the SCC Unit is now affiliated to H.M.S. Enterprise.

T.S. Hermes in 1953

Horse-drawn Barge

Nowadays the Canal Basin is a pleasant picnic site and home to the much-loved horse-drawn barge Tivertonian. This living heritage attraction is operated by the Tiverton Canal Co and has been taking passengers for trips since 1974. A barge trip offers the opportunity to step back in time and enjoy the tranquillity of the Country Park, whilst gliding along to the sound of birdsong and the horse's hooves steadily clapping along the towpath.

The barge operates to a timetable between 1st April and 31st October. Further information is provided at the gift shop and ticket office to your right, and on the company's website: www.tivertoncanal.co.uk

Sea cadets practicing boat handling

Map of the Grand Western Canal route, showing the canal, major roads, minor roads, and railways. The map includes a scale bar from 0 to 2 miles and a north arrow.

The Grand Western Canal

Country Park & Local Nature Reserve

The Moorings, Canal Hill, Tiverton, Devon EX16 4HX
 Telephone: 01884 254072 Email: gwcanal@devon.gov.uk
www.devon.gov.uk/grandwesterncanal

Mid Devon Inland Waterways Association Devon County Council

The Canal is owned and managed by Devon County Council, in partnership with Mid Devon District Council.

This information panel has been generously funded by the Inland Waterways Association

The Canal Manager made another application to the same IWA fund before Christmas for funding for a further three noticeboards and was informed in February that the bid had been approved by the funding panel. These noticeboards should be delivered and installed in the early summer.

4. Mowing and raking wildflower meadows

In recent years three wildflower meadows have been created on land beside the canal (at Bamfylde Close, Tiverton; the Community Orchard, Sampford Peverell and near Ebear Bridge, Westleigh). These meadows flourish in low-nutrient soils and so the best form of management is to cut and remove the vegetation in the late summer / early autumn once it has set seed. This ensures that the nutrients held within the plants are not returned to the soil through decomposition. The process of cutting and removing the vegetation shakes out lots of seed and also ensures the lighter conditions needed for seed germination and for seedling establishment.

Last autumn the Canal Rangers hired a power-scythe for a day to see if this made a better job of cutting the meadows than their strimmers or ride-on mower had managed previously. They were pleased with the results and as the reciprocating blade makes such a clean and regular cut at ground level, raking up was much easier and more thorough as a result.

Volunteers helped the Canal Rangers to rake up the cuttings and at each site the cut material was composted in one or two big piles, providing a welcome refuge for grass snakes and slowworms.



5. Dipping ponds and paths at The Moorings

Many local primary schools take advantage of the opportunity to discover more about the aquatic life found in the canal during Ranger-led visits. Pond-dipping takes place in the three ponds located in the garden of the Canal Ranger Service offices at The Moorings

One of the ponds is connected to the canal but has always been a tricky one for children to dip in as the level they stood on was much higher than the



water level. To make it easier and safer, we engaged an excavator contractor to dig down the standing level by 30cm. The Canal Rangers and volunteers then edged the paths, built new steps and used crushed stone to re-surface all around, including the main path through the garden which had been becoming increasingly puddly.



6. Warnicombe Bridge 'bypass'

The towpath under Warnicombe Bridge is one of the narrowest points along the canal. It is also a very busy location, being close to Tiverton and within the horse-drawn barge operating zone. Of all the bridges the horse passes under, this is the one that causes the most concern to the Tiverton Canal Co. with near misses with cyclists passing under the bridge not uncommon.

Fortunately there is the opportunity at this bridge to enable cyclists (and pedestrians if they wish) to bypass the bridge hole and pass to the side. In order to facilitate this, the gates have been locked open and an excavator contractor scraped out the soil along the line of the path.

The Canal Ranger Service then brought in several tonnes of crushed stone to dress the path ensuring it is the same standard as the towpath. Finally the signage was changed to indicate the new route for cyclists to follow. The Tiverton Canal Co. are pleased with the improvement and believe it will significantly improve safety for all users.



7. Badgers in Battens embankment

A badger sett in the embankment below the towpath near Battens Bridge has been destroyed under licence from Natural England. An ecologist was engaged to establish that the colony had alternative setts in the vicinity, to submit the licence application, and once this was secured, to conduct a closure of the sett using one-way doors. Once the 21-day period on non-occupation by badgers had been reached, the sett entrances were buried by an excavator contractor. In order to prevent any possible future reoccupation of the remnants of the sett complex, the embankment will be lined with wire mesh in March. Vegetation will grow through the mesh hiding it within a few months.

8. Towpath and car park sweeping

Each autumn the Canal Rangers spend a lot of time using a leaf blower to clear leaves off car parks and wooded sections of the towpath. This is a time-consuming job and after 20 minutes or so, the weight of the blower and the vibration start to get uncomfortable. It is a necessary task as mud will start to form wherever leaves are left in any significant quantity.

In order to make leaf-clearing a quicker and easier task, the Canal Ranger Service has purchased a powered brush attachment for their ride-on mower.



As well as making quick work of fallen leaves, the brush has also proved very useful in sweeping aside loose stones in sections of towpath that have been recently resurfaced, such as in Burlescombe, as shown above.

9. Fenacre water transfer system

As agreed at the JAC meeting in October 2022, the Chairman, Cllr Slade, wrote to Devon County Council's Chief Planner pointing out the despite the Country Park's best efforts to encourage and support Aggregate Industries in their Section 106 agreement requirements relating to an improved water transfer system, very little progress has been made. He asked what actions DCC could take as a planning authority to ensure Aggregate Industries meets its legal requirements as intended through the S106 agreement.

At the time of writing a formal response has not been received. A verbal update will be provided at the meeting on March 7th.

10. Hedge laying

Three of the seasonal Volunteer Days (held on the second Sunday of each month from October to March) have focussed on creating a hedge by laying a line of small Hazel, Hawthorn and Holly trees growing along the waters edge beside the boat moorings between East Manley Bridge and the Aqueduct.



The aims of this works are to improve security for the boats (with the hedge making it difficult to access the landing stage from the road behind), to reduce shading and algae growth on the boats, and to create a denser habitat for birds and mammals to nest in.

11. Hedge planting

The January Volunteer Day was held at Burlescombe, where a new hedgerow was planted along the offside boundary of the Country Park. The weather was pretty awful but despite the rain, hail and mud, the volunteers did a fantastic job and got around 60m of new hedge planted and guarded. Students from Blundells School sixth form are due to plant a further 25m here during a Community Partnerships Field Day on March 6th.



12. Ash Dieback related tree works

Following a survey of ash trees within the Country Park in late summer 2022, some 36 ash trees with extensive dieback were identified for felling. Tree surgeons have spent number of days working at the canal during the autumn and winter and plan to spend a week in early March finishing off this work.

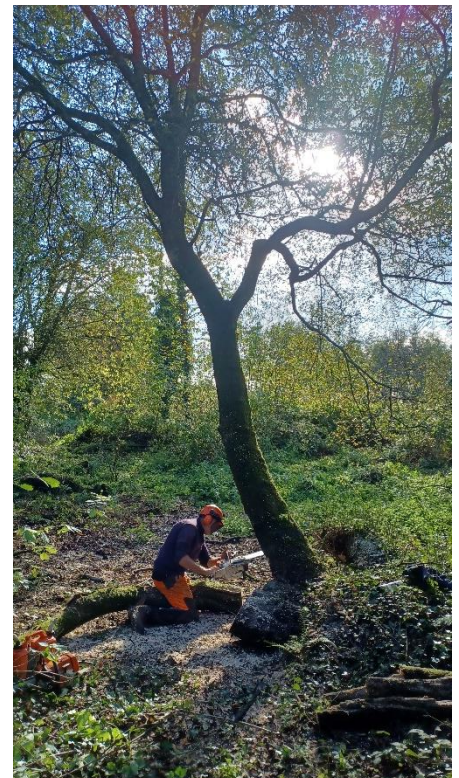
13. Other tree works

The Canal Rangers, assisted by volunteers and Bicton College work experience students, have been working on the maintenance barge for much of the winter, cutting back overhanging branches, coppicing bankside trees and cutting vegetation on bridge abutments. Working out from Tiverton, they have reached Sampford Peverell at the time of writing and although the works was delayed for two weeks when the canal froze, they still hope to reach Waytown Tunnel by mid to late March when bird nesting will prevent any further work of this nature.

A number of works not related to ash dieback have been and will be carried out by tree surgeons, including dead-wooding some mature trees in high use areas, re-pollarding a Poplar near Sampford Peverell Bridge and a willow near Ebear Bridge, and helping the Canal Rangers to clear some large fallen and hung-up branches.

14. Boehill Pond

Last autumn, the Canal Ranger Team spent a day working at Boehill Pond – a largely silted up pond on the offside bank between Boehill and Holbrook Bridges. The pond is nowadays just 30cm deep during the winter months and dries out completely during the summer. It was completely shaded by surrounding trees but over recent years some of the surrounding trees have been felled to let in more light.



Following the work last autumn, the pond is now open to sunlight from the south and east and later in the year a digger will be used to re-excavate the pond which as a result should hold water year-round and provide a much-improved habitat for a range of wildlife.

15. Bank and hedge trimming

All of the usual winter bank and hedge trimming was undertaken by an agricultural contractor in January. Two sections of hedge (the hedge on Swing embankment and a short section of new hedge beside the Tidcombe bridge gate) were left untopped with a view to these being laid in the next year or two.

16. Health and Safety Review

Every three years the Country Park is subject to an internal DCC Health and Safety (H&S) review, whereby an officer for the H&S team spends a day auditing all aspects of the Country Park's H&S processes to ensure compliance with legal requirements and DCC policies. The Country Park passed the review with 100% compliance and a special thank you is due to Canal Ranger Joanne Roberts who liaised with the H&S officer and ensured that all of the requisite documentation required for the review was up to date and to hand.

17. Bridge nameplates

New bridge nameplates have been installed at Tidcombe Bridge and Rock Bridge. A new nameplate is also due to be installed at Battens Bridge during March. Thanks to Halberton Parish Council who have paid for the Rock and Battens Bridge nameplates, and to Tiverton Town Council whose annual contribution to the Canal revenue budget will cover the cost of the Tidcombe Bridge nameplate (amongst other works along the canal within the parish).



18. Premises works

During the winter, a number of repairs and safety improvements have been undertaken at the Country Park's Canal Basin premises. These have included:

- New fire doors throughout The Moorings and in the Visitor Centre
- Repairs to vandalised door frames and locks in the gents' public toilets
- Repairs to the public toilet roof and replacement of slipped slates
- Unblocking and re-lining of the drains at The Moorings

The works at The Moorings have been funded by corporate DCC budgets, but the works at the public toilets have been paid from the Country Park revenue budget.

19. Raft Race

At the October 2022 JAC meeting, members were informed of a proposal to host a charity raft race on the Canal in August 2023. It has since emerged that attempts are being made to resurrect the Exe Struggle raft race later this year. With those plans seemingly more advanced, Dave Poxon, who had been leading the proposal for a canal raft race has decided to put off this idea for now as he and the Canal Manager did not want to compete with the Exe Struggle if it does happen. If it fails to materialise, then the idea of a canal-based raft race may be resumed in 2024.

20. Bird and Bat boxes

As part of a Countryside Stewardship (Capital Grants) agreement, the Country Park has secured funding for undertaking a range of works, including hedge laying, hedge planting, tree planting, coppicing bankside trees and putting up wildlife boxes. On a couple of wet and windy days during November and December, the Canal Rangers and volunteers kept dry in the workshops building 23 bird boxes and 12 bat boxes. These are being fixed onto suitable offside trees as the Rangers work their way along the Canal in the maintenance barge doing the annual tree maintenance work.



21. Tourism promotion

Whilst the Country Park revenue budget has very little funding available for tourism promotion, efforts are made to make use of any low-cost opportunities that are available. The Country Park has renewed its paid-for listing on the Visit Mid Devon website and leaflet, and has free listings on the Visit Devon and Visit South Devon websites. These latter two have been updated recently with thanks to Philip Brind for helping to facilitate the updates with staff at the two associations.

22. Benches

The Canal Rangers have built and installed seven new memorial benches during the winter, located near Warnicombe Bridge, Tidcombe Bridge, Rock Bridge, Swing Bridge, Battens Bridge and two at Tiverton Road car park. Five of these have replaced benches that had rotted or had been vandalised and had to be removed.



23. Swans

Most years the Canal Ranger Team are called out on a few occasions to rescue swans that have got stuck in gardens or behind fences, or that have become entangled or hooked by angling tackle. This winter has seen a much greater number of call outs, mainly to Burlescombe where the combination of two swan families living in close proximity and a group of cygnets that seem unwilling to depart, has led to months of ongoing battles between swans. Individuals have had to be rescued from ditches, behind fences and even from a gap between the mesh tunnel and the parapet wall of Black Bridge (the old mineral line bridge). The Canal Ranger Service are willing to spend the time to rescue these iconic and much-loved wild birds, but it does impact on time available for other tasks.

The Vale Vets in Tiverton must be thanked for their willingness to offer free assessment and initial treatment for any injured swans that the Canal Ranger team bring in, and for their help in dealing with other ill or injured wildlife (including a badly injured buzzard that had to be put down).

specialist trainer with huge experience in outdoor leadership and first aid, they undertook a two-day course at Stover at the start of October.

Whilst all the basics were covered, the emphasis was very much about focussing on what really matters to save lives and prevent deterioration of a patient's condition. There was a strong focus on heat-related conditions, and during outdoor role play scenarios they all got to feel just how quickly the cold can get to you if left lying directly on the ground in cold, wet conditions. Keeping patients off the ground and protected from wind and rain can make a huge difference if stuck outside for any length of time.

The course was a refreshing change from the usual first aid requalification and attendees all learnt a lot and came away with a better appreciation of what really counts in life threatening situations.

27. Management plan / Green Flag Award

The Canal Manager has updated the Country Park Management Plan, adding 'missing' sections relating to the national strategic context with reference to Natural England's Country Park Accreditation Scheme; and the local strategic context which summarises how the Country Park contributes to the new DCC Strategic Plan and MDDC Corporate Plan. A copy of the latest version of the plan will be emailed to JAC members for reference (but not as a formal part of the agenda pack).

Having updated the Management Plan, it was included as part of the annual application to the Green Flag Award scheme as part of the supporting documentation, in addition to a response to the judge's comments from last years judging. This year the Country Park is due to be mystery shopped by a Green Flag Award judge to ensure no obvious drop in standards.

28. Events

The following events have taken place since October 2022:

- **Farmwise:** Canal Ranger Jo Roberts attended the annual Farmwise schools event at the County Showground, where she ran workshops on tree identification using a selection of twigs and leaves gathered from along the canal.
- **Wild Wednesday bat box event:** During the half term week, Canal Rangers Jo and Craig ran a bat box building workshop at The Moorings, with dozens of families attending and building their own bat box to take home and put up in their gardens.

The event was fully booked with 30 children attending making bat-themed hats and decorations as well as the bat boxes.



- **Canal Canter:** Taking place on 30th October, this commercial running event was fully booked months in advance.
- **Walk and Talk:** on 23rd November, Jo led a walk and talk event between Sampford Peverell and Ayshford Bridge, with 23 people attending.
- **Christmas wreath workshops:** on 10th and 11th December, Jo led four 2-hour workshop sessions with 57 people attending.



- **Wild Wednesday Christmas decorations workshop:** On Dec 21st, Jo led a Christmas decorations workshop with 35 children attending.



29. Volunteers

Volunteer Days

- 9th Oct: The Moorings wildlife gardening - Jo & 9 volunteers
- 13th Nov: East Manley hedge laying - Mark & 6 volunteers
- 11th Dec: East Manley hedge laying - Craig & 6 volunteers
- 8th Jan: Burlescombe hedge planting - Mark - 7 volunteers
- 12th Feb - East Manley hedge laying - Craig & 9 volunteers

= 37 days

Midweek volunteers

- Two volunteers and two Bicton College work experience students = 76 days
- Three Duke of Edinburgh Award participants undertaking litter-picking along the canal for one hour per week for 3 months. = 4.5 days

30. Talks

On 18th January, the Canal Manager gave a talk to the Wellington Tangent group about the history, management, wildlife and recreational use of the Canal.

Future planned works

Practical works:

- Slurry sealing Canal Basin paths (due to start March 6th, weather-permitting)
- Resurfacing 900m of towpath between Chains Road, Sampford Peverell and Battens Bridge, due to take place during March
- Ongoing tree management works
- Re-painting railings in Canal Basin and planting of hedge at Burlescombe (due to be undertaken on March 6th by Blundells School students as part of Community Partnerships Field day, weather permitting)
- Re-staining benches
- Installing new noticeboards
- Installing Battens Bridge nameplate
- Re-excavation of Boehill Pond
- Small scale resurfacing of the towpath to cover over tree root trip hazards near Waytown Tunnel.
- Repair of bank erosion at multiple locations
- Repair of collapsing bank retention wall below Buckland Bridge
- Repair of timber edging at Greenway Bridge (at bottom of picnic site)
- Repairs to East Manley landing stage
- Repairs to Holbrook landing stage
- Resurface under Ayshford Bridge
- Build / install memorial benches, as ordered
- Installation of remaining bird and bat boxes
- All usual mowing, strimming and weed-cutting work

Management tasks (* = ongoing / already in progress)

- Organisation of all works listed above *
- Supply remaining text and images and approve designs for new A2 noticeboard information panels *
- Liaise with DCC fleet management on kitting out and delivery of new Toyota Hilux to replace Ford Ranger *
- Liaise with Tiverton Canal Co regarding replacement of electricity box and backboard beside Ducks Ditty *
- Update pay and display signage to reflect price changes in April 2023
- Organise repairs to workshop roof
- Organise treatment of Fringed Lily to take place mid-summer
- Organise programme of events
- Working with DCC engineers on Asset Management Plan *
- Fenacre water transfer system *
- Complete update of boating regulations and procedures and design/printing of new permits book *
- Scenario-based test of Emergency Plan (once DCC Emergency Planning Team have capacity – still focussed on covid at present) *
- Complete the update and reprint of the Canal Visitor Guide *
- Organise update and replacement of the Ebear dragonfly panel.
- Organise repairs, improvements and updates to Visitor Centre displays *
- Promote Community Safety Scheme Accreditation publicly
- Organise tree safety inspection and any works that are required
- Ensure ongoing compliance with all relevant H&S policies / guidelines *

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From: Development Control
Subject: FW: 22/02102 - Bycott Farm

From: Greg Venn <gvenn@middevon.gov.uk>
Sent: 08 February 2023 10:01
To: Daniel Rance <drance@middevon.gov.uk>
Cc: Development Control <devcon@middevon.gov.uk>
Subject: 22/02102 - Bycott Farm

Dear Daniel

Thank you for consulting me on the above application.

The site of the proposal is outside of the conservation area, and the farm complex itself contains no listed buildings but having been around the site there are heritage issues to address. Which relate to the conservation areas and the setting of listed buildings. As such sections 72 and 66 of the Listed Building Act are engaged, as are Policies S9 and DM25 of the Local Plan.

The starting point for the considering of applications which affects a listed building or its setting is the statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' (section 66).

Section 72 of the Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

The Court of Appeal has made it absolutely clear that the statutory duties in relation to sections 66 and 72 do not allow a local planning authority to treat the desirability of preserving the settings of listed building and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a development would harm the setting of a listed building or character or appearance of a conservation area, it must give that harm considerable importance and weight. Finding of harm gives rise to a strong presumption against planning permission being granted. This presumption is a powerful one, but not irrebuttable. It can only be outweighed by material considerations powerful enough to do so.

Applicants for consent that affects a heritage asset must be able to justify their proposals. The NPPF says that the LPA should require an applicant to describe the significance of any heritage asset affected including any contribution made to their setting. This should be sufficient to understand the potential impact of the proposal on its significance. As a minimum the Heritage Environment Record should have been consulted and the building assessed using appropriate expertise where necessary. When considering the impact of development, **great weight** should be given to the asset's conservation. Any harm or loss should require clear and convincing justification from the applicant. Any harm should be judged against the public benefit, including securing the optimum viable use. (The optimum use is the one that causes the least harm to the significance of the asset).

This approach is reinforced by policy DM25 of the adopted Mid Devon Local Plan and it requires development proposals likely to affect heritage assets and their settings, including new buildings, alterations, extensions, changes of use and demolitions to consider their significance, character, setting and local distinctiveness, and the opportunities to enhance them. It also goes on to state that where a development proposal would lead to less than substantial harm, that harm will be weighed against any public benefit.

It is noted that the applicant lists Policies S9 and DM25 in their Design and Access statement, but fails to address them in the body of the statement.

You will be aware that conservation areas can be impacted by the volume and nature of the traffic them. Harm may come about due to the change in character to that conservation area by a change in the nature or volume of traffic which changes the experience of conservation area. Indeed Cullompton conservation area is on the national at risk register largely due to the nature and volume of traffic. By extension a change in traffic passing a listed building may also impact on the experience of that listed building and hence its setting.

A transport study has been submitted, but this by its nature does not consider how heritage assets may be impacted by the proposal. It does note that Lower Town is lightly trafficked (2.6), and that there will be additional vehicle movements along Lower Town (3.2).

You should request a heritage impact assessment in relation to the change in traffic in the Halberton conservation area and how that might impact it.

To the south of the site are a listed railway bridge (the railway has gone), and a grade 2* house - Herne Place. I have not been to the house, but I have been to the bridge and it is clear that there is an open line of sight between the site, the bridge and the grade 2* house. The position of these is noted in the LVIA (4.28), but the views from Herne House are not considered in the section views from the south/south west (4.61 onward).

You should request an addition to the LVIA to include specifically an evaluation of any impacts on the grade 2* Herne Place as this has not been done. The results of this should be incorporated into the Heritage Impact Assessment required above.

The conclusions of the LVIA in relation to heritage assets are that

7.10 Table 3 in section 6 sets out the visual effects that are likely to be experienced by receptors as a result of the development at ten representative publicly accessible viewpoints within the surroundings. The most significant visual effects (Major/Moderate or Moderate adverse) that are likely to occur relate to views from two locations:

- A short section of the GWC towpath at viewpoint 1 (due principally to the High sensitivity of recreational receptors at this location). Proposed mitigation would not lessen this effect over time.*
- The bridge over the disused railway south of Lower Town (viewpoint 5), where the plant would be prominent in the local, albeit the very brief and limited view that would be experienced by walkers from this location. The effect likely to be experienced by these receptors is likely to reduce slightly over time (from Major/Moderate to Moderate) as planting provides a level of screening and assimilation of the plant.*

7.11 Moderate adverse effects have been assessed as likely to be experienced by receptors at the following locations:

- A short section of the GWC towpath east of Rock Bridge (viewpoint 4); proposed planting would not reduce this effect materially over time.*
- The former railway bridge south of Lower Town (viewpoint 5) where road users may experience very brief and limited view of the site crossing the bridge. Planting is predicted to reduce the effect to Minor by year 10.*

These conclusions in the LVIA should be taken forward and used to assess impact on the significance of the heritage assets affected in an Heritage Impact Assessment.

In summary: There is potential impacts on the Halberton Conservation Area, the Grand Western Canal Conservation Area, and the listed railway bridge and Herne Place. Herne Place is omitted from the LVIA. As policy DM25 requires, the applicant should be required to submit a proportionate but systematic assessment of the impact on the setting and thereby the significance of the heritage assets at this time.

Regards

Greg Venn

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