

MID DEVON DISTRICT COUNCIL

MINUTES of a MEETING of the GRAND WESTERN CANAL JOINT ADVISORY COMMITTEE held on 3 March 2015 at 7.00 pm

Present:

Cllr R F Radford	Devon County Council
Cllr D P O Hannon	Devon County Council
Cllr Mrs H Bainbridge	Mid Devon District Council
Cllr M A Lucas	Mid Devon District Council
Cllr C R Slade	Tiverton Town Council
Cllr L Neville	Burlescombe Parish Council
Cllr A Miller	Halberton Parish Council
Mr D Cutts	Sampford Peverell Parish Council
Mr P Kelly	Inland Waterways Association (West Country Branch)
Mr P Brind	Tiverton Canal Co.
Mrs P Brind	Mid Devon Moorings
Mr P Saupe	Tiverton Sea Cadets
Miss J Hall	Inland Waterways Association
Mr A Pilgrim	Holcombe Rogus Parish Council
Mr M Trump	Tiverton & District Angling Club
Mr Z Grochala	Canal Business Group

Officers:

Mr N Sanderson	Head of Housing and Property Services, Mid Devon District Council
Mrs J Clifford	Professional Services Manager, Mid Devon District Council
Mr M Baker	Canal Manager, Devon County Council

Mrs R Mills	Public Rights of way and Country Parks manager, Devon County Council
Mr M Deaton	Planning Development Manager, Devon County Council
Mrs S Lees	Member Services Officer, Mid Devon District Council

1 **APOLOGIES**

Apologies were received from Cllr K Browse (who was substituted by Cllr A Miller), Cllr R Croad, R Crosbee, Cllr N V Davey, R Hodgson, R Jones, T White and Cllr K D Wilson.

2 **PUBLIC QUESTION TIME**

There were no questions from the members of the public who were present.

3 **MINUTES**

The Minutes from the meeting held on 7 October 2014, having been previously circulated, were approved as a correct record and **SIGNED** by the Chairman.

4 **MATTERS ARISING**

The following matters were arising from the Minutes of the previous meeting:

- Adam Pilgrim wished to thank the JAC for the erection of a bench and a plaque to the Canal Awareness Group.
- Cllr Des Hannon thanked the Canal Awareness Group once again for raising the profile of the Canal and in lobbying the necessary people to ensure the future protection of it. He reassured the Committee that this good work would continue with the same enthusiasm.
- The Canal Manager updated the Committee on the situation regarding encroaching hedges and fencing from private properties. Eighty householders had been written to whose properties had hedges between their private gardens and the towpath. The letter had reminded them that Devon County Council owned the Canal and the tow path and that encroachment on to the boundary would not be tolerated.
- Regarding water quality monitoring, the Canal Manager explained that two low cost kits had been purchased and some sampling had taken place but the results had not provided very useful data. More costly equipment and more regular sampling at various locations would be required to generate any useful data, but the funds were not available within the budget and the Rangers were employed on other higher priority tasks. The stage 2 works following the breach had had to take precedence. Discussion took place regarding the possibility of the Tiverton and District Angling Club providing volunteers to undertake this work. There was the possibility of some funding being made available by Cllr Hannon's Devon County Council locality budget on the proviso that the equipment be kept in the hands of the Angling Club. It was

stated that the Angling Club may also be able to put some funding towards more sensitive equipment. It was **AGREED** that the Canal Manager would discuss the matter with the Angling Club representative to consider a way forward after having also sought some advice from the Environment Agency.

5 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had no announcements to make.

6 FENACRE BRIDGE

Mr Mike Deaton, the Planning Development Manager from Devon County Council, had been invited to the meeting to update the Committee on the water transfer system at Fenacre Bridge (which was designed with the intention of supplying water to the canal in times of drought) and ongoing negotiations with Aggregate Industries at Westleigh Quarry. A brief summary was provided regarding the water compensation scheme and the legal agreement in place. The hydrological consultants Jacobs had been employed to undertake significant data collection and analysis. Aggregate Industries consultants Amec had been commissioned to finalise a new scheme but because of staff sickness this had yet to happen. When the proposed new scheme had been finalised, the Canal Manager, Jacobs and the Environment Agency would be consulted before works commenced. Mr Deaton admitted that events had not moved as quickly as had been hoped, however, Aggregate Industries had complied with the legal agreement to provide a water diversion scheme.

Concerns were raised regarding the following issues:

- Why it had taken so long to find out about the staff sickness preventing the advance of the new scheme.
- The inadequacy of the current kit and the fact that the remedial work had not yet been tested.
- A desperate need for the Canal to receive more water especially given drier summers.
- Despite a willingness to provide a solution there had been no evidence to suggest this was being done.
- An agreed timetable was required as soon as possible.
- Doubts relating to the quantity and quality of the collected data previously collected by Aggregate Industries as part of its Section 106 agreement.
- The 'design' of the new scheme needs to ensure that an appropriate 'volume' of water can be transferred.
- Aggregate Industries had a corporate social responsibility and needed to be seen as a partner of the Canal, however, equally the JAC could be better at engaging with them.

It was **AGREED** that:

- a. The Chairman would write to Mike Deaton who would liaise with Aggregate Industries stating the Committee's concerns and requesting an agreed timeline for future improvement works to the water diversion scheme.

- b. An update be provided to the Committee via email as soon as the Chairman had received a response and that an item be placed on the agenda for the next meeting.

7 PLANNING CONSULTATIONS

The Professional Services Manager (PSM) from Mid Devon District Council had been invited to attend the meeting regarding the JAC's ability to act as a consultee on planning applications and to provide more information with regard to the Canal's conservation status. She began by outlining the Canal as a heritage asset, a Country Park and the fact that it was very much a material planning consideration. The JAC could provide a view on any planning application falling within its area if it was felt to have a potential impact and it did not have to wait to be formally asked to do so.

The PSM was asked what the planning authority was doing to protect the Canal? She replied by stating that from a policy formation and land allocation perspective the planning authority looked at the potential impact, characteristics, appearance and setting. Reference was made to the Tiverton Urban Extension and the green infrastructure that would be required as well as buffer zones. Stage two of the Local Plan was currently out to consultation and as an example she referred to land not being allocated at Hartnoll Farm because of the impact upon the Canal. There were also policies regarding safeguarding the Canal as a leisure asset and policies in relation to the protection of wildlife. Officer reports always provided an explanation as to why they had reached their decision when making a recommendation.

Discussion took place regarding buffer zones and the need for developers to provide a comprehensive strategy for providing green space in relation to the Eastern Urban Extension. However, currently, as the master planning stage was not yet complete, details relating to 'green infrastructure' were vague. The question was asked, could this mean anything from a protected wildlife area to sports pitches with parking? The PSM stated that this was a very relevant point and that this was a key issue that needed addressing. The second stage master planning exercise needed to provide essential details in relation to the role and function of the green infrastructure within the green swathe identified in the Local Plan. Information was required regarding the management of those areas as well as a consideration of the hydrology issues. Access points would also need to be considered as a part of this process since the Canal fulfilled a leisure function. The master planning exercise provided the JAC with a real opportunity to get involved.

The PSM was asked whether there would be an opportunity for some of the Green Infrastructure area to become part of the Canal Country Park. She stated that this could be considered since developers were unlikely to want the burden of maintaining the green infrastructure.

Further discussion took place regarding consultation with Town and Parish Councils. Adam Pilgrim stated that sometimes a Parish Council's view might not align with that of the JAC and that because of this they ought to be an automatic consultee. The importance of the JAC had also risen in recent years and it was felt that they ought to be automatically made aware of applications having a potential impact on the Canal. The PSM stated that this could be considered but there would need to be some indication of the extent of the Canal's interest in terms of distance from the Canal itself as there would be a need filter out the majority of applications within the vicinity

of the Canal which would not have a potential impact. An agreed set of criteria would need to be achieved. The PSM stated that the planning department did have a spatial mapping system that could assist in identifying applications with a potential impact on the Canal, these could then be referred to Adam Pilgrim as the designated representative on the JAC. It was **AGREED** that the PSM would speak to her colleagues in the planning department and report back to the JAC through the Committee Clerk. It was also stated that Parishes may want to consider the Canal as part of their Parish Neighbourhood Plans.

Discussion took place regarding applications where a strong objection had been made but permission had been granted anyway. It was explained that the Conservation status of the Canal did not 'preserve things in aspic'. The planning authority might not always agree with consultees but it did promise to consider every comment made. It was suggested that the concerns and comments raised at this meeting should be fed into the master planning exercise, the end date for which was 30th March 2015.

Further discussion took place regarding access points and the fact that the tow path was a public right of way with legislation in place to protect it and that the County Council as landowner would need to agree to any easements onto their land. Current maps and land deeds were often vague in terms of showing definitive boundaries. It was possible to serve hedge pairing notices if encroachment could be proved.

To assist the JAC in making a representation it was suggested that the Management Plan contain a character appraisal with a particular emphasis on the heritage aspects. This would help the planning authority in understanding its setting within the locality. The Devon County Council officers stated that this could be something that the historic environment team at County Hall may be able to assist with.

Finally a brief discussion took place regarding whether there were any benefits in setting up a sub group of the JAC to consider planning applications having a potential impact on the Canal. It was felt that this was not a viable option and was not practical given the range of stakeholders making up the membership. It would have the effect of excluding particular interest groups. The feeling was that email exchanges involving the whole group continue to be made with the intention of reaching a consensus view.

It was suggested that one or two representatives attend the planning training intended for Town and Parish Councils after the election in May and that the Committee Clerk circulate the relevant dates nearer the time.

The JAC wished to thank the Professional Services Manager for her time in attending the meeting and for her thorough explanation of planning issues.

8 PROGRESS REPORT (OCTOBER 2014 - FEBRUARY 2015 INCLUSIVE)

Consideration was given to a report * of the Public Rights of way and Country Parks Manager.

Arising thereon:

Flooding issues

DCC had undertaken works on Canal land to create a clay bund which blocked off pipes that were previously directing floodwater to the Canal and whilst this had provided a much greater level of support there had still been some overtopping of the bund during January 2015. Further action would be taken to address the increased risk of flooding in this area once further research and analysis had been undertaken by Jacobs, DCC's hydrological consultants.

Tree works

There had been an issue with offside growth down the Manley Straight section which had been an issue for the barge boat. The Canal Manager suggested that this be an area the Committee see for themselves on the site visit.

Embankments

The Committee were informed that an Asset Management Plan was due to be written.

Towpath works

Concern was raised regarding the condition of the towpath underneath some of the bridges. This was a concern especially for people of an older age. The Canal Manager was aware of this and explained that because of the construction of some of the walls this naturally trapped water. He had used an angle grinder on the mortar of some of these walls but this required regular maintenance. There was a need to work with the Friends of the Canal to see if volunteer wardens could be used to help. He suggested including this issue on the annual site visit itinerary.

New weedboat

It was felt that this was a good investment especially given the fact that only one member of staff needed to operate it. A risk assessment would need to be completed in terms of health and safety and protecting the operator. It was confirmed that the depth of cutting would be either 1.2 metres or 1.5 metres depending on which company won the tender. The old weed boat would continue to be used alongside the new one until it was no longer economic to repair.

Canal Basin play area

It was noted that funding for this had been raised through money left over from the visitor centre attraction, contributions from Tiverton Town Council and from Cllr Hannon's 'Investing in Devon' budget. The play area would bring a new generation of youngsters to the Canal.

Talks

Both Mid Devon District Council and Devon County Council were thanked for committing to provide the same level of grant funding for 2015/16.

9 **CONDITION OF THE TOW PATH**

The Vice Chairman of the JAC had requested that this item be placed on the agenda, however, since he was not in attendance for the meeting and some discussion had taken place under the previous item regarding the towpath it was agreed to move on to the next item of business.

10 **DOG ISSUES**

Adam Pilgrim stated that the Canal Canine Etiquette Group had met a couple of times since the last meeting. The Canal Manager had been in correspondence with colleagues around the country to see how they approached the problem of dog fouling. At this early stage the Group had felt that peer pressure was the way to proceed. Forcing dog owners to exercise their dogs elsewhere may just relocate the problem. It was felt that approaching other green areas within the locality, such as Knightshays, in a joined up approach might have a more positive effect. In conclusion it was felt that this was a 'slow burn' and the Group would continue to develop a strategy and partnership that had the greatest chance of being effective. It was suggested that Facebook would be good forum to air this issue and to seek the views of others.

11 **ANY OTHER BUSINESS**

The following issues were raised:

- Philip Brind brought the Committee's attention to a plan he had recently bought dated 1947 showing the Canal route as it had originally been proposed. He had thought that the JAC would be interested in viewing this. It was suggested that a copy be taken of it and that this be placed in the Visitor Centre.
- Malcolm Trump suggested that the 2015-2016 'Visitor Information Guide' should have mentioned fish in the wildlife section instead of Otters.
- Philip Brind had attended a 'Visit Britain' event the previous week at Bovey Castle where attempts were being made to attract international visitors to the countryside of Britain not just the cities.
- It was agreed that a site visit take place on a Wednesday evening in June 2015. Date to be confirmed by the Committee Clerk.

12 **DATE OF NEXT MEETING**

It was **AGREED** that the next meeting be held on Tuesday 6 October 2015 at 7pm in the Exe Meeting Room, Phoenix House, Tiverton.

(The meeting ended at 9.37 pm)

CHAIRMAN