

MID DEVON DISTRICT COUNCIL

MINUTES of a MEETING of the GRAND WESTERN CANAL JOINT ADVISORY COMMITTEE held on 6 October 2020 at 7.00 pm

Present:

Cllr C R Slade	Devon County Council (Chairman)
Cllr R Croad	Devon County Council
Cllr R F Radford	Mid Devon District Council
Cllr L Cruwys	Mid Devon District Council
Cllr Mrs C Collis	Mid Devon District Council
Cllr Mrs C P Daw	Mid Devon District Council
Cllr Mrs S Griggs	Mid Devon District Council
Cllr Miss Jo Norton	Mid Devon District Council
Cllr K Browse	Halberton Parish Council
Cllr D Cutts	Sandford Peverell Parish Council
Cllr J R Rendle	Tiverton Town Council
Mr P Brind	The Tiverton Canal Company
Mrs Pat Brind	Mid Devon Moorings
Mr R Hodgson	Friends of the Grand Western Canal
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
Mr M Trump	Tiverton and District Angling Club
Mr J Hampshire	Cycling UK

Officers:

Mr M Baker	Canal Manager, DCC
Mrs R Mills	Rights of Way and Country Parks Manager, DCC
Ms Eileen Paterson	Group Manager for Development Management, MDDC
Ms Helen Govier	Planning Officer
Mr S Densham	Land Management Officer, MDDC
Mrs S Lees	Member Services Officer, MDDC

1 Election of Chairman

RESOLVED that Cllr C R Slade be elected Chairman of the Committee for the municipal year 2020/2021.

(Proposed by Cllr R F Radford and seconded by Cllr Mrs C Daw)

2 Election of Vice Chairman

RESOLVED that Cllr R F Radford be elected Vice Chairman for the municipal year 2020/2021.

(Proposed by Cllr C R Slade and seconded by Mr A Pilgrim)

3 Apologies

Apologies were received from the following members of the Committee:

- Cllr George Birch (who was substituted by Cllr Ken Browse)
- Mr Ray Jones
- Mr Graham Moore
- Mr Trevor White

4 Protocol for remote meetings

The protocol for remote meetings was **NOTED**.

5 Public Question Time

Victoria Pugh spoke in relation to item 10 on the agenda, 'Tidcombe Hall planning application': I want to ask the Joint Advisory Committee if as custodians of our much loved and admired Grand Western Canal often described as Tiverton's most valuable asset, if you would consider very carefully your advice at this time given that the current proposal to build 179 houses so close to the canal bank is the single most important matter affecting the canal in a generation.

I note that last October the developer gave a presentation to you all. Reading the minutes of that meeting, clearly many concerns were raised by you and in the minutes it was concluded that 'It is generally recognised that the proposed development if it comes to fruition would have a significant impact upon the canal.' A year has passed, detailed plans have now been submitted by LVA and professional consultees and local residents have all expressed their views on Mid Devon's website. Committee members will be aware that there are a great many views expressed, the vast majority opposing this development. Do members agree with me that now is the right time for this advisory committee to take a position, to come to a consensus and proffer your advice regarding the impact of this proposal on the canal for now and for future generations? Will the JAC add its voice to the many consultees who have considered the impact of this including, Tiverton Town Council, which is 'unable to support it', Devon County Council's Floods and Risk assessors who object to it, the Highways authority which recommends refusal, Natural England who unusually has quite a strongly worded report, they raise concerns about the dangers from run off and I know that is a concern that many of you share with us, Blundells School and the National Trust which also has considerable concerns, Devon County Council Historic Environment team who again recommend refusal, the Tiverton Archeological group who oppose it and Tiverton Civic Society who object.

Thus I ask, will the Advisory Committee in the interests of protecting and enhancing the canal for the future advise Mid Devon in the strongest possible terms against allowing this development so close to the canal to go ahead? Thank you.

Speaking in relation to item 15 on the agenda, 'Cyclists on the Canal', Maureen Gooding stated that: We are mid-Devon residents, and frequent long-time users of the canal, for walking, bike riding, angling and, in the past, canoeing. My husband grew up in the area around the canal basin; both of our sons live very near to the canal. Like many people it is an important amenity for us, one which we feel very positive about and one which we treat with respect and consideration. It is our experience that on the whole, most people we share the canal with are similarly positive and are good at sharing the country park. During lockdown, when the local parks were closed, this was the only place our grandchildren could get a change of scene and exercise safely – it was enormously important to them then, as it was to many other residents. Because it was crowded at times at the Tiverton town end, the fact that they could go out on their bikes and get to less busy areas was a benefit. Not to put too fine a point on it, we love the canal. However, it seems that this love isn't reciprocated.

Please find below a selection of comments made on the 'Friends of Grand Western Canal' Facebook page with reference to people who ride bikes on the towpath:

- 'Kick them in the canal easy'
'Yep'
- 'Stand under bridges and push them in'
- 'A stick between the spokes stops them pretty quick'
- 'A little nudge when cyclists try and cycle under bridges usually gives them an early bath'
- 'I'd push them in'
- 'If a cyclist met me under a bridge, they'd end up in the canal'
- 'How about tying an old barge rope across the canal from bank to bank. That should sort out any speeding'
And, referring to other walkers:
- 'I just Mow through like its skittles'
- 'I have nudged a very aggressive small dog into the canal before now'
(Describing an incident where her own dog had been attacked, in fairness, but worrying that this is someone who frequently posts negative comments about cyclists)

There are also many passing references to 'lycra clad losers'; lycra idiots' that are routinely used in mainstream media to depersonalise and whip up anger in debates such as this.

With 'Friends' like this, who needs enemies?

Is the JAC is aware of the hostile and aggressive tone and frequency of remarks made towards and about people who ride bikes on the towpath on this Facebook page? Is this page an 'official' representation of the Great Western Canal's perspective? If not, who IS responsible for the group? What steps have been/will be taken by the committee to address threats of harm to towpath users by other individuals? Will the committee deal with misuse or misrepresentation of the GWC name, if that is what is happening here?

Mr David Barnes spoke in relation to the Tidcombe Hall planning application:

I have lived and worked in Tiverton as a teacher for over 30 years. I am a big fan of the canal. I walk, run, and cycle the canal on a regular basis and as a primary school teacher I have enjoyed all the canal has to offer, its local history, nature, leisure facilities with hundreds and hundreds of local children over the time that I have taught in Tiverton.

The proposal to build 179 houses on agricultural land along the canal as it leaves its urban setting and emerges into the typical Devon agricultural setting flies in the face of both the recently adopted Mid Devon Local Plan review and the draft Canal Management Plan 2020 – 2025. The Local Plan review is the culmination of years of deliberation, consultation, drafting and re-drafting. The Plan sets out strategic policies for development, identify sites for housing, employment, infrastructure and environmental protection. It identifies how local housing needs will be met up to 2035 and it has the approval of national government. The plan to build a housing estate near the canal totally ignores all of this and in doing so is a direct threat to what the Plan sets to achieve for our local area both now and in the future.

Your Draft Management Plan recognises the need to protect not only the canal and its immediate environment but also the setting in which it sits. The proposed introduction to this Plan states that 'The Plan seeks to influence the wider setting of the canal recognising its importance in the landscape'. Point 15.15 of your action plan identifies a specific threat to the canal and I quote 'Inappropriate development on adjacent land'. Point 19.14 identifies potential threats to the landscape and again I quote 'Existing and potential future development within the setting of the canal could harm its attractive rural setting, sense of tranquillity and quality of long views.'

The Canal Action Plan sets out a clear role for this Committee threats posed by inappropriate development. Point 19.14 goes on to identify as a strength and again I quote 'Well organised Joint Advisory Committee, able to comment on, object to adjacent planning applications and planning policies'. Point 473 describes how effective the Committee has been in carrying out this role in relation to the Tiverton Eastern Urban Extension. I quote 'The canal's Joint Advisory Committee has successfully lobbied for the field adjacent to the canal from Follett Road to Manley Lane to be protected from development in order to minimise impacts on the amenity value of the canal.' This has resulted in designated fields of green infrastructure of approximately half a kilometre wide between the housing development and the canal. The proposed housing estate at Tidcombe Hall would come within tens of metres of the canal and as your action plan identifies will be mostly visible from the canal.

With this in mind it would be inconsistent, irrational as well as being counter to the Committee's own policies for this Committee not to do all in its power to oppose this planning application. The developers are at pains to convince us that having 179 new houses alongside the canal will have a positive impact, a dipping pond, a café, a trim trail. None of these have been identified as local needs in the Committee's own action plan nor to my knowledge anywhere else. We already have a dipping pond and the canal's tow path is Tiverton's own unique trail par excellence. These are thinly disguised attempts to hide the very real negative impacts the construction and existence a significant housing estate would inevitably have on our canal both now and in the future.

Point 19.12 of the action plan identifies the role of this Committee in opposing inappropriate development such as the one under consideration. The main method for conserving the landscape are as follows: Opposing inappropriate developments which would impact on the canal corridor. In every sense of the word the proposed development is putting it mildly 'inappropriate'. My question to you today is, will you carry out the role you have so comprehensively set in the Draft Canal Management Plan of protecting the jewel in crown of Mid Devon by formally objecting to the planning application for a housing estate alongside the canal at Tidcome Hall?

The Chairman read out a statement on behalf of Mr Goff Welchman in relation to the Tidcombe Hall item on the agenda:

"The Tidcombe Hall canal side planning application is totally inappropriate for its location. The applicant's attempts to gloss over the environmental threats are unsustainable. Flooding and pollution risks will clearly exist, given the exponential increase in severe weather events, which we are likely to continue experiencing. The valuable wildlife habitat will also be compromised, while Tidcombe Fen SSSI will also be endangered.

Furthermore, the ambiance of this important tourist attraction will be permanently adversely affected, not just by the buildings themselves, but also by the traffic chaos in the immediate area, which will result from any further housing developments. I hope you will see the necessity to strongly object to this plan."

6 Minutes

The minutes from the meeting held on 3 March 2020, having been previously circulated, were approved as a correct record.

7 Matters Arising

Mr Adam Pilgrim referred to minute number 24 and the funding situation regarding the canal. He confirmed that he had undertaken a significant amount of research in the past and had spoken with a number of senior officers but that due to Covid19 situation discussions had temporarily halted but would be taken up again as soon as possible.

8 Chairman's Announcements

The Chairman thanked the Committee for electing him as their Chairman and particularly thanked everybody who had attended the virtual meeting that evening.

9 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: * Terms of Understanding and Membership previously circulated; copy attached to the signed minutes.

10 Tidcombe Hall planning application

The Chairman opened the discussion by reminding the Committee that planning matters were a consideration for the Planning Committee only. The JAC should merely concern itself with the proposed housing development as it affected the canal corridor.

Committee members expressed the following concerns regarding the proposed development:

- The developer's plans had seemingly increased since the presentation they gave to the Committee last October.
- The plan showed considerable disrespect for the wildlife in the area.
- Evidence of unrestrained water flow damage caused by new development elsewhere. There had been no financial provision made for the maintenance of attenuation ponds. The current culvert may not have sufficient capacity.
- A possible repeat of the breach that had occurred in the recent past.
- The devastating effect this development would have upon the canal as a tourist attraction.
- The need for the offside strip to be kept as a nature reserve. It was confirmed that this strip of land was owned by Devon County Council. The County Council's own Flood Risk Management team is a consultee to the planning application and has the expertise to assess the proposed mitigation measures. The Canal Manager was given the choice of draining water from the site into the canal via an existing water course, or sending the water through an existing canal culvert. The Canal Manager's preference was for the water to be culverted under the canal.
- The negative visual impact upon the beauty of the canal.
- The effect of more dogs on the canal as a result of 179 new houses.
- The significant opposition to the proposal generally by the wider community who had submitted hundreds of objections. However, due to the size of the application it had to be presented to the Planning Committee for determination.

RESOLVED that the Grand Western Canal Joint Advisory Committee object to the Tidcombe Hall planning application in the strongest possible terms and for Mr Adam Pilgrim to co-ordinate a response in conjunction with the Chairman and Vice Chairman and to submit this within the appropriate timescales.

(Proposed by Mr P Brind and seconded by Mr P Saupe)

Note: (i) Cllrs L Cruwys, Mrs C Daw and R F Radford declared personal interests in that they were members of the Planning Committee and that they would abstain from any voting this evening and try to maintain an open mind.

(ii) Cllr Mrs C Collis declared a personal interest in that she was a substitute member of the Planning Committee.

(iii) Cllr Miss J Norton declared a personal interest in that she used to work for the National Trust at the Knightshayes estate.

11 Progress Report

The following issues were raised in relation to the progress report:

- The currently limited number of parking spaces near the slipway was causing some concern. The Canal Manager was receptive to the idea of designated parking spaces but this would need further consideration and discussion with the parties involved.
- Potholes under certain bridges where water collected following rain making it difficult for people to pass without nearing the edge of the canal. It was confirmed that a survey and necessary works would be undertaken

12 The effect of Covid 19 on the canal

Issues in relation to the effect of the pandemic on the canal had been discussed in the previous progress report.

13 Fenacre water transfer - update

This had also been covered in the progress report, however, it was repeated that progress had been slow due to the situation regarding Covid19 and the deadline had been pushed back to December.

14 The canal as a tourist attraction

Cllr Mrs S Griggs had requested that this item be added to the agenda as she had read a lot about canals and their importance as tourist attractions. She requested that the Committee consider whether enough was being done to promote the canal as a precious resource both to Tiverton and to Mid Devon as a whole?

Consideration was given to the following:

- The efforts made by Mr P Brind to promote the Grand Western Canal nationally. This was having a positive effect and more people were coming to visit. Mid Devon as a whole had a great deal to gain by further promotion.
- 'Visit Devon' saw the canal as 'unique'.
- The need to look at further solutions for people to use the entire length of the canal, not just the Canal Basin end where parking during peak times was sometimes limited.
- The positive effect upon the villages running alongside the canal due to increased numbers of people visiting the canal.
- Cllr Miss J Norton stated that she had written her undergraduate dissertation on the Grand Western Canal and that as such she had a great deal of knowledge about it. There were many opportunities to be explored in terms of promoting the canal further and she was keen to work with members of the committee to explore the options available.
- The importance of the canal to the cycling community. It was part of the National Cycling Network Route 3.

- The increase usage and footfall during the pandemic and the need to monitor increased numbers of powered scooters and paddle boarders.
- A forthcoming improved Canal website which should be launched next year as a result of an HLF project at Stover Country Park which is developing a new website for that site.
- The need for an updated interactive map showing the entire length of the canal and all the villages that ran alongside it.

RESOLVED that Cllr Mrs S Griggs talk to the appropriate officer at Mid Devon District Council who had responsibility for a tourism group with a view to setting up an informal working group to include Mr P Brind and the Chairman and Vice Chairman of the JAC.

(Proposed by the Chairman)

15 **Cyclists on the canal**

Cllr Mrs S Griggs had requested that this item be added to the agenda due to a lot of recent discussion on social media. A lot of different views had been expressed but there was a need to try and find a way of working together in a respectful way.

Discussion took place regarding:

- The majority of cyclists followed the rules and were respectful of other users.
- Increased usage by cyclists during the pandemic as a means of exercise and escape.
- Whether the signs asking cyclists to dismount under bridges were big enough. Many were still not dismounting and this presented significant dangers to other users.
- The fact that the signs only recommended cyclists dismount, they did not 'instruct' them to, perhaps the language used needed to be more forceful?
- The poor behaviours of some users generally, not just cyclists and the dangers they presented.
- A fear that a tragedy would happen with somebody falling into the canal.
- The importance of the Friends Group and how they could act as a helpful forum to look further at this issue and identify a way forward. Contact details were on the Friends website.
- The Tiverton cyclist group could also look at the issues raised further.
- Limited powers to tackle those disrespecting the rules of the canal. Bylaws were open to interpretation.
- The limited resources within the Canal Ranger team who were working hard just to keep on top of the basic maintenance of the canal.
- The potential for the Canal Ranger team and the Community Patrol Boat skipper to be given greater powers by the police under the Community Safety Accreditation Scheme.
- The need for a long term strategic approach rather than a kneejerk reaction to social media comments.

16 **Any other business**

No issues were raised under this item.

17 **Identification of items for the next meeting**

Items for the agenda (other than those which usually came) were requested to be notified to the Clerk nearer the time.

18 **Date of next meeting**

It was **AGREED** that the date of the next meeting would be Tuesday 2nd March 2021 at 7pm.

(The meeting ended at 9.00 pm)

CHAIRMAN