



MINUTES of a MEETING of the GRAND WESTERN CANAL JOINT ADVISORY COMMITTEE held on 3 March 2025 at 7.00 pm

JAC Members Present:

Cllr C R Slade, Devon County Council (Chair)
Cllr L Cruwys, Mid Devon District Council (Vice-Chair)
Cllr F Box, Burlescombe Parish Council
Mrs P Brind, Mid Devon Moorings
Cllr K Browse, Halberton Parish Council
Peter Burgess, Devon Wildlife Trust (on-line)
Cllr S Bush, Tiverton Town Council
Cllr G DuChesne, Mid Devon District Council
Cllr B Fish, Mid Devon District Council (on-line)
Mr J Hampshire, Cycling UK
Mr R Hodgson, Friends of the Grand Western Canal
Mr R Jones, Devon Bird Watching and Preservation Society
Cllr J Lock, Mid Devon District Council
Mr S Pidgeon, Canal Business Group
Cllr A Pilgrim, Holcombe Rogus Parish Council
Mrs J Pilgrim, Inland Waterways Association
Mr P Saupe, Tiverton Sea Cadets
Mr M Trump, Tiverton and District Angling Club
Cllr J Wright, Mid Devon District Council
Cllr G Westcott, Mid Devon District Council

Also Present:

Mrs J Brind, Tiverton Canal Company
Cllr E Buczkowski, Mid Devon District Council
Cllr C Harrower, Mid Devon District Council

Officers:-

Mr R Walton, Public Rights of Way & Country Parks Manager, Devon County Council
Mr M Baker, Country Park Manager, Devon County Council
Mr S Densham, Housing Development Service Manager, Mid Devon District Council
Mr J Hammond, Development Management Manager, Mid Devon District Council
Mrs A Howell, Democratic Services Officer, Mid Devon District Council

48 Apologies

Apologies were received from Cllr L Kennedy, Cllr R Radford, Cllr S Taylor and Mr T White.

49 Public Question Time

Vicky Pugh – with regard to Item 7 on the agenda

I'd like to start by thanking the Committee for its support since 2020 regarding the planning application at Tidcombe Hall.

My question relates to the Public Inquiry in May instigated by the applicant's appeal. Committee Members will be aware that public opposition to the development remains strong.

The fundamentals of why this should not proceed are unchanged; they are the reasons planning permission was refused. Firstly, that the proposal is outside the settlement limits that are core to the Mid Devon Local Plan and that it fails to adhere to a number of planning policies.

Secondly, that Mid Devon aims to show that they can deliver evidence to support a 5 year housing supply.

And thirdly, and most relevant to GWC JAC, how the development would bring harm to the environment of the Grand Western Canal and change for worse the experience of canal users. This includes the impact on Mid Devon's iconic heritage asset and major tourist attraction, the horse-drawn canal barge and the consequences for the area if it were to close.

Given that these are the 3 criteria that will be central to the Public Inquiry, can I please ask this Committee to respond to the following question:

Q:- Will the Committee agree at this meeting that the best way that the Grand Western Canal Joint Advisory Committee (GWC JAC) can oppose this appeal is by making a representation at the Inquiry that focuses strongly on the specific areas that the Planning Inspector will be considering in deciding whether 100 houses are to be built at Tidcombe?

With this in mind, will the Committee make a commitment today to ensure that, at the Inquiry, the GWC JAC representation gives weight to and stresses the serious potential impact on the following:

- 1) "the character,
- 2) the appearance,
- 3) the setting
- 4) and the significance of the Grand Western Canal".

A:- The Chair explained that Cllr A Pilgrim had made a submission to the Inquiry with objections that followed along the lines outlined in the issues above and that she had the Committee's commitment.

Cllr A Pilgrim confirmed a submission had been made which had been noted by the Inquiry with an invitation to speak to it. He explained he was unable to attend the Inquiry on the first day and hoped that another Committee Member would be able to attend instead to ensure that the points raised above would be emphasised.

Vicky Pugh

Those of us that have put in written submissions have done so as an initial document. At the Inquiry further detailed presentations would be made with targeted details given on the day. There was not a need to stick to what has been drafted and submitted as there was an opportunity to bring up additional points, to do more and to go further.

The Chair also confirmed that he had submitted his objection as a County Councillor.

Goff Welchman- with regard to Item 7 on the agenda

Q:- I no longer need to ask my first question as that is now answered on the Mid Devon District Council (MDDC) website, where we can all see your initial excellent objection. I do however need to ask, if your objection and request to speak at the enquiry were submitted by the 20 February deadline, as the website shows 27 February.

A:- The Chair confirmed that the submission was given on time and had been acknowledged.

Q:- Will any Member be speaking at the Public Inquiry as an interested party? If so, may we know the detail of what will be said, in order to avoid duplication with other speakers? My intention in asking this question is to ensure we all present a coherent front at the enquiry, with minimum duplication, and no contradictions. May I suggest that on this point you answer me either privately, off the record, after this meeting is closed, or in a confidential email before the enquiry takes place?

A:- The Chair confirmed that the Committee would provide a written answer to Goff Welchman nearer the time.

Cllr Sophia Beard- with regard to Item 7 on the agenda which the Chair read out on her behalf

Q:- I would like to raise an observation regarding the absence of any mention of plans to strengthen the relationship between the canal and the town centre.

A:- Mark Baker, Country Park Manager - As managers of Grand Western Canal Country Park, we (the Canal Ranger Service) believe the canal and the businesses and facilities offered within the Country Park have a very positive role in generating footfall and business for Tiverton, including for the town centre and we believe this view is shared by stakeholders on the Joint Advisory Committee. The Canal, and associated facilities offer a unique selling point for Tiverton and Mid Devon, attracting many overnight tourists and day trippers to the town. This has multiplier effects throughout the local economy.

We also recognise that more can be done to acknowledge and improve on this important relationship. As an example, we recently liaised with Mid Devon District Council to install new finger posts in the Canal Basin and the Canal Hill car park which direct visitors towards the town centre and its facilities and businesses. We have also engaged with the model Tivvy Bumper and Swan Trails that have taken place within the town in recent years, encouraging greater links between the canal and the town centre; and we also developed an excellent working relationship with the Town Centre Manager whilst planning the celebrations for the 50th anniversary of the horse-drawn barge last year – which in itself drew visitors down to the town.

Q:- Could you kindly outline what plans you have in place to foster this relationship moving forward?

A:- Mark Baker, Country Park Manager - We are open to suggestions and initiatives that support and encourage flow between the canal and town centre. The importance of this relationship is currently being reviewed as part of updating the Country Park Management Plan. A possible new / additional initiative could be to work jointly with the Tiverton Town Council or Mid Devon District Council to secure additional, alternative funding to develop new media such as a short film or a text and photo summary showcasing the town centre, which could then be accommodated on the touchscreen system within the Canal Visitor Centre. At a simpler level, there is also the potential for a permanent A4 poster about the town centre in the Canal Basin noticeboard.

Q:- Additionally, could you provide a detailed breakdown of how the Town Council's grant funding will be allocated in the forthcoming financial year to achieve this aim?

A:- Mark Baker, Country Park Manager - Our understanding is that the additional Tiverton Town Council funding is being provided to "enhance the running and safety matters on and around the canal". The funding will therefore be prioritised towards maintenance activities and safety improvements in the section of the Country Park within Tiverton Town parish (i.e. from the Canal Basin to Manley Bridge). This is important in helping to retain Green Flag Award status (the quality standard for parks and green spaces), and optimising the value of the canal to local residents and visitors alike as a recreational green space (which is also of high importance for wildlife, heritage and landscape). Works and projects we currently have in mind which this funding could contribute towards include:

- Resurfacing the towpath between Tidcombe Bridge and Snakes Wood
- Replacing the two circular picnic benches beside the Visitor Centre (both date from 2012 and are at the end of their serviceable life)
- Repairs to the public landing stage in the Canal Basin
- Repairs to the limekiln walls

- Repairs to the play park in the Canal Basin, include replacement of a damaged panel within the play boat
- General maintenance of the Canal Basin as a high-use 'honeypot' site

Q:- In light of these efforts, I would also appreciate clarification on whether there are plans to engage with local traders, either through the Town Council or the Town Centre Partnership, to ensure that their input and support are taken into account.

A:- Mark Baker, Country Park Manager - We have well-established connections with MDDC Economic Development Team and representatives from Tiverton Town Councillors. The Canal's Joint Advisory Committee provides strategic guidance on the management of the canal and there are opportunities to engage either through attending meetings or through Town Councillors raising agenda items. Representation from traders close to the canal are included as part of the Committee and we would be happy to support opportunities to build on this relationship e.g., providing information to enable improved communications between interested businesses.

Q:- Furthermore, could you provide details on how the impact of the plans funded by this grant will be measured? It is essential to understand the criteria and mechanisms in place to evaluate success.

A:- Mark Baker, Country Park Manager - The practical works outlined above are relatively straightforward to assess (e.g. as direct outputs). Overall success (outputs and outcomes) is monitored and reported through the Joint Advisory Committee (which includes Tiverton Town Council), and Tiverton Town Council are provided with a summary report as /when funding contributions are drawn down. External assessment is important, with the Green Flag Award process providing a useful measure.

Q:- Finally, will there be a guarantee that the funds are ring-fenced for the specific purpose outlined by Councillor Kennedy, namely, the additional funding was specifically requested for this particular initiative? This is a crucial point to ensure that the funds are used in accordance with their intended objectives.

A:- Mark Baker, Country Park Manager - The additional funding will be spent to "enhance the running and safety matters on and around the canal". Furthermore, we undertake to target this funding on the section of the canal within the Tiverton Town parish boundary.

The Chair explained to the Committee that Tiverton Town Council had increased the budget of the existing annual grant of £4,000 by an additional £6,000 and expressed his thanks to the Town Council.

Paul Elstone – with regard to item 11 on the agenda

I wish to bring to the attention of this Committee that the owner and operator of the Red Linhay Anaerobic Digester located at Crownhill, Halberton has submitted a planning application that if approved by Mid Devon District Council would allow the operation of the anaerobic digester without limitations.

An application that would allow the applicant to more than double the power generation output over what the current consent permits.

Also wanting to operate with no constraints on feedstock tonnages or locations also digestate spreading locations. Resulting in no limitations on tractor movements or the routes that tractors could take.

In making the application, the Red Linhay operator has effectively declared that he has been doing exactly as he is now requesting. That since 2019 that he has been in breach of all related planning conditions.

Red Linhay is an industrial sized facility it is clearly not just a farm. It most certainly is not anything like as green as the applicant attempts to project.

Traffic movements with tens of thousands of miles being travelled and with tractors burning around 1 litre of diesel for every mile. Time prevents me from providing the full justification to this statement.

In blatantly and seriously breaching the planning conditions the operator continues to create excess noise, vibration, odour and traffic movements, including increasing road safety risk. This impacting on the local and not so local community

It is causing harm to the Grand Western Canal amenity, something which this committee understands much better than me with regards to its impacts.

Using the applicant's own data it shows on one day 163 weighbridge tickets were issued. This equating to one tractor either arriving or leaving Red Linhay every 2 minutes 20 seconds over a 12-hour working day. This involving 13 different tractors which could have been on the road at the same time.

It is known that the tractor movements, up to 200 per day, impact on Blundells School with its over 3000 pupil road crossings a day, something the current planning conditions should prevent.

Also Braid Park, Manley Lane, Warnicombe, Canal Hill, Halberton, Sampford Peverell, Willand, Cullompton, Bickleigh, Thorverton, Crediton, Copplestone, Holcombe Rogus and as far away as Bow, Wimble and Wellington all being impacted.

Q:- Will this Committee debate this application and then hopefully agree to prepare a very robust and detailed objection?

This will be the final opportunity it seems to stop this longstanding abuse. Enough is enough.

A:- Cllr A Pilgrim - This was a tricky application as the history of the Red Linhay site was one of non-compliance with conditions. I am aware of the problems it causes with noise, smell and pollution as well as the huge amount of traffic. A more drastic response was required and I have a few ideas in my mind.

The Chair explained that a written response would be given within 10 working days.

Paul Elstone confirmed that a written response was not required as he had confidence that this was being considered by this Committee.

50 **Minutes of the Previous Meeting**

The minutes from the meeting held on 1 October 2024 having been previously circulated, were approved as a correct record with the exception of one amendment:-

Minute Number 43- Fenacre Water Transfer System.

Rather than “Cllr J Lock informed the Committee that she had requested a seat on the Quarry Liaison Group” it should instead read as “Jane Pilgrim” rather than “Cllr J Lock”.

51 **Matters Arising**

There were no matters arising.

52 **Chair's Announcements**

The Chair welcomed Cllr Frances Box to the Committee – she had recently joined as a representative from Burlescombe Parish Council.

53 **Aggregate Industries UK Limited Update**

Mr John Penny, Regional Estates Manager for Aggregate Industries – owner and operators of Westleigh Quarry, Burlescombe gave a verbal update to the Committee regarding the water transfer scheme and highlighted the following:-

- Since the last update given in September 2024, the company had now appointed new consultants – SLR Consulting.
- They were a national firm of consultants with technical expertise in water, hydrogeology etc.
- A meeting took place at the beginning of January 2025 with the consultants, officers from Devon County Council (DCC) and the DCC’s consultant to discuss the revised scheme.
- Subject to technical details it was understood that DCC were still okay with the principles of the scheme.
- The Consultants had now provided a technical briefing note which had been approved and would be submitting this to the Environment Agency by way of a pre-application by close of play on Tuesday 4 March 2025.
- The Consultants would also be liaising with DCC Local Lead Flood Authority with regard to the land drainage consent.
- It was anticipated that the Environment Agency would take approximately 3-6 weeks to respond to the pre-application and in the meantime the Consultants would progress with the detailed design of the scheme and undertake ecology surveys required.
- The application would be accompanied by an Environmental Statement and a Method Statement.

- It was understood that this piece of work would take around 6-8 weeks to complete and then the formal application would be submitted to the Environment Agency towards the end of May or early June 2025.
- It was understood that it would take approximately 16 weeks for the Environment Agency to determine the application. However that time scale may be quickened by the fact that they had received a previous application and should be familiar with the components of the scheme.
- It was hoped this would allow the scheme to be implemented in quarter 4 of this year and anticipated the scheme to be fully live by 2026.

Mark Baker, Country Park Manager explained that he had not seen the technical briefing note and was therefore unsure what was being proposed to the Environment Agency.

Mr Penny agreed to send the technical briefing note tomorrow and to give DCC time to share the details with their Hydrological Consultant before submitting the application.

The Chair thanked Mr Penny for the update.

54 **Tidcombe Hall, Tiverton Planning Inquiry**

John Hammond, Development Management Manager, MDDC gave a verbal update to the Committee and highlighted the following:-

- There would be a Public Inquiry starting on 20 May 2025 which would run for a period of 5 days and then would reconvene on the 3 June 2025 for 3 days.
- There was a timetable provided for public commentary to be submitted.
- A Case Management Conference would take place shortly where the Inspector holds a meeting with the two parties and sets out their provisional thoughts about a timetable for the Inquiry.
- It was suspected that the Inspector would want public representations to be made quite early on in the Inquiry.
- With regard to comments made in public questions that people would be expanding on submissions made in writing, it would be worth noting that the inspector would be running a quasi-judicial process as the Inspector would want to ensure that any new evidence raised in discussion that all parties would have an opportunity to comment on anything brought forward that was not in previous written submissions that might have been reviewed.
- The Inspector would be concerned that all parties to the appeal had a chance to comment. This could be during the second week that had been set aside. It could lead to requests for a deferral or adjournment for evidence to be presented. The Inspector would not be happy if they felt they had been blindsided by information and putting themselves or the decision at risk without giving all parties the chance to provide a counter position.
- There were 4 reasons given by MDDC for refusal:
 - (i) There was not a requirement for additional housing due to the 5 year housing supply.
 - (ii) Heritage assets.
 - (iii) Landscape character.
 - (iv) The lack of a legal agreement regarding public community infrastructure.

- The key issue that needed to be addressed would be the first reason for refusal in light of the Government's announcements at short notice of a new housing supply requirement for Mid Devon. The Council's Local Plan would change from delivering 393 houses a year to now deliver a national requirement of 572 houses per year. That date would become effective in July 2025 when the Council's current Local Plan would be out of date.
- MDDC would be presenting three witnesses, a Planning witness, a Heritage witness and a Landscape witness. Those points remained fully valid.
- There would now be a requirement for the Council to deliver an Action Plan to demonstrate how the additional housing would be delivered.
- The next steps were for Cabinet to look at the Local Development Scheme and the options to deliver a new Local Plan and the work to progress it. In April 2025, Cabinet would then look at those steps to deliver housing supply in the short term. This could then be used as proof of evidence to demonstrate measures which could be taken and to be put in place to deliver additional housing.
- A page would be created on the MDDC website so that all documentation would be in one location.

Mr Malcolm Trump commented that this development was to the south of the canal rather than in the north where the services were. From a practical point of view it could not be serviced and it would be more expensive with water, drainage and sewage requirements. This should not really be considered in that area without practical knowledge of service requirements.

John Hammond explained that it would be considered as the next site in line. It was a site that had previously been considered. There had been two applications on the site – this application did not include the totality of the contingency site, which meant it then concentrated the impact on probably the heritage assets to a greater extent.

Mr Philip Brind, Tiverton Canal Company expressed his disappointment with this application as the Horse Drawn Barge would be greatly affected. If the development were to proceed an application would have to be submitted to DCC to relocate the Horse Drawn Barge as it would be a trip through housing estates rather than fields.

55 Canal 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:

- **Proposed Sale of the Moorings**
Mr P Brind, Tiverton Canal Company wished to thank the Chair for his services in saving the Moorings from being sold and how impressed he was by his services. He was however extremely disappointed with the way DCC handled the situation especially as Mark Baker, Country Park Manager was required not to tell anyone about it.

Mr M Trump was also disappointed with the lack of consultation with the GWC JAC.

- **Towpath Resurfacing Planning**

It was explained that this work would begin tomorrow – Tuesday 4th March 2025.

The Chair thanked the Country Park Manager for the comprehensive report and the work that the Rangers and Volunteers did throughout the year, regardless of the weather, keeping the canal looking good and keeping it safe for all users.

Note: * Report previously circulated.

56 **Canal House (aka The Moorings)**

The Chair gave a verbal updated and highlighted the following:-

- Devon County Council (DCC) Land and Property Committee was only just established.
- The officers were charged with the duty of disposing of surplus assets owned by DCC.
- The officers were aware that the property was owned by DCC.
- After intervention by himself, officers then realised they should have consulted with a much wider audience. Officers were not being devious or trying to hide anything they simply thought they had an asset to be disposed of.
- The Country Park Manager had made a very compelling case as to why it should be kept and maintained.
- After receiving some very strong emails from Members of GWC JAC which were used as ammunition when it came to the meeting, it was agreed by the Committee to withdraw the property from the list.
- It was agreed at the Land and Property Committee that any future properties which had public interest then all stake-holders would be consulted.

The Country Park Manager explained that at the last inspection of the property approximately 5 years ago found lots of potential works but a lot of it was decorative and low priority. Therefore the future maintenance costs were a lower financial burden than was originally anticipated.

The Committee discussed the reasons why the Country Park Manager was not able to inform the Committee regarding this. It was explained by the Chair that DCC officers perhaps did not understand the situation and any reason behind that would have been due to commercial sensitivity.

57 **Devolution White Paper**

The Chair explained that Mrs Jane Pilgrim had asked for this item to be added to the agenda and read out the following email she had asked to come before the Committee:-

'In the light of the proposed, but as yet unspecified, changes to local government in Devon, I am concerned for the future of the Grand Western Canal. I am also aware that this committee may be a casualty of these changes.

The Grand Western Canal is currently owned by Devon County Council who supply the majority of the funding to maintain it. In the event of a change of 'ownership' it is important that adequate, secure, funding, present and future, is built into any transfer agreement. I would be interested to hear the thoughts of our Chairman, MDDC, and our vice Chairman, DCC.'

The Chair explained that it was still very early days in terms of local government reorganisation. Various District Councils were holding meetings and the County Council had a special meeting on 20 March 2025. The deadline for submissions was the 21 March 2025.

Various options included the possibility of one Unitary Authority for the whole of Devon or there could be three Unitary Authorities. No decision had yet been made on the proposals to be put forward. It would be much later in the year when Government would decide. New Unitary Authorities would go live in 2028 so it was a long process. As time went by more details would emerge and that would be closely monitored. He did not believe the Grand Western Canal would be closed and it would simply be inherited by the succeeding Unitary Authority.

The Country Park Manager hoped the Grand Western Canal Joint Advisory Committee would continue in some form.

58 **Any Other Business**

The following was raised:-

- The lack of consultation with the GWC JAC with regard to the caravan park at Tiverton Road Bridge. Halberton Parish Council were informed. The GWC JAC should have been consulted with regard to potential problems. The owners should be informed that they will not be permitted to fish from that side of the canal and that any access through the land would be regarded as trespassing.

It was **AGREED** that Angie Howell, Democratic Services Officer would speak to the relevant officers to pass on the above request and report back to the Committee.

The Country Park Manager was not aware either. He confirmed there was a fence in place and he intended to let the owners know that access beyond it would not be permitted.

Councillor G DuChesne explained that this was general permitted development – the owners only had to advise MDDC of their intentions so nothing could be done.

It was **AGREED** that Cllr G DuChesne would speak with MDDC officers regarding consultation with the GWC JAC in future with regard to any other such applications that affected the canal.

Cllr Adam Pilgrim – there was a facility for MDDC to call for conditions. If the GWC JAC had known it would have been emphasised regarding access and protecting the habitat. However it would be too late to submit those conditions now.

- The Country Park Manager informed the Committee that he had meetings last week with officers of MDDC looking at whether there were any potential further protections of the canal and its wildlife. Possibilities included the inclusion within the emerging Devon Local Nature Recovery Strategy or another option was for the canal being designated as a Local Green Space which would be of greater benefit. This would be discussed as the Local Plan develops over the coming months and discussions with the GWC JAC would take place at an appropriate time.
- Mr K Browse asked if there was an update on the Conservation Area.

It was **AGREED** that Angie Howell, Democratic Services Officer would ask the relevant officer to write to Mr K Browse with information

59 **Identification of Items for the Next Meeting**

It was requested the following items be brought to the next meeting:-

- Update on the Fenacre Water Transfer System.
- Update on the potential Local Green Space designation within the Local Plan.

60 **Date of the Next Meeting**

The date of the next meeting was agreed as Monday 6 October 2025 at 7pm.

(The meeting ended at 8.24pm)

CHAIR