

## MID DEVON DISTRICT COUNCIL

### MINUTES of a MEETING of the GRAND WESTERN CANAL JOINT ADVISORY COMMITTEE held on 1 October 2019 at 7.00 pm

#### Present:

Cllr R F Radford	Mid Devon District Council (Chairman)
Cllr Roger Croad	Devon County Council
Cllr C R Slade	Devon County Council
Cllr L Cruwys	Mid Devon District Council
Cllr Mrs C P Daw	Mid Devon District Council
Cllr Miss J Norton	Mid Devon District Council
Cllr L Taylor	Mid Devon District Council
Mrs P Brind	Mid Devon Moorings
Mr P Brind	The Tiverton Canal Company
Mr J Hampshire	Cycling UK
Mr D Howells	Community Patrol Boat
Mr A Pilgrim	Holcombe Rogus Parish Council
Mrs J Pilgrim	Inland Waterways Association
Mr P Saupe	Tiverton Unit Sea Cadets Corps
Mr M Trump	Tiverton and District Angling Club
Mr T White	Friends of the Grand Western Canal

#### Officers:

Mr M Baker	Canal Manager, DCC
Mrs R Mills	Rights of Way and Country Parks Manager, DCC
Mr S Densham	Land Management Officer
Mrs S Lees	Member Services Officer, MDDC

#### Also in attendance:

Cllr R Dolley	Mid Devon District Council
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#### 1 Election of Chairman

**RESOLVED** that Cllr R F Radford be elected Chairman of the Committee for the municipal year 2019/20.

(Proposed by Cllr Mrs C A Collis and seconded by Cllr A Pilgrim)

#### 2 Election of Vice Chairman

**RESOLVED** that Cllr C Slade be elected Vice Chairman of the Committee for the municipal year 2019/20.

(Proposed by Cllr Mrs C Daw and seconded by Cllr Mrs C A Collis)

#### 3 Apologies

The following members of the Committee had sent their apologies for the meeting:

- Cllr George Birch – Halberton Parish Council
- Cllr David Cutts – Sampford Peverell Parish Council

- Cllr Mrs S Griggs – Mid Devon District Council
- Mr Graham Moore – Canal Business Group
- Cllr Janet Rendle – Tiverton Town Council
- Cllr Lewis Worrow – Burlescombe Parish Council

#### 4 Public Question Time

Mr Eric Priest stated that he was attending as a member of the public on behalf of the Tiverton and District Angling Club. He hoped that there would be a full discussion, at the appropriate point in the meeting, on the weed situation in the canal and how this was affecting anglers.

Mr Rodney Clarke had sent in a number of questions in relation to the badger set in Wilcombe. It was **AGREED** that it would be more appropriate to read out his questions when the progress report was discussed later on in the meeting as to do so at this point might mean that committee members would have forgotten the questions by the time the badger conversation took place later in the meeting.

#### 5 Minutes

The minutes from the meeting held on 5 March 2019, having been previously circulated, were approved as a correct record and **SIGNED** by the Chairman.

#### 6 Matters Arising

The following matters were raised regarding the minutes of the previous meeting:

There did not appear to be anything on the agenda to do with an update on the quarry situation. The Public Rights of Way and Country Parks Manager explained that DCC were still waiting for the quarry to put together a scheme for dewatering, they had a couple of months in which to complete this task. Mr Adam Pilgrim further updated the committee by stating that he had recently spoken to Mr Clive Tompkins and that a much more workable water extraction flow level was being negotiated which would mean that water transfer would be more feasible.

#### 7 Chairman's Announcements

The Chairman had the following announcements to make:

- There had been a number of changes to the membership of the committee since the previous meeting and as a result of the District, Town and Parish elections in May 2019. These were summarised as follows:

Representing	Representative
Mid Devon District Council	Cllr Les Cruwys (Cranmore Ward) Cllr Jo Norton (Canonsleigh Ward) Cllr Luke Taylor (Cabinet Member for the Environment and Climate Change and Deputy Leader)
Burlescombe Parish Council	Cllr Lewis Worrow

Halberton Parish Council	Cllr George Birch
Tiverton Town Council	Cllr Mrs Janet Rendle
Inland Waterways Association	Mrs Jane Pilgrim

## 8 Miss Jean Hall

Mrs Jane Pilgrim reported that since the last meeting Miss Jean Hall, who had represented the Inland Waterways Association for many years on the Committee, had sadly passed away. She had been a very long standing member of the JAC and her contribution had been much appreciated over many years. She had written several booklets on inland waterways and it was hoped her work could be carried on into the future.

The Committee held a minute's silence in her memory.

## 9 Terms of Reference / Membership Review

Members considered the Terms of Understanding \* and Membership of the Committee.

**RESOLVED** that the Terms of Understanding and the Membership of the Committee be agreed.

(Proposed by Mr A Pilgrim and seconded by Mrs C A Collis)

Note: \* Terms of Understanding previously circulated; copy attached to the signed minutes.

## 10 Tidcombe Hall - presentation from the architects and developers

The Committee received a presentation from a group of representatives in connection with the proposed restoration and development of Tidcombe Hall, Tiverton.

These representatives included the following:

- Sam Davenport AWP
- Dominic Clifton, Clifton Emery
- Rob Ward, AWP
- Niki Lathwell, Seaxburh Partners

The presentation included the following key factors:

- Aerial photographs showing where the site was in relation to the canal, the town centre and the Eastern Urban Extension. Photographs were also shown of the south and rear elevation of Tidcombe Hall in its current state of disrepair.

- The proposed layout of the development was shown illustrating a high quality mix of house styles and sizes together with parkland, play areas, wildflower meadows, circular walks and proposed additional parking for the wider community.
- There had been a discussion with the Head of Tidcombe Primary School in the hope that the developers could work collaboratively with them to provide educational facilities to the school in relation to the natural environment and the canal.
- It was explained that two large attenuation ponds would deal with surface water run off and act as silt traps. A sustainable drainage system would feed into the existing culvert which carries water run-off these fields under the canal. The area proposed for development was in flood risk zone one, meaning a 1:100 year likelihood of happening.
- A number of improvements were proposed to improve pedestrian access along Tidcombe Lane
- All the necessary ecology, arboricultural and historic surveys had been carried out.
- Traffic surveys had been undertaken to assess the current speed and volume of traffic along Tidcombe Lane. A number of improvement works would be undertaken especially in relation to the approach to and exit off the Tidcombe Bridge, although it was confirmed there were no proposed changes to the bridge itself.
- A series of landing areas with dropped curbs were proposed as well as curtesy crossing points. It was explained that the school Head was passionate about encouraging children and their families to walk and cycle more and drive less.
- In terms of the next steps it was explained that there would be a final pre-application meeting with the planning authority next month after which a date would be set for a full public consultation, with all local residents being written to. Following this a planning application would be submitted for determination.

Discussion took place regarding:

- A proposed jetty / slip way alongside the canal to the north which would allow people the opportunity to access the water, children to take part in pond dipping and potential mooring areas. It was envisaged that such a proposal would enhance the visitor experience and encourage people to stay longer in the local area.
- The question was asked as to who would be responsible for the long term maintenance of the ponds, for example in 20 or 30 years time? The reply was given that the flood risk assessment (as part of the planning application) would set out the minimum requirements incumbent upon the developer. The advantage of the large pond scheme proposed was that it would be easier to maintain. However, further concern was expressed that the canal was in a vulnerable position with regard to flood water and that if the ponds contained a large volume of water and were adjacent to the canal this presented a significant risk. However, it was confirmed that for the majority of the time the ponds would be empty and would be below ground level.
- Concern was expressed about the additional traffic that would ensue as a result of the proposed development and this having to travel down an already narrow lane. Drivers generally tried to find the shortest route from a. to b. and realistically drivers would not use Canal Hill instead.

- The residents in Warnicombe Lane would be written to about the proposed development and forthcoming public consultation as would all immediate neighbours to the development site.
- Consideration had been given to installing a footbridge but there were technical issues which were insurmountable at the current time.
- It was generally recognised that the proposed development, if it came to fruition, could have a significant impact upon the canal.

The Chairman thanked the representatives for attending the meeting and for providing such an informative presentation. He asked that if members of the committee had any further comments or questions they could contact the developers direct or attend the consultation events.

## 11 Progress report (March 2019 - September 2019 inclusive)

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

### **Arising thereon:**

#### Horse-drawn barge zone signs

It was acknowledged that the increasing problems relating to operating the barge were due in large part to increased numbers of people using and enjoying the canal! Some cyclists continued to present a safety hazard to the barge, however, signage informing visitors they were entering a 'Horse-drawn Barge Operating Zone' were working well. The Canal Manager and Devon County Council were thanked for the work they had undertaken to significantly improve safety.

#### Cyclist signs at bridges

The Canal Manager explained that a series of new signs had been erected which were twice the size of the previous ones, were photo based and in a variety of styles designed to keep them interesting, bright, colourful and impactful to the visitor. At the five bridges in the horse-drawn barge operating zone and at the two bridges either side of Sampford Peverell, the signs instruct cyclists to dismount and walk under the bridge. The working group felt it was unrealistic to expect cyclists to dismount at every bridge and so at the other bridges the message is to take more care, give way and not cause accidents.

36 posts had been dug into the ground over the course of the summer in what was very compacted, stony ground. The posts were tanalised and would last approximately 15 years. The signs themselves were printed with UV resistant paint and should last for some considerable time and could be easily replaced if vandalised.

The Canal Manager thanked Cllr Radford and Cllr Slade for contributing to the cost of this exercise through their locality budgets.

It was reported that the style of the new signage was being admired by canal enthusiasts elsewhere in the country as a result of photographs on social media!

## Ebear landing stage

Again, Cllr Radford was thanked for providing funding for the timber used in the new landing stage.

## Badgers in Wilcombe Embankment

The Canal Manager informed the committee that an artificial badger sett had been built on land owned by Wilcombe Primary School in their wildlife and environment area with the permission of the Head of the school. During the summer the ecological contractor who built the artificial sett had been monitoring badger activity and had applied to Natural England to exclude the badgers from the embankment. A licence to undertake this work was received in mid-September and work to clear vegetation from the embankment has been undertaken. In the coming weeks one way doors will be fitted to all existing sett holes forcing the badgers to use the artificial sett or to disperse elsewhere. Once the one way doors have been in place for 21 days, if there was no evidence of the badgers getting back in, the original existing sett could be destroyed. An expanding foam product would be used to plug the sett tunnels preventing any subsidence in the embankment if they were to collapse. There was still a good deal of work to do over the winter months to ensure the successful relocation of the badgers and maintain the integrity of the embankment.

At this point in the meeting, the clerk read out the questions received from Mr Rodney Clarke (a member of the public and living in the vicinity of the area in question). These questions had been circulated to committee member in advance of the meeting. Mr Clarke had been unable to attend the meeting in person. The questions were as follows:

(1) Can you confirm to Lazenby Road residents the badger proof fence will definitely be erected in its entirety as set out by Mr Baker above, or are we looking at another false dawn?

Assuming the answer to (1) is yes:-

(2) Sources online i.e. the Badger Trust; mesh suppliers; erectors etc, say to be most effective the " L " shaped fence, as described by Mr Baker should be at least 1 metre high with the bent extended horizontal leg BURIED approximately 30cm deep into the ground. Mr Baker seemed to suggest his fence would simply lie on rough ground, somewhat uselessly. Can you confirm it will be buried as recommended to maximise its protective value?

(3) How will the field access gates be badger proofed? There is one 10 metres from our homes. This and the nearby "junction" between the existing security fence and footpath hedge are badger exit points onto our properties. When asked Mr Baker was a little vague "they (the school) don't use it much anyway". A reply which I took too mean it hadn't been considered much. I am sure you agree a protective fence with a 3 metre gap in the middle would be totally ineffective?

(4) It is unlikely any fence can be totally effective. When work is complete who now has responsibility for (a) maintaining the one proposed and (b) monitoring the sett activity? Your office; Mr Chown, CEO of the Academy which administers Wilcombe Primary School or the school head teacher? Please can you clarify this because breaches etc. are almost certain to occur. Where do we register our complaints?

(5) Mr Baker intimated cameras may be positioned at the sett. We do not wish to be displayed at the visitors centre, the school or online. Can you reassure residents all cameras will point AWAY from our homes to secure our privacy?

The Canal Manager provided the following answers to the questions posed:

In response to the first question he stated that it was still the intention to provide the badger proof fencing, but made it clear that DCC's position was that they were under no obligation to provide this fencing and that it was being provided as a goodwill gesture, without prejudice.

He presented a map to the committee illustrating the site in question. He explained that a skirt would be sunk 30 centimetres down along the existing fence making it impossible for badgers to dig back out. He pointed on the map to where a new fence would be built, in front of the hedge and burying a skirt in front of that too. It was unfortunate that badgers had chosen this location but they were highly protected and options for dealing with them were severely limited by legislation.

In relation to the third question, the Canal Manager stated that he agreed a fence with a gap in the middle would be totally ineffective and that the badger proof mesh would run under the gate and the height of the gate be lowered so that there was no gap through which a badger could pass. All of the fencing work would be undertaken by an agricultural fencing contractor with lots of experience of excluding badgers.

In regard to the final two questions it was stated that as the fence was being installed as a goodwill gesture without prejudice, there was no legal obligation upon Devon County Council or the school to maintain a fence in perpetuity. However, the Canal Ranger Service would certainly ensure it was working effectively during the first year. Any future decision about repairs and maintenance would be taken as and when necessary. It was confirmed that any cameras employed would be directed towards the badgers only and not on to the properties of local residents. It was hoped that any camera footage would be used to the educational benefit of the local school children.

#### Pay and display signs

New signs had been designed to be located beside the Canal Basin pay and display machines. They would highlight the facility for visitors to pay by phone.

#### Proposed dog waste and litter collection charges

The Canal Manager stated that the figure in the report relating to the contribution made by MDDC to the Canal maintenance budget needed to be amended from £40k to £45k. He explained that MDDC were proposing to levy an annual fee of £12k for the emptying of litter and dog waste bins. This would have a significant effect upon the Canal's budget and could only be sustained by either reducing the number of bins, reducing the number of collections or increasing car parking charges.

Discussion followed with regard to:

- A consensus view among committee members that MDDC did not contribute its full share of funding to the canal. However, the MDDC Cabinet Member for the Environment and Climate Change explained that the District Council had a £1.4m budget deficit to address next year whilst also recognising that County

had a budget deficit to address too. He continued that at the moment it was still only a proposal and had yet to be discussed by the Cabinet. He would talk to the Group Manager for Street Scene and Open Spaces but was unable to make any promises that the proposal could be withdrawn.

- There were currently 27 bins along the length of the canal, which were emptied once, twice or three times weekly depending on their location and frequency of use.
- A suggestion was made that more bins be provided which would need emptying less often. The number of bins and frequency of collection needed to be analysed.
- The canal was a tourist attraction and therefore regular emptying would make for a more attractive environment to the visitor.
- Parishes had in the past been very helpful in emptying bins in their areas.
- The Canal Manager was reluctant to replace dog bins with full size litter bins as the message needed to be promoted for the public to take their rubbish home with them. Larger bins would attract animals such as foxes and seagulls and may urbanise some of the more remote sections of the canal.

It was **AGREED** that a letter be sent to the MDDC Cabinet setting out the significant concerns of the committee in relation to this proposed charge.

#### Green Flag and other Awards

The Tiverton Civic Society was entering the Canal Conservation Area into the 'England's Favourite Conservation Area'. If shortlisted the Canal Conservation Area would be part of a public vote to find the country's favourite.

#### TS Hermes renovation

It was noted that the sea cadets had achieved an excellent job in renovating TS Hermes, home of the Tiverton Sea Cadets.

#### Graffiti incident

It was during one night back in the summer that the skipper of the horse drawn barge had noticed some disturbing graffiti along a stretch of the canal. This had immediately been brought to the attention of the Canal Manger, who together with one of the Canal Rangers, out of hours, had responded very quickly before the graffiti paint had had a chance to cure. The youths responsible had been intercepted and police enquiries were ongoing.

#### Devon Bat Survey

The Country Park is supporting the Devon Greater Horseshoe Bat Project by hosting one of 21 automatic bat detectors located at centres around the county, which can be booked out by members of the public. Once collected, the person borrowing the detector puts it out in their garden and leaves it for three nights before returning the detector to the centre and posting an SD card from the detector to the project HQ. A few weeks later they receive a report listing the species detected. When not booked out, the detector is being deployed along the canal to improve understanding of which bats use the canal.

### Boehill slipway parking

An agreement had been reached with the owner of the allotment field to allow parking for a small fee.

### Weed-cutting

The Ranger team had spent, and would continue to spend, as much time as they could removing weed.

The anglers present stated that this had been the worst year ever and that they were only actually able to fish along a mile or two of the whole canal due to the weeds, this was despite paying an annual fee to fish.

Despite being consistently cleared the weeds were particularly invasive and the problem would never be completely eradicated especially with climate change. A suggestion was made that particular areas should be focussed upon rather than try to tackle everywhere all at once. The canal was very nutrient rich having water runoff from adjacent agricultural fields exacerbating the problem.

The presence of weeds had meant that two years ago the Tiverton Canal Company had had to stop the motorised hire boat side of their business.

It was **AGREED** that a letter be sent to Meg Booth, the Chief Officer for Highways, Infrastructure Development and Waste relaying the strong concerns of the JAC and expressing the need for more resources in this area in order to tackle the weed problem.

### Fringed lily control

A specialist contractor sprayed the alien invasive fringed lily once every three years and this had proved very effective.

### Tree management

In the spring a storm had brought down several trees along the canal including two very large poplars and a willow near Bamfylde Close in Tiverton. Clearing these had proved a difficult and expensive task.

### Ash dieback

25 trees will have to be felled this year. Of all the trees along the canal 35 – 40% were ash trees.

### JAC site visit

The Canal Manager thanked those members who had attended the annual site visit. A number of issues had been discussed including the badgers and the aqueduct repairs.

### Spirit of the sixties motorcycle rally

This had been a very successful and well attended event.

### Aqueduct repairs

A butyl liner would be used to make the aqueduct channel watertight again and this would be protected by a concrete canvas lining. The work was currently out to tender and would take around six weeks to complete, commencing in late October.

### Volunteers, work experience and apprentice

The Ranger team had enjoyed the benefit of an apprentice for one day a week who had really developed as an individual over the past year.

### Future Programme of works

The future programme of works was listed including a potential underwater film for the visitor centre touchscreen (subject to funding). The potential for refurbishing the Canal Basin toilets would also be explored since this impacted greatly on visitors first impression of the canal.

## 12 **Any other business**

No issues were raised under this item.

## 13 **Identification of items for the next meeting**

The following was requested to be on the agenda for the next meeting in addition to the usual progress report:

- Canal Management Plan
- An update on the quarry as well as a timeline of events

## 14 **Date of next meeting**

The date of the next meeting was confirmed as being Tuesday 3<sup>rd</sup> March 2020 at 7.00pm in the Exe Room, Phoenix House.

(The meeting ended at 9.35 pm)

**CHAIRMAN**