

MID DEVON DISTRICT COUNCIL

MINUTES of a MEETING of the GRAND WESTERN CANAL JOINT ADVISORY COMMITTEE held on 5 October 2021 at 7.00 pm

JAC Members Present:

Cllr R F Radford	Mid Devon District Council (Chairman)
Cllr C R Slade	Devon County Council (Vice Chairman)
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 Jo Norton	Mid Devon District Council
Cllr K Browse	Halberton Parish Council
Cllr J R Rendle	Tiverton Town Council
Cllr Lewis Worrow	Burlescombe Parish Council
Mr P Brind	The Tiverton Canal Company
Mrs Pat Brind	Mid Devon Moorings
Mr J Hampshire	Cycling UK
Mr R Hodgson	Friends of the Grand Western Canal
Mr Dion 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

Officers:

Mr Richard Walton	Public Rights of Way and Country Parks Manager, DCC
Mr M Baker	Country Park Manager, DCC
Mr John Millar	Principal Planning Officer, MDDC
Mr S Densham	Land Management Officer, MDDC
Mrs S Gabriel	Member Services Manager, MDDC
Mrs S Lees	Member Services Officer, MDDC

1 Election of Chairman

RESOLVED that Cllr R F Radford be elected Chairman of the Committee for the municipal year 2021 / 2022.

(Proposed by Cllr C Daw 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 2021 / 2022.

(Proposed by Mr P Saupe and seconded by Cllr J Rendle)

3 **Apologies**

Apologies were received from the following representatives:

- Cllr David Cutts
- Cllr Andrea Davis
- Ray Jones
- Graham Moore
- Trevoe White

4 **Protocol for remote meetings**

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

5 **Public Question Time**

No members of the public had registered to ask a question.

6 **Minutes**

The minutes from the meeting held on 2nd March 2021, having been previously circulated, were approved as a correct record.

7 **Matters Arising**

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

8 **Chairman's Announcements**

The Chairman had the following announcements to make:

1. He thanked the Committee for electing him Chairman and for having faith in his ability.
2. He welcomed Cllr Lewis Worrow back onto the Committee. He was replacing Cllr Luke Trevelyan as the Committee representative from Burlescombe Parish Council.
3. He welcomed Richard Walton from Devon County Council as the new Public Rights of Way and Country Parks Manager.
4. He explained that because of the hybrid nature of the meeting and the technical challenges it presented with the clerk working remotely, the meeting would be audio recorded in case there was a problem with the technology. He confirmed that the recording would only be used for internal purposes.

9 **Terms of Reference and membership review**

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

A brief discussion took place regarding the 'Canal Businesses Group' and which businesses it comprised of. It was agreed that the Country Park Manager would contact the current representative to ascertain whether the Group met formally and who might be the best representative to attend JAC meetings. The Country Park Manager stated that he had recently contacted a director of the Devon Wildlife Trust with regard to their representation on the JAC and was awaiting a response.

RESOLVED that the Terms of Understanding and membership of the Committee be agreed subject to the following being implemented:

With regard to bullet point number seven: That a more proactive approach be taken towards contacting those representatives who have been absent for two or more consecutive meetings. Contact to be made by the Clerk to establish the reason for this and whether or not a replacement or substitute representative could be found from within the relevant stakeholder group.

(Proposed by the Chairman)

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

10 **Progress Report**

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

- **Fishing platforms** – The Canal Ranger Service were thanked for installing the new plastic boarded platforms which would last longer in the future.
- **Boat permits** – an online boat permit purchasing facility was due to go live in the near future.
- **Fuel spillage** – The Canal Ranger Service were praised for the way in which they had dealt with this. A disaster to wildlife had been avoided.
- **Wild flower meadows** – the Canal Ranger Service would continue to maintain and improve wild flower meadows where they could. There was a plan to consider planting in an area beside the William Authers footbridge but an excavator would need to be found that could fit under it and this would require additional funds.

11 **Water transfer system from Fenacre Brook to the Canal**

For the benefit of new members attending the meeting, the Country Park Manager provided a brief summary of events to date:

- The Canal was spring fed and whilst it did receive input from rainfall and drainage, spring supplies from the northern end were important.
- Due to groundwater changes relating to quarrying operations, a S106 agreement had been entered in to with Aggregate Industries (AI) to provide a system that topped up the Canal, however, the system had worked poorly. A new S106 was agreed in 2019 with AI agreeing to provide an improved system but this needed the consent of the Environment Agency (EA).

- The EA could only offer advice once an application had been submitted. AI did submit an application but had done so without consulting with DCC. This had led to delays. Hydrological modelling had had to be undertaken and then Covid had come along.
- The EA required AI to withdraw this application at which point DCC met with AI to agree a revised way forward.
- Progress has been slow with some flow data having to be inferred rather than using 'real' information due to faulty monitoring equipment.
- A revised pre-application was about to be submitted. DCC had used an independent consultant and had fed back corrections to the data. AI had provided a technical note outlining how they proposed to provide an improved system which would meet the requirements of the EA. A pre-application was expected within the next fortnight. However, there were staff shortages, internal processes and a backlog of work within the EA therefore a decision was not expected for some time.

Discussion took place regarding:

- Whether the company's licence could be taken away unless a satisfactory solution could be found quickly. It was confirmed that this was not within the gift of DCC. Exerting too much pressure might result in a minimal scheme being proposed to the detriment of the Canal.
- Nothing could move forward with any pace until an officer had been assigned to the case by the EA.
- DCC and AI had moved the situation forwards, but there was substantial potential for future delays once the application was in the hands of the EA.
- Pressure needed to be brought to bear highlighting the serious effect on the water levels of the Canal.
- Challenging environmental conditions and climate change.
- Springs no longer seemed to bring the volume of water to the Canal that they used to.
- There were potentially disastrous consequences for the Canal and a 'wall of politics' was exacerbating the situation.
- Pressure needed to be applied to get the EA to raise the profile of this matter.

It was **AGREED** that this item needed to appear on the agenda for the next meeting when hopefully all parties would be nearer to resolving this important issue.

12 Anaerobic Digester at Crownhill

The Committee discussed their concerns in relation to the Anaerobic Digester (AD) plant at Crownhill. These included the following:

- A new planning application was due to be submitted which would propose additional buildings and new dwellings on adjacent farmland to the AD. However, a condition of the original planning application approval had been that by-products from the plant be spread on the land. What would happen if all the farmland was used for housing?
- Halberton residents had commented that they were seeing more material coming and going than originally envisaged.

- Traffic movements had escalated with large conveyors of lorries being seen going into and out of the site despite an original limit being placed on the scale of permitted activity. There was also concern that these may be coming from a wider geographical area than agreed.
- The lack of published data in relation to all the movements on and off site.
- Concerns regarding the type of product being used to 'feed' the digester.
- There had been a liaison group set up initially but they had ceased to meet. It was suggested that this be re-established, connecting the relevant parties and trying to establish the precise nature of what was going on. However, the AD plant was now in new ownership and they had not been keen for the group to be re-established. The Chairman, who had been a member of the original liaison group stated that he had been advised by the Planning Department that figures suggested that the plant had been complying with conditions regarding vehicle movement numbers. However, the enforcement file had been 're-opened'.
- The Tiverton Neighbourhood Plan might soon be able to bring some weight to any planning application objections. Halberton Parish Council had also considered the application carefully and would continue to do so. There was a great deal of strong local opinion.
- Increased vehicle movements and the effect upon road safety had been brought to the attention of the Police and Crime Commissioner by the Vice Chairman.
- A full report on the planning application would be coming to the Planning Committee in due course.

The Principal Planning Officer stated that he could not refer to the site discussed specifically but could reassure the Committee that AD plants were generally being looked at by the authority in terms of enforcement. He had noted the points discussed and encouraged Committee members to raise their concerns when the planning application came forward for consultation.

It was **AGREED** that this item be placed on the agenda for the following meeting so that further consideration could take place.

Note: (i) Cllrs L Cruwys and C Daw declared personal interests as they were members of the Mid Devon District Council Planning Committee and they would not take part in the discussion.

(ii) Mr Peter Saupe declared a personal interest in that he had helped to install the digester plant initially.

13 Community Patrol Boat update

The following update was provided:

- It had been in the water since May 2021 and had undertaken approximately 100 hours of patrols.
- The whole of the Canal had been patrolled with azolla and soldier weed causing some difficulties although the Ranger Service had cleared a lot of this.
- There had been two night patrols with the boat having to deal with a range of incidents from rugby balls to criminal damage.
- A new website would be developed seeking to engage the public.

- Initial discussions had been held with the police officer who oversees Community Safety Accreditation Scheme (CSAS) to see what powers could be given to the patrol boat crew and the Canal Ranger team. . The whole list of powers available to the Chief Constable totalled between 20 and 30, it was felt that approximately 8 of these could be applicable to the Canal setting. Further discussion was required.
- There was now a defibrillator on the boat and those operating the boat had undertaken the necessary first aid course.
- Funding remained a concern.
- A body camera had been purchased which it was hoped could be used once approval has been secured from the DCC Data Protection Officer.
- Appropriate cycling signage continued to be an issue.
- There had been no reported incidents involving users of the Canal and the horse drawn barge this summer.

Discussion took place with regard to the ambition for CSAS powers to effect a change in attitude although it was reiterated that the vast majority of Canal users were very respectful of other users. However, a growing minority remained unconcerned about the effect of their behaviours and this was causing some visitors to be frightened of using the Canal especially at night.

14 **Any other business**

The following matters were raised:

- The Canal Ranger Service, though small, were thanked for the incredible work they had undertaken since the last meeting in keeping the water quality so good within the Canal. This had been commented on by visitors over the summer months. The Canal was felt to be in excellent condition.
- The Country Park Manager was particularly thanked since he often worked out of hours and the Canal was lucky to have him.
- Reference was made to the last meeting where Cllr Griggs had talked about moving forwards with the Tourism Group. The Committee were informed that a lot of work had been undertaken with the 'Visit Mid Devon' website but that the sub-group was somewhat unwieldy, and had no decision-making powers and no funding. The Canal Business Group were key to moving this forwards. Mr Brind offered to contact each of the businesses regarding their input in promoting the Canal in the interests of all users and stakeholders. Further discussion and a proper plan was needed but it needed to be led by the Business Group.

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

The following was **AGREED** to be on the agenda for the next meeting:

- The usual Canal Progress Report
- Water transfer system from Fenacre Brook to the Canal
- Anaerobic Digester at Crownhill
- CSAS powers and their use on the Canal

16 **Date of next meeting**

It was **AGREED** that the next meeting would be held on Tuesday 1st March 2022 at 7pm.

(The meeting ended at 8.51 pm)

CHAIRMAN