

**ENV ID 4211- Devon County Council
(Road Past Bouchland Farm, Burrington) (Prohibition of Motor Vehicles) Order**

Report of the Head of Highways and Traffic Management

Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.

Recommendation: It is recommended that the proposed traffic regulation order shown on plan N500-115, as advertised, is not implemented.

1. Summary

This report details proposals to introduce a traffic regulation order prohibiting motor vehicles from using the R7124 known under the national Street Gazetteer as the Road Past Bouchland Farm.

2. Background

The status of the R7124 was investigated through the Public Rights of Way Definitive Map Review 1991/94. The review considered the status of the route as a public footpath claimed by the ramblers association. The review identified that the route was a county road and Devon County Councils records were updated accordingly. A copy of The Public Rights of Way and Grants Sub-Committee Report EP/94/91/HQ is included in Appendix I. Concerns were raised in this report about the standard of the junction onto the A377 and the potential danger if this route and junction were to be made available for vehicular use.

Issues relating to the status of the lane and access were raised again in 2010 with the North Area Highway Management Team. Subsequent investigation by the Area team led to a safety assessment of the route and junction being undertaken. A copy of the Safety assessment is included in Appendix II. The assessment raised similar concerns about the standard of the junction onto the A377 and the potential for safety issues. A copy of the accident statistics is included in Appendix IV.

To reduce the risk associated with the junction onto the A377 Devon County Council proposed restricting access to the section beyond Bouchland Farm for all motor vehicles. But because there were no recorded injuries related to this junction, Devon County Council did not consider that this proposal should be prioritised for funding.

External funding was made available to progress the traffic regulation order required to prohibit motor vehicles. Devon County Council agreed to advertise the proposed order if supported by the Parish Council and Local Member. Copies of relevant parish minutes are included in Appendix III.

Eighty five objections were received in response to the advertisement. Copies of the responses will be available for inspection at the meeting.

- All 85 responses we received, expressed objections to the proposed order. 67 responses were received from addresses in Devon. None of the responses were received from addresses in the Parish of Burrington.

- 30 objected on the grounds that Devon County Council has a duty to consider alternatives to keeping the highway open.
- 47 requested that we consider a one way order as an alternative on safety grounds to the complete prohibition of motor vehicles.
- 15 identified themselves as users of the route.
- 19 questioned the lack of reported accidents and the justification on safety grounds for removing rights of vehicular access.
- 23 referred to a history of illegal obstruction on this route.

3. Proposal

The proposed traffic regulation order is shown on Plan No N500-511. The proposed order prohibits access by all motor vehicles on the section of the lane from Bouchland Farm to its junction with the A377. The section of the lane from Bouchland Farm to the C715 is not covered by the proposal in order to maintain access for the farm. In addition to the traffic regulation order the proposal includes gating of the lane at its junction with the A377. The proposed gate will allow access for non vehicular traffic at all times.

4. Financial Considerations

External funding of £500 was provided to fund the cost of advertising the proposed traffic regulation order. No additional funding sources have been identified.

5. Alternative Options

Alternative options were considered before proposing the prohibition of motor vehicles, including prohibiting the route except for access, stopping up the route entirely, or diverting the route to meet the C715 Road to the north at Lower Braggamarsh. The nearby C715 at Lower Braggamarsh provides an alternative route within 90m of the R7124, Road Past Bouchland Farm. It was felt that the proposal to prohibit motor vehicles including a physical gating of the route provided the most economic solution to address the safety concerns of the junction onto the A377.

6. Sustainability Considerations

There are no sustainability considerations.

7. Carbon Impact Considerations

There are no carbon impact considerations.

8. Equality Considerations

There are no equality considerations.

9. Legal Considerations

A decision to implement the proposed traffic regulation order can be made by the Highways & Traffic Orders Committee. If a decision is made to proceed with the order, then for a period of six weeks following the making of the order, anyone may apply to the High Court to question the validity of the order or the procedures used in making the order.

10. Risk Management Considerations

No funding has been identified beyond the external funds provided to progress the advertisement of this traffic regulation order. Therefore, if HATOC decide to implement the traffic order, further funds would have to be identified.

11. Reasons for Recommendation

The advertisement has shown that there is established use of this lane and a clear desire to maintain vehicular access. This order only proposes a prohibition of motor vehicles and does not propose stopping up the road for all traffic.

The justification for proposing the order was based on a safety assessment that highlighted the poor standard of the junction with the A377. This justification has been questioned by the objectors. The accident record for this area shows no recorded incidents relating to the junction and, therefore, would not be treated as part of the annual accident review process.

Alternatively, objectors have suggested that a one way order be considered to alleviate safety concerns about vehicles exiting onto the A377. Appropriate warning signs could also be considered on the A377 approaches.

It is considered that the most cost effective method of dealing with safety concerns would be to prohibit motor vehicles. The alternatives proposed by objectors may improve safety at this junction. Implementing one way into the route would require advertising a further traffic regulation order, associated signs, and a budget to progress this. As there are currently no reported accidents, it is recommended, on balance, that no further action is taken and the junction is monitored as part of the annual review process. It is acknowledged however that the safety assessment does raise concerns about the standard of this junction.

For the reasons above it is recommended that the traffic regulation order does not proceed as advertised.

Lester Willmington
Head of Highways and Traffic Management

Electoral Division: Chulmleigh & Swimbridge District Ward: Chulmleigh

Local Government Act 1972: List of Background Papers

Contact for enquiries: James Anstee

Room No. 511 Barnstaple Civic Centre

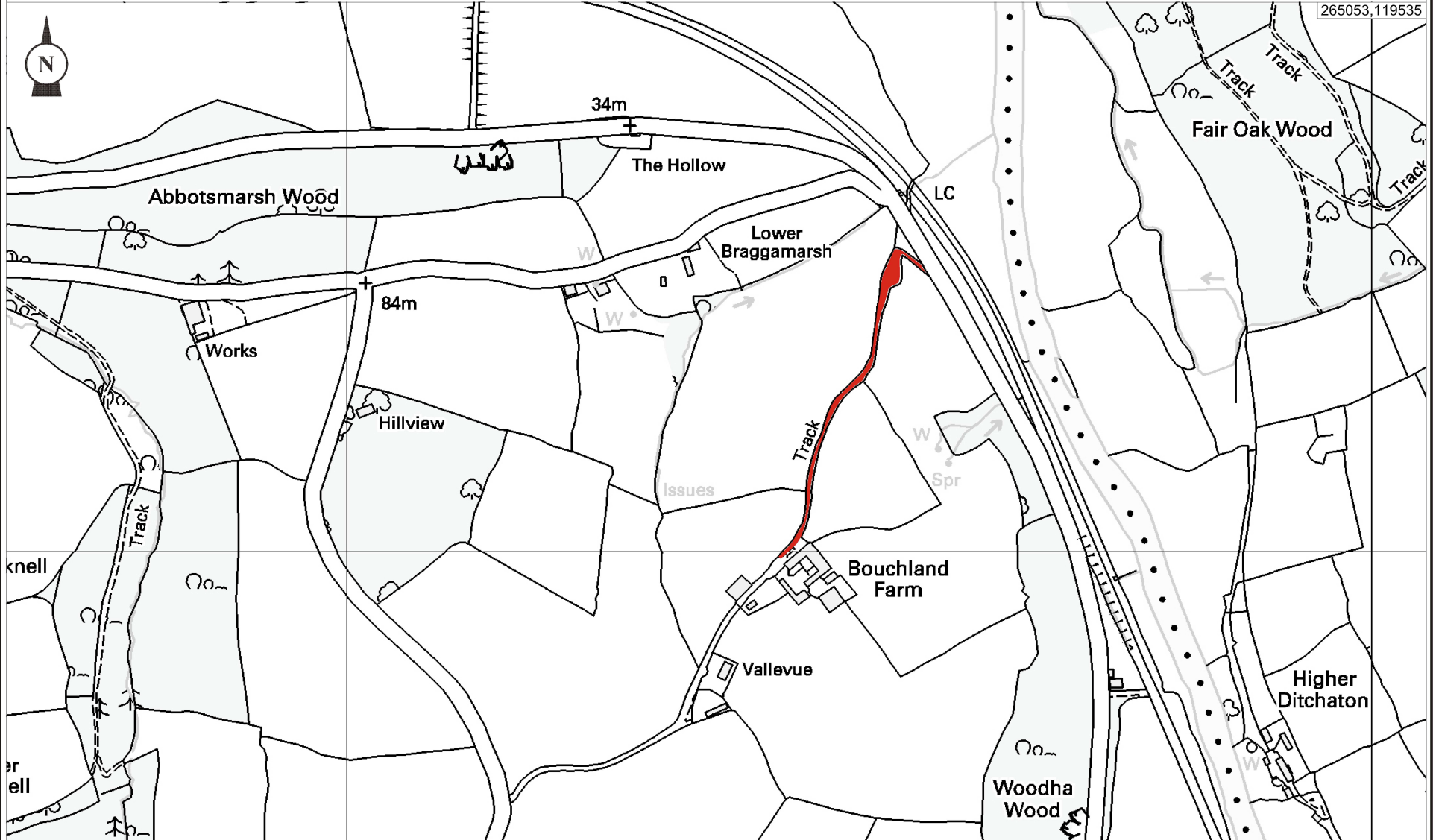
Tel No: (01392) 388500

Background Paper	Date	File Ref.
1. Public Rights of Way and Grants Sub-Committee Definitive Map Review 1991/94 Parish Of Burrington	28 January 1994	EP/94/91/HQ

gp111011ndh
sc/cr/bouchland farm
03 hq 111011

Map View

265053,119535



ENV ID 4211
PROPOSED PROHIBITION OF MOTOR VEHICLES
(Bouchland Farm, Burrington)

Key
 = Proposed Prohibition of Motor Vehicles

drawn	JA	file	R:/Traffic/parishes/burrington
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date	APR 11		
scale	nts		
drawing number	N500/115		

Environment Economy and Culture
 Devon County Council
 Civic Centre
 Barnstaple
 EX31 1ED
 Telephone 01271 388727
 Fax 01271 388490



EP/94/91/HQ

PUBLIC RIGHTS OF WAY AND GRANTS SUB COMMITTEE
28 January 1994

DEFINITIVE MAP REVIEW 1991/94
PARISH OF BURRINGTON

REPORT of the COUNTY ENGINEER AND PLANNING OFFICER

Recommendation: It is recommended that subject to consultations with North Devon District Council and Burrington Parish Council:

- (a) no order be made in respect of proposal 1;
- (b) a Modification Order be made to record Proposal 2 as a bridleway;
- (c) a site inspection be held in respect of Proposal 3.

1. BACKGROUND

- 1.1 The original survey under S.27 of the National Parks and Access to the Countryside Act 1949 revealed in Burrington twelve footpaths and five bridleways which are recorded on the Definitive Map and Statement valid from 1 July 1958.
- 1.2 The reviews under S.33 of the 1949 Act, which commenced in 1970 and 1977 but were never completed, produced no valid proposals for any alterations, additions or deletions.
- 1.3 The 1970/2 Limited Special Review of Roads Used as Public Paths (RUPPs) did not affect this Parish.
- 1.4 The following "Legal Event" Order will be made
North Devon District Council (Path No.1, Burrington) Public Path Diversion Order 1975.

2. REVIEW

- 2.1 The current review commenced in July 1991 and discussions were held with representatives of the Parish Council. Three proposals were supported by the Parish Council:
 - Proposal 1: Footpath, Barton Road to the Churchyard
 - Proposal 2: Bridleway, Golland LaneAnother proposal is to continue Bridleway No.4 across the Parish boundary into Ashreigney. Members will recall that on 16 November 1993 in the report on the Parish of Ashreigney a recommendation was made that a Modification Order be made to add a bridleway from Bridleway No.4 Burrington to Mill Lane, Ashreigney. This was agreed.
Proposal 3: emerged after the original consultations which is discussed in the appendix.
- 2.2 General consultations were then carried out in March 1993 with:
 - Country Landowners Association - no comments
 - National Farmers Union - no comments
 - British Horse Society - no reply
 - Byways and Bridleways Trust - no reply
 - Open Spaces Society - no reply
 - Ramblers' Association - reply as in 2.3 below
 - South West Electricity - no reply
 - British Telecom - no reply
 - British Gas - proposals do not affect their installations
 - South West Water - no reply
 - Cllr E J Moore - no reply
 - Cyclists Touring Club - no reply
 - ACU Land Access Bureau - no reply
 - British Driving Society - no reply

- 2.3 The review was advertised in Burrington Church Porch and in the local press.
- 2.4 No other general comments have been received, those relating specifically to proposals are shown in the appendix.
- 2.5 The Ramblers' Association have written stating "We have examined the 2nd issue (4") Ordnance Survey Maps dated 1903/6 and they indicate that there were or are the following Public Rights of Way." Thirty two routes were given, the precise nature of the public rights being unspecified. However, the maps concerned (on 6" scale) bear the standard disclaimer viz "the representation on this map of a road, track or footpath, is no evidence of the existence of a right of way". The Ramblers' Association were told of this and were asked to supply any evidence they may have in support of these claims. None has so far been received. However, on further investigation it was found that the Proposal 3 discussed in the Appendix was previously shown on old highway records and the matter has therefore been examined.
- 2.6 It was intended to follow these consultations by a public meeting, to allow discussion by all interested parties of any proposals, but as there are only two proposals the Parish Council have not asked for a meeting to be held.
3. CONCLUSION
- 3.1 A Modification Order will be made, under delegated powers, in respect of the "legal event" mentioned above.
- 3.2 I have no other recommendations to make concerning any further modifications. However, should any valid claim be made in the next six months it would seem sensible for it to be determined promptly rather than deferred.

EDWARD CHORLTON

Electoral Divisions: South Molton Rural

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scc/cr/burrington
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PROPOSAL 3

Claimed footpath from the A377 via Boutchland to the county road on plan no.EP/PROW/93/76

1. RECOMMENDATION:

- 1.1 That before a decision is made a site meeting should be held.

2. PHYSICAL DESCRIPTION

- 2.1 The route leaves the A377 and proceeds in a generally south-westerly direction between banks and hedges for 300 metres, this part has an earth surface which is very overgrown. At Boutchland Farm the route is part of the lawn to one side of the house. It then proceeds for the rest of its length of approximately 300 metres between hedges on a metalled surface to join the county road 500 metres south of the Higher Braggamarsh T junction.

3. BACKGROUND

- 3.1 Following the general consultations for this Parish, the Ramblers' Association made a number of claims. On investigation this particular claim was found to have been shown as a county road on early highway records held by this Authority. However, in 1967 the Divisional Surveyor's records were amended deleting the route but it would appear no legal order was made to extinguish it.
- 3.2 The half of the road from the A377 to Boutchland has clearly not been used for many years and is virtually impassable even on foot because of undergrowth. At one time it probably served Boutchland Farm but it is no longer used by them except for access to fields. The other half is used solely as access to Boutchland Farm.

4. CONSULTATIONS

- 4.1 The Parish Council and the landowner were consulted concerning this proposal and a meeting was held to discuss the implications.
- 4.2 The Parish Council feel that as the route has not been used for many years it is unnecessary to have any public rights along it, particularly as there are other highways nearby.
- 4.3 The owners of the land crossed by the proposal do not believe there should be any public rights along it.

5. CONSIDERATIONS

- 5.1 There are a number of ways in which this matter could be addressed:
 - (a) The currently unrecorded highway rights could be recognised and the route would be viewed in the same light as other green lanes which are also county roads;
 - (b) Under s116 Highways Act 1980 vehicular rights could be stopped up and bridleway or footpath rights reserved along its length;
 - (c) Again under s116 Highways Act 1980 all highway rights could be extinguished.
- 5.2 In the case of (b) and (c) the Parish and District Council have the power to veto the making of an application, to either downgrade or stop up the route.

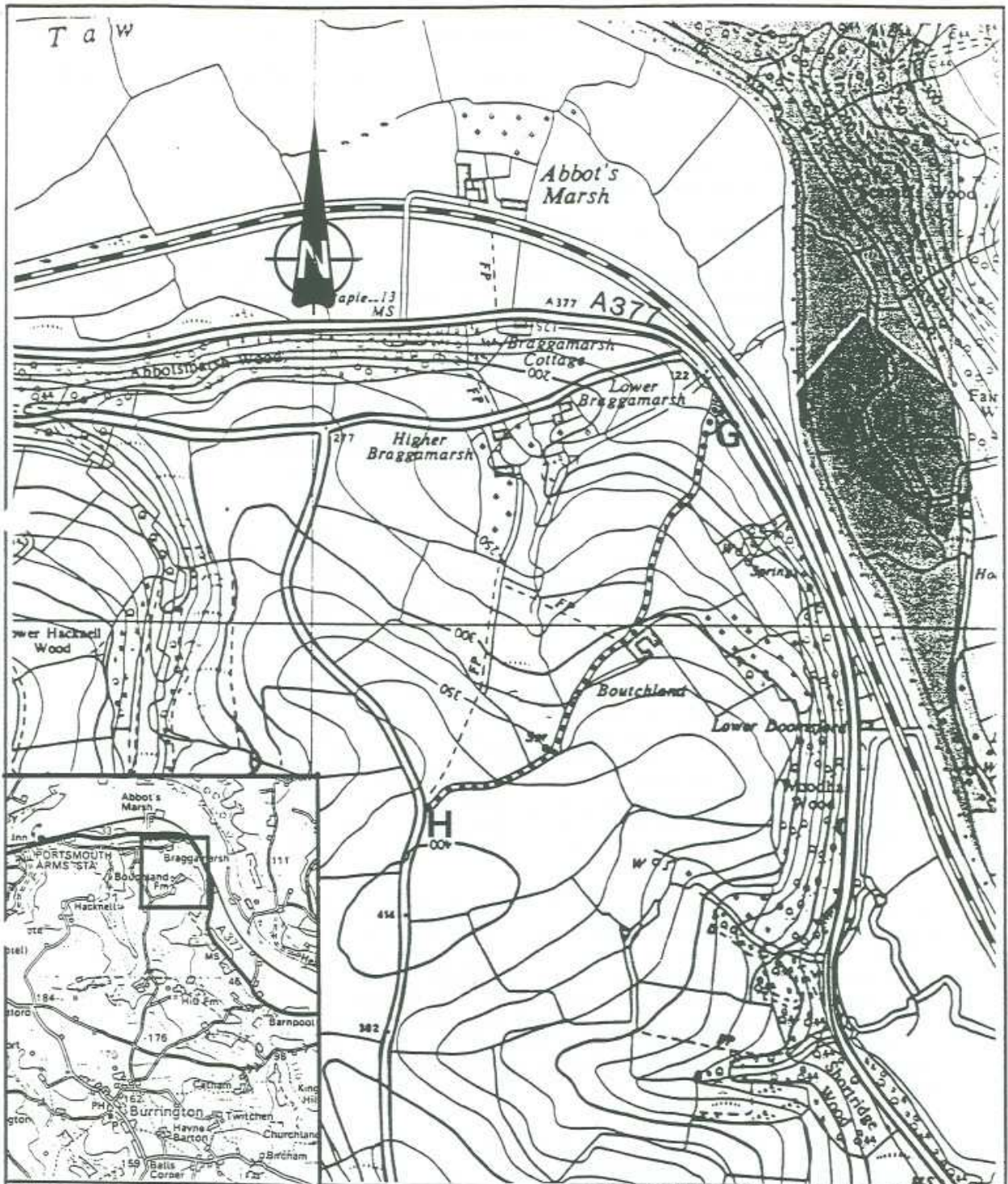
6. POTENTIAL USE

- 6.1 The Parish Council have indicated that they are unlikely to agree a downgrading of the route to a footpath or bridleway, preferring instead that it be totally stopped up.
- 6.2 From a practical point of view, it would be most undesirable for it to be made available for vehicles or horses because of the potentially dangerous junction with the A377. Nevertheless, it could have some value for pedestrians as it provides an alternative to walking along the nearby narrow, albeit lightly trafficked, road.

7. CONCLUSIONS

- 7.1 It is difficult to reach a conclusion on this matter bearing in mind the views of the Parish Council and the fact that the claim was made by the Ramblers' Association. In these circumstances I believe it would be helpful for Members to see the route for themselves in order to reach a decision.

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sc/cr/burrington
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MAP REF:- SS6418/6417

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Job/title **DEFINITIVE MAP REVIEW
PARISH OF BURREINGTON**

PROPOSAL 3 Claimed footpath G - H

DEVON
COUNTY COUNCIL

Edward Choriton
COUNTY ENGINEER AND PLANNING OFFICER

Lucombe House, County Hall, Topsham Road, Exeter EX2 4QW

drawn/traced **EE**

scale **N.T.S.**

date **June 1993**

checked **MJJ**

29

drawing number
EP/PROW/93/76

PUBLIC RIGHTS OF WAY AND GRANTS SUB-COMMITTEE

28 January 1994

Present:-

Councillors Cane (Chairman), Mrs Bulley, Drake, Fenton (vice Monaghan), Miller, Mrs Rogers, Mrs Tomlinson, Mrs Turner, Wright

Attending in accordance with Standing Order 28(2):-

Councillors Mrs. Evans, Folland, Giles and Mrs. Sloggett

***PR/22** Minutes

RESOLVED that the minutes of the meeting held on 16 November 1993 be signed as a correct record.

***PR/23** Definitive Map Review

(a) Parish Reviews

(i) Highampton

The Sub-Committee considered the report of the County Engineer and Planning Officer (EP/94/87/HQ).

RESOLVED that it be noted that to date there are no valid proposals for modifying the Definitive Map in the Parish of Highampton.

(ii) Beer

The Sub-Committee considered the report of the County Engineer and Planning Officer (EP/94/88/HQ) and accompanying material.

RESOLVED that, subject to consultations with East Devon District Council and Beer Parish Council, an Order be made to record Proposal 3 referred to in the Appendix to the report as a footpath on the Definitive Map and Statement.

(iii) Bickleigh

The Sub-Committee considered the report of the County Engineer and Planning Officer (EP/94/89/HQ).

RESOLVED that it be noted that to date there are no valid proposals for modifying the Definitive Map in the Parish of Bickleigh.

(iv) Bramford Speke

The Sub-Committee considered the report of the County Engineer and Planning Officer (EP/94/90/HQ).

RESOLVED that it be noted that to date there are no valid proposals for modifying the Definitive Map in the Parish of Brampford Speke.

(v) Burrington

The Sub-Committee considered the report of the County Engineer and Planning Officer (EP/94/91/HQ) and accompanying material.

RESOLVED that, subject to consultations with North Devon District Council and Burrington Parish Council:-

(A) no Order be made in respect of Proposal 1;

(B) a Modification Order be made to record Proposal 2 as a bridleway;

(C) that a site inspection be held in respect of Proposal 3 by the following Members, together with Councillor Venner, the local Member, on Wednesday, 23 February 1994 and representatives of the Parish Council and the landowner being invited to attend:-

Councillors Cane, Miller, Mrs. Rogers and Mrs. Tomlinson.

(b) Schedule 14 Applications

(i) Claimed Footpaths : Maiden Down, Culmstock

(Councillor Mrs. Bulley declared a non-pecuniary interest in this item and withdrew from the meeting during its consideration).

The Sub-Committee considered the report of the County Engineer and Planning Officer (EP/94/93/HQ) who circulated a letter from the landowner at the meeting. He also reported the receipt of correspondence from the British Horse Society.

RESOLVED that no decision be taken on this application at present, but the question of public access to Maiden Down, generally, be investigated and a further report be submitted to this Sub-Committee and the Environment Committee.

* (ii) Claimed Footpaths : Southway Woods, Plymouth

(Councillors Mrs. Evans and Mrs. Sloggett attended in accordance with Standing Order 28(2) and spoke to this item with the consent of the Sub-Committee).

The Sub-Committee considered the report of the County Engineer and Planning Officer (EP/94/94/HQ) and accompanying material.

/ M Jenkins / P Dent / T Knights

PUBLIC RIGHTS OF WAY AND GRANTS SUB-COMMITTEE

25 March 1994

Present:-

Councillors Cane (Chairman), Mrs Bulley, Drake, Miller, Monaghan, Mrs Rogers, Mrs Turner, Willoughby (vice Mrs. Tomlinson) and Wright

*PR/30 Minutes

RESOLVED that the minutes of the meeting held on 28 January 1994 be signed as a correct record.

*PR/31 Definitive Map Review

(a) Parish Reviews

(i) Kingskerswell

The Sub-Committee considered the report of the County Engineer and Planning Officer (EP/94/255/HQ).

RESOLVED

(A) that the Area Highways Sub-Committee be requested to adopt the six pathways shown on Drawing Numbers EP/PROW/94/29, 30 and 34 attached to the report by notice under Section 228 of the Highways Act 1980 as maintainable highways;

(B) that it be noted that to date there are no valid proposals for modifying the Definitive Map in the Parish of Kingskerswell.

(ii) Ipplepen

The Sub-Committee considered the report of the County Engineer and Planning Officer (EP/94/256/HQ).

RESOLVED

(A) that the Area Highways Sub-Committee be requested to adopt the two pathways shown on Drawing Numbers EP/PROW/94/31 and 32 attached to the report by notice under Section 228 of the Highways Act 1980 as maintainable highways;

(B) that it be noted that to date there are no valid proposals for modifying the Definitive Map in the Parish of Ipplepen.

(B) that the parts of the above Order to which objections had been received, be submitted to the Secretary of State for the Environment.

(e) Site Visits

Parish of Burrington

Proposal 3, from the A377 via Bouthcland to the County Road

The County Engineer and Planning Officer reported on the site inspection which had recently taken place. The route was found to have a grass surface with well kept hedges on either side and was clear throughout its length, although the only use it received was by the landowner.

The exit onto the A377 was considered to be very poor with little visibility and consequently hazardous for horses and vehicles. The river and railway prevent continuation of the route on the other side of the A377.

The landowner confirmed that when he purchased the property in 1972 he had been advised that the route had no recorded status. Members had felt that given the current condition of the road it would be inappropriate to seek its downgrading or stopping up and the official status of the route as a highway maintainable at public expense should remain. The County Solicitor's records should be amended accordingly.

RESOLVED that no action be taken to stop up or downgrade this road.

*PR/32 Public Path Orders - Proposed Diversions

(a) Footpath No. 2, Doddiscombsleigh

The Sub-Committee considered the report of the County Engineer and Planning Officer (EP/94/260/HQ).

RESOLVED that an Order be made to divert Footpath No. 2, Doddiscombsleigh from the line A-B-C-D to the line F-E-D, as shown on Drawing No. EP/PROW93/147 attached to the report and if no objections are duly made (or if so made are withdrawn), it be confirmed as an unopposed Order.

(b) Footpath No. 2, Meeth

The Sub-Committee considered the report of the County Engineer and Planning Officer (EP/94/261/HQ).

RESOLVED

(i) that an Order be made under Section 119 of the Highways Act 1980 to divert Footpath No. 2, Meeth from the line AFGH to the line ABCDH, as shown on Drawing No. EP/PROW/94/26 attached to the report and that if no objections are received (or if so made are withdrawn), it be confirmed as an unopposed Order;



MEMORANDUM

County Environment, Economy and Culture Directorate

DEVON COUNTY COUNCIL AREA NORTH HIGHWAY MANAGEMENT	
24 JUN 2010	
Call Ref	
Response due by	
Approved by	

From: Malcolm H James Highway Safety Auditor Road Safety & Travel Awareness Team Environment Economy & Culture	To: Paul Stewart Highway Engineer North Area
Copy to:	
Your ref:	
My ref: MHJ.TI.26. – 1437/SA	

Date: 23 June 2010	Phone: 01392 38 3895	e-mail: malcolm.h.james@devon.gov.uk
Please ask for: Malcolm H James	Fax:	

SAFETY ASSESSMENT

INTRODUCTION

This report results from a request received from Paul Stewart for a Safety Assessment of

R7124 - Bouchland Farm County Road Access to/from A 377

and does not constitute a formal Road Safety Audit.

I have visited the site in question and make the following observations in no particular order of precedence.

- The A377 at the termination point is subject to the National Speed Limit and in the absence of speed data I would estimate average vehicle speeds to be in the region of 45 to 50 mph.
- The A377 at this point is also subject to a double white line system due to forward visibility issues for drivers created by the horizontal alignment of the road.
- There is no verge to the roadway. The roadway edge both sides is defined by bank and vegetation.
- At the termination of the R7124, there is no safe area off road for users to wait, whether with a vehicle, horse or as a pedestrian where a clear view of the road in both directions can be maintained.
- The visibility from the roadway edge of the termination point northwest toward Barnstaple is restricted due to a left hand bend.
- The visibility toward Exeter is greater.
- I have tried to look at the historic significance of the R7124 and can only surmise that its purpose was to serve Bouchland farm at a time when motor vehicles were fewer and slower – it is shown on the 1880 map of the area.
- The R7124 does not appear to link in with any other PROW infrastructure and I feel this supports the last bullet point.
- It is clear that not all junctions etc. of historic roads can be changed and improved to meet modern design standards.

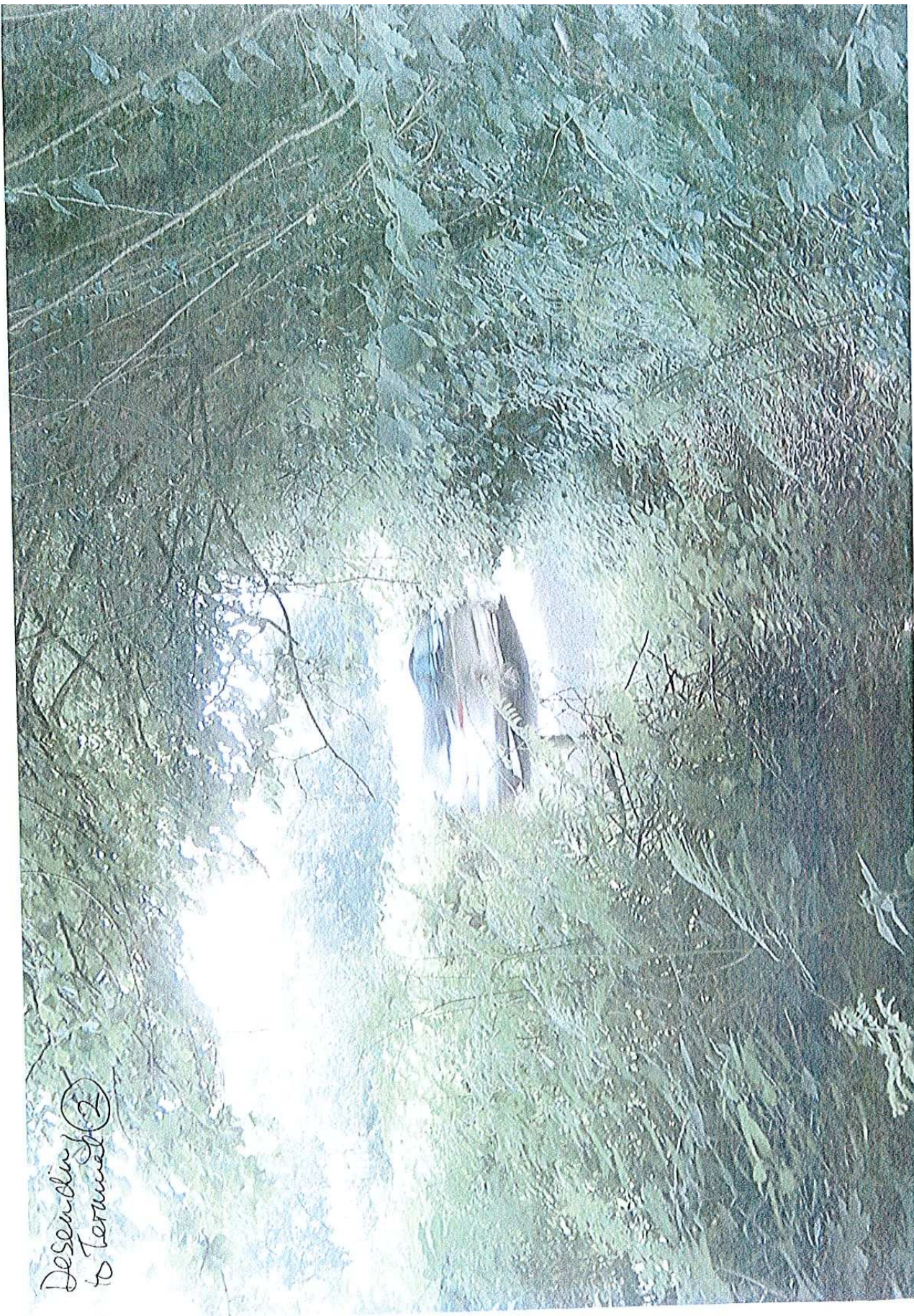
- The road has clearly not been used by agricultural traffic for some time. Any 'improvements' would then only be provided for leisure traffic.
- If the R7124 was made available from Bouchlands Farm along its current route to its current termination at the A377 then any pedestrian, equestrian and motorised users accessing from or to the A377 will be extremely vulnerable to collision with traffic using the A377.
- As most of these users are considered 'Vulnerable Road Users', then severity of casualties is likely to be high.
- Having viewed both mapping and the site itself, I note there is a junction with the C715 at Braggamarsh Cross, some 90m from the current terminal point. From within the mouth of that junction there is farmland access to the sharp bend of the R7124, a distance of 45m.
- I would suggest that if there is a requirement or desire to reinstitute the use of the R7124, the existing terminal with the A377 should be closed on safety grounds and a diversion sought to terminate at the C715.

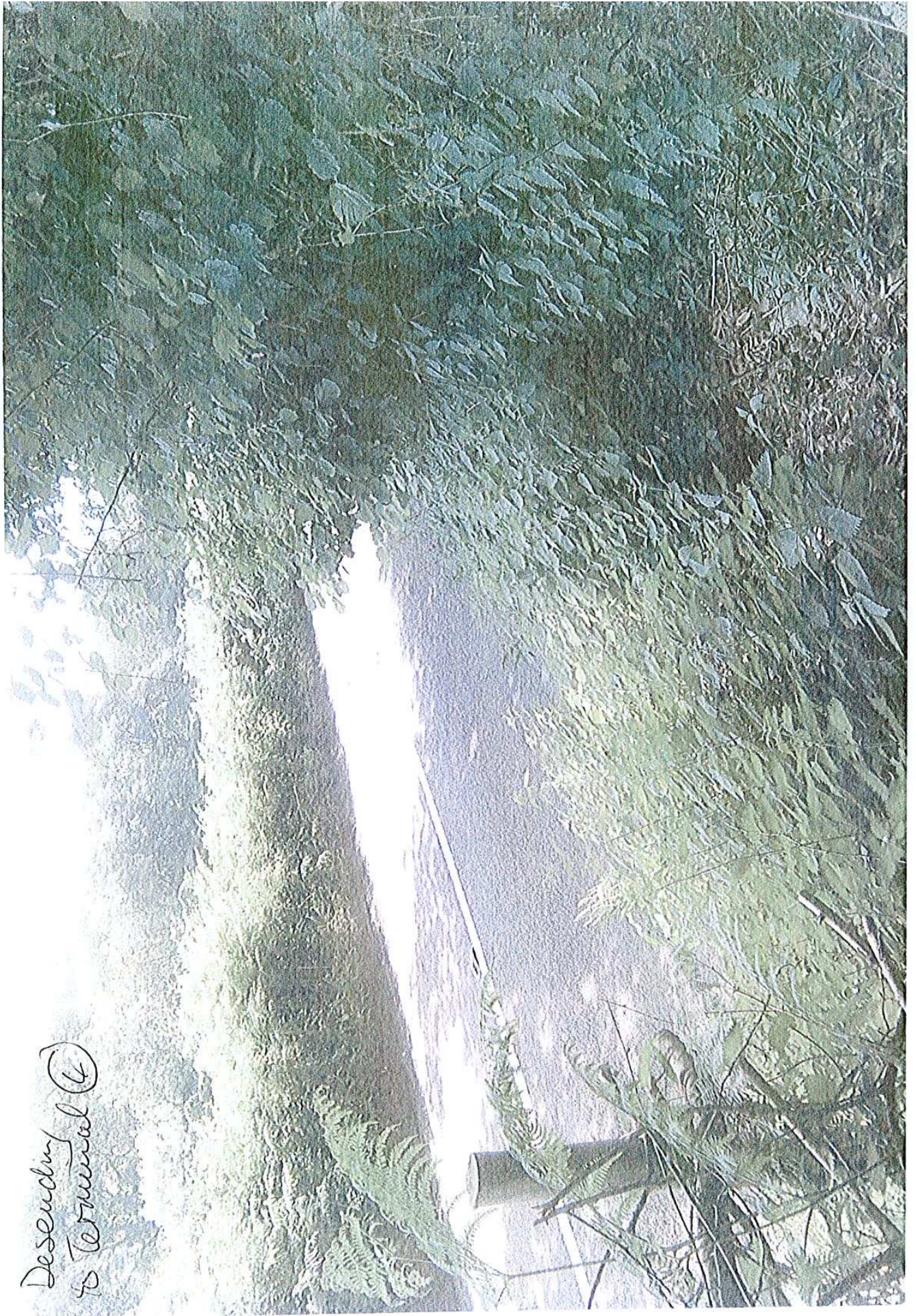

Signed:.....
Malcolm H James MIHE
Highway Safety Auditor
Devon County Council

Descending
to Terminal ①



Descending
to Terminal 2





Descending
to Terminal 4



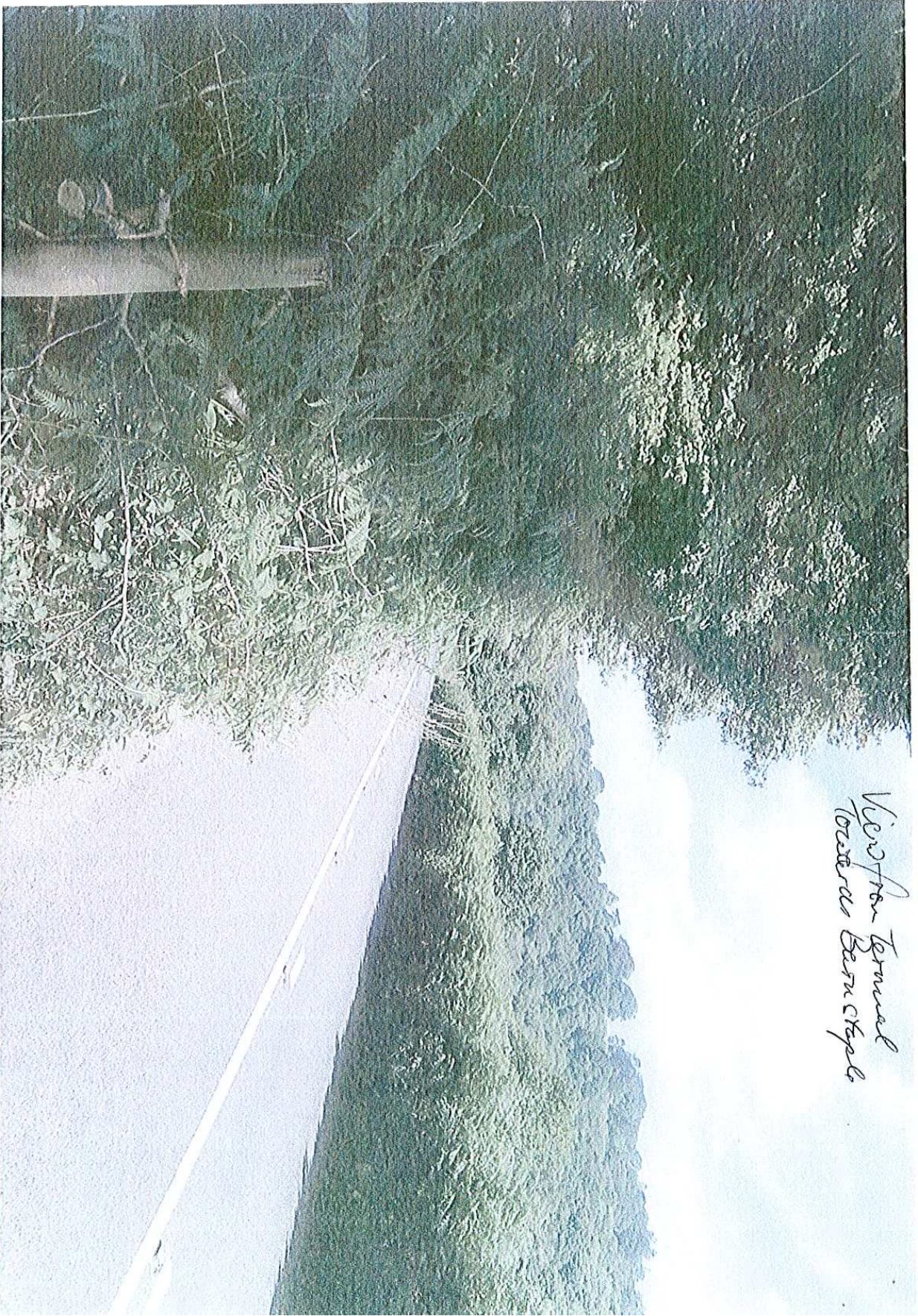
Terminal

View of Lowmire



View from
Terminal
towards Greer.





Vindon Terminal
Toussaint Bernier

View from Boat
Towards Barn Steple





Broggianni & Cross
DC 715

Briggsmoors & Crox
Farm gate access to
bend in R7126 (45m away)



BURRINGTON PARISH COUNCIL
Parish Council Meeting held on the 26th July 2011

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Present Mr J Short (Chairman), Mr P Bailey, Mr M Evans Mr. B. Fraser-Smith Mrs E Griffiths, Mr P Kelley, Mr K Pincombe, Mrs T Weston Mrs A Snell (Clerk)

In attendance Mr G Short, Mr Johnson, Mr A Fraser-Smith and Mr R Edgell-County Councillor

Apologies:- Mr P Smale prior commitment
Mrs S Croft District Councillor, PCSO Yorkie

Declaration of Interests – Councillors are invited to declare any personal or prejudicial interest, including the nature and extent of such interests they may have in any items to be considered at this meeting. They are also reminded to consider whether in the light of recent activities any items within their Register of Interests should be updated.

Mrs E Griffiths declared a personal interest in planning 52280 and Mr B Fraser-Smith a prejudicial interest. Mr John Short declared a prejudicial interest in discussions regarding the smell situation, Mr P Bailey declared a prejudicial interest with regard to the Methodist graveyard and Mr J Short a personal one.

Public Participation

Mr Gordon Short spoke to the Council with regard to the future of the Methodist graveyard. Mr Alan Fraser-Smith responded to questions raised by the council at the last meeting on planning 52280, being the change from agricultural to industrial use this refers to the land on which the proposed building is to be built as the other existing building are classified as industrial already, the traffic point if the grass drying business was to return to full capacity there would be more traffic movements than with the introduction of the new business. The smell point, no adverse information has been obtained from the Knutsford site, during the trial at Aylescott no adverse smell was experienced, and the business would be under licence from the Environment Agency who would monitor the situation.

1. i. The Minutes of the meeting held on 28th June were agreed and signed.
2. Clerks report, i. Update on the smell situation, a letter has been received from Nick Harvey MP informing the council that Pearce's wish to transfer the management as per the original contract. It was report that the owners of no 3, 4 and 5 have agreed to take over the management of the pumping station and in a letter from Mr C Broxton SWW a trial chemical dose is to be undertaken shortly to ensure if a doser was fitted the chemical would be effective. SWW are to take over private pumping stations in the autumn so it is hoped Southfield will be adopted as soon as possible. ii. At the last meeting two pupils from Chulmleigh school attended and highlighted the bus service that has been organised from Chulmleigh to Witheridge on a Thursday night after study session they asked if such a service could be organised from Burrington, it was suggested to go back to the pupils for them to obtain more information in the form of numbers that are likely to use the service, some level of costings etc and consider the information at the next meeting. iii. **An email has been received from Mr I Roberts the County Solicitor, with regard to advertising a consultation on the road past Bouchland Farm, and the prohibition of motor vehicles, it was agreed to put a notice on the notice board informing people of this consultation and the papers be held at Pickard's Office for anyone interested in making a comment.** iv. The information has been obtained with regard to "Beating the Boundaries", a working party is to be set up with Mrs T Weston, Mrs L Griffiths and the clerk.
3. Chairman's Report. i. DCC and Somerset CC have been successful in a bid to obtain a grant to improve the broadband service in rural areas, it was suggested that the Parish Council contact the

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relevant person to highlight the problems experienced in Burrington. ii. Methodist Graveyard, a working part is to be set up to gain more information.

4. Highways, Pot holes were reported at by Aylescott Driers, by gone with the Wind and Pavington to Pennyford these will be reported.

5. County/District Councillors items, Cllr Edgell reported that the staffing at DCC has been reduced by 1600, and the executive has been reduced from 5 to 2 with departments that cover (i) People and (ii) Place. The grant for the Play Equipment of £1000 has been agreed and should come through in three weeks time.

As it was 9.30 it was agreed by all to continue.

6. Finance, Approve and sign the following cheques from 1851:-

787	Scottish Widows	£15,000
788	Clerks salary	£339.17
789	Election expenses	£388.50
790	DALC	£30.00
791	Burrington Parish Hall	£6.60
792	Country Profile	£172.80

All councillors were in agreement to approve the cheques.

7.i. Planning

P C recommendations

NDDC

51797	50kw wind turbine, Bedport Farm		A letter has been received from NDC planning reporting that due to issues with wind turbines all now have a site visit, the site visit for this application is on the 9 th August and the Planning Committee meeting on the 10 th August, after a vote with 3 for a site visit 2 against and 3 abstentions, a Parish Councillors will attend the site visit. After a vote with 5 for a rep attending the Committee meeting and speaking and 3 abstentions Mr J Short is to attend the meeting and make representation, the response will be put forward from the 15 th March 2011 minutes.
PD/EN F 7116	Appeals by Mr G & M Hill in respect of land adjacent to Braggmarsh Wood & A377	Refusal	A letter has been received from Mr Wickham the Enforcement Officer asking if any councillors had any historical information that could be passed on to him, no Councillors had any information.
52333	Listed building application for urgent stabilisation, restoration and long term preservation work, Callard Farmhouse.	Approval	Passed
52280	Aylescott Driers, change of use of agricultural land together with erection of one building for storage and handling of materials		Mr B Fraser-Smith left the room. After listening to the applicant and further discussions it was proposed by Mrs T Weston and seconded by Mr K Pincombe to recommend approval of the proposal with 5 for and two abstentions.
52094 52114	Meadow Park House,		
52438	Golland Farm, erection of one stable block and sand school for private use and erection of one block for use ancillary to holiday units.		It was reported there would be no issues with visual impact or the height of the proposed buildings. The point of concern raised was that the Public Bridleway through the property was not identified on the location plan. It was proposed by Mr. J Short and seconded by Mrs. T Weston to recommend approval, all in

			favour
52460	Aylescott, variation of condition two in approved planning 51173	Approval	

As it was 9.30pm it was agreed to continue.

8. Police Report, No report was available.

9).Parish Hall. No report was given.

10. Play Equipment. It was reported that a conditional grant of £10,000 has been agreed from Awards for All, a gross grant of £6800 from Deep Moor Land fill tax, £1,000 for Cllr Richard Edgell, £2600 from the S106 money from the Southfield development, and a £2500 grant from the Parish council for the Play Equipment, so it was agreed for the order to be placed. It was suggested a small contribution from the children who asked for the equipment would be desirable. As this is a bespoke piece of equipment three quotes were received from within this company.

11. The Fixed Asset report was deferred to the next meeting.

12. Queens Diamond Jubilee celebrations, information has been received from the Queen's Jubilee Beacons stating that beacons are to be lit on the 4th June 2012 and a registration form has to be completed. An extra Bank holiday is to be held on the 5th June. Suggestions will be put forward at the next meeting.

13. Correspondence

i. The DALC Newsletter was distributed.

ii. Devon in Touch has been received.

iii. Congratulations goes to Mr B Fraser-Smith for coming equal first in the election for the northern area DALC Committee election, Mr Fraser-Smith did raise concern that the elected representatives are from a concentrated area with large areas not represented, Mr Fraser-Smith is to bring this issue to the next DALC Committee meeting.

iv. Information has been received on the new Food Hygiene Rating Scheme

Date of next meeting:

The next Parish Council Meeting is to be held on Tuesday 30th August 2011,

.....Chairman

.....Date

Dates of forthcoming meetings: Tuesday September 27th Parish Council Meeting

BURRINGTON PARISH COUNCIL 252
Parish Council Meeting held on the 31st August 2010

Present Mr J Short (Chairman), Mrs T Weston, Mr P Bailey, Mr M Evans, Mr. B. Fraser-Smith
Mrs E Griffiths, Mrs A Snell (Clerk)
In attendance PCSO Yorkie, Neighbourhood Beat Manager PC Graham Jones and Mr and Mrs J
Chapple Mr R Edgell-County Councillor Mrs S Croft - District Councillor
Apologies: Mr P Smale - work
Mr R Marriott -Prior commitment
Mr R Snell - Work

Public Participation

Declaration of Interests – Councillors are invited to declare any personal or prejudicial interest, including the nature and extent of such interests they may have in any items to be considered at this meeting. They are also reminded to consider whether in the light of recent activities any items within their Register of Interests should be updated.

1. i. The Minutes of the meeting held on 27th July 2010 were agreed and signed.
2. Clerks report, i. A second smell survey has been completed by householders and sent to Mr P Stewart from Highways to come and survey the drains as highlighted as being a problem. Two companies have been approached regarding doing a survey, Hi Tech drains were most informative and informed us that the agitation of the moving material was causing the problem and the only way to solve the problem would be to fit a de-odouriser. This has been discussed before when Pearce's said they would not fit one. It is felt virtually every avenue has been looked into so a strongly worded letter is to be sent to Mr N Harvey MP asking for action to be taken. Mr Harvey has a surgery in Burrington on the 5th October from 2.45 to 3.15pm so councillors are to attend.
 - ii. The Empowering Communities seminar has been re-scheduled for Friday the 8th October in Barnstaple Mr B Fraser-Smith and Mrs A Snell are to attend.
 - iii. A letter has been received from the Land Registry regarding the Square the letter was relayed to the meeting; points were raised as needing clarity and will be raised again at the next meeting.
3. Chairman's Report. i. The soakaway has been started today, ii. The district council grant, Cllr Croft has agreed for it to be allocated so NDDC will be informed iii. Mr K Pickard has been informed of the problem and subsequent bill with the installation of the lights around the MUGA and has agreed to pay half of the bill.
4. Highways, i. The work on the Oak tree has been undertaken. Notification had been received from NDDC, the arborist stated that the tree is healthy but in 3-4 years a substantial amount of growth will need to be removed as the tree is hollow and this will sustain growth. It was reported that the pavement at Meadow Park has yet to be dealt with by highways.
5. County and District Councillors items: Cllr Richard Edgell has been consulted by NDDC regarding the closure for vehicular access of the road from Bouchland Farm down to the A377. Cllr Edgell had difficulty locating the access from the A377 as it is so over grown; a safety audit has been carried out by NDDC with the conclusion that the access onto the A337 is very dangerous. After discussion Cllr Edgell is to recommend that this road is closed to vehicular access, Mr and Mrs Chapple from Bouchland Farm were in agreement. Cllr Edgell is pleased that the grant for the Parish hall has been agreed at £10,000, he was with the Executive when they visited the hall for an inspection. DCC are awaiting a spending review which is likely to be a 25% reduction from central government, so funding at local level is likely to be more difficult. Over 1000 jobs have already been shed from the organisation.

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Cllr Croft informed the meeting that NDDC has adopted a new child protection policy, she has kindly agreed to forward a copy to the Parish council, and this should be taken into consideration when applying for grants. The point was also raised of the fact that Burrington receives an annual toilet grant that is under review.

NDDC have informed the parish council of there Community Resilience plans which is an ongoing plan from the emergency plan with seminars to attend, the councillors felt we have an Emergency plan in place so no further action needs to be taken, so a reply is to be sent informing the council that

no one is to attend but highlighting the fact that during the bad weather earlier this year the bus service failed and that the snow clearance and gritting was not carried out from the village to the B3217, which would have linked up to the A377. Also Kingford Hill was not cleared or gritted at all. Information has been received from the Parish Council Planning forum the details were passed on to those who attended the next meeting is on the 14th of October. The DALC AGM is on the 25th September at present no one is to attend.

6. Finance, Approve and sign the following cheques from 1851:-

	DPFA (Mrs T Weston)	£15.00
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All councillors were in agreement to approve the cheque.

i. A quote for £169.20 from Country Profile has been received for work on the bus shelter it was proposed by Mr B Fraser-Smith and seconded by Mr P Bailey to accept the quote all in favour. A letter has been received from the Audit Commission requiring one minor amendment to the Audit form this has been completed and returned.

7. Planning

Planning
NDDC

P C recommendations

50234	Balls Corner Woods		Passed
49933	5 Southfield, removal of hedge and formation of new vehicular access.		Gone to Appeal a hard copy is to be requested.

8. Police Report, Neighbourhood Beat Manager PC Graham Jones was welcomed to the meeting. It was reported that there has been no crimes but 5 phone calls to the Police Station in the last 30 days. These include sheep on the road. The Crime Prevention Panel are in Chulmleigh next Wednesday the 8th September at the Parish hall from 7.30pm. This will deal with crime in the area and the best way to combat it. The police will also be promoting alarmed padlocks at £12.00 per padlock and selected DNA kits at £24.00.

9).Parish Hall. Two letters have been received from the Parish hall Committee firstly thanking the Parish Council for there grant of £2500, secondly informing the Parish Council of there intension to submit amended plans for the hall extension to increase the size of the storage extension at the car park end of the hall, as the Parish council is the applicant the plans were viewed and agreed, it was proposed by Mrs T Weston and seconded by Mrs E Griffiths to pay any application fee if required. A report was given on the progress of the grants for the hall, Leader 4 a grant of £49,085 has been secured, £10,000 from NDDC and awaiting to hear from CCD.

It as highlighted that on two occasions dumpy bags from the recycling van have been left in the parish Hall car park, the first was reported and removed the next day the second was on a Friday and due to the Monday being a Bank holiday they were still not removed by the Tuesday evening. Mr Bailey has reported these. It was stated that the Parish Hall car park is private property and if it had been windy over the weekend the rubbish would have blown about.

A letter has been received from Little Oaks asking for support from the Parish council for their plans for a log cabin style of building in the School garden; the letter was relayed to the meeting. After discussion it was decided to ask for more information before a reply can be given, this will be put on the agenda for the next meeting.

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10). A Play equipment meeting has been held, it was reported that from the input of the children they would like the monkey puzzle replaced with a similar piece of equipment, play equipment companies have been asked to attend the Scarecrow events to promote their products.

11). Mobile Post Office, the parish magazine has included a promotional article regarding the PO service to try and promote use.

12. Correspondence

i). A letter has been received regarding the mobile library service, the revised service allocated times are Balls Corner 10 minutes, Parish Hall 45 minutes an extra 10 minutes and Pound Close 15 minutes.

ii). A Cemetery Management course is available.

iii).A R D & E Newsletter has been received.

iv. The North Devon Homes AGM is on the 21st September

vi. Nick Harvey MP surgery dates are to be posted on the notice board

vii. A letter has been received from the Devon Playing Fields Association.

- viii. The Highways surgeries have been suspended due to lack of attendance.
- ix. The forthcoming events for the Hospice have been posted on the Notice Board

As there was no further business the meeting was closed.

Date of next meeting:

The next Parish Council Meeting is to be held on Tuesday 28th September 2010, 7.30pm,

.....Chairman

.....Date

Dates of forthcoming meetings:

October 25th



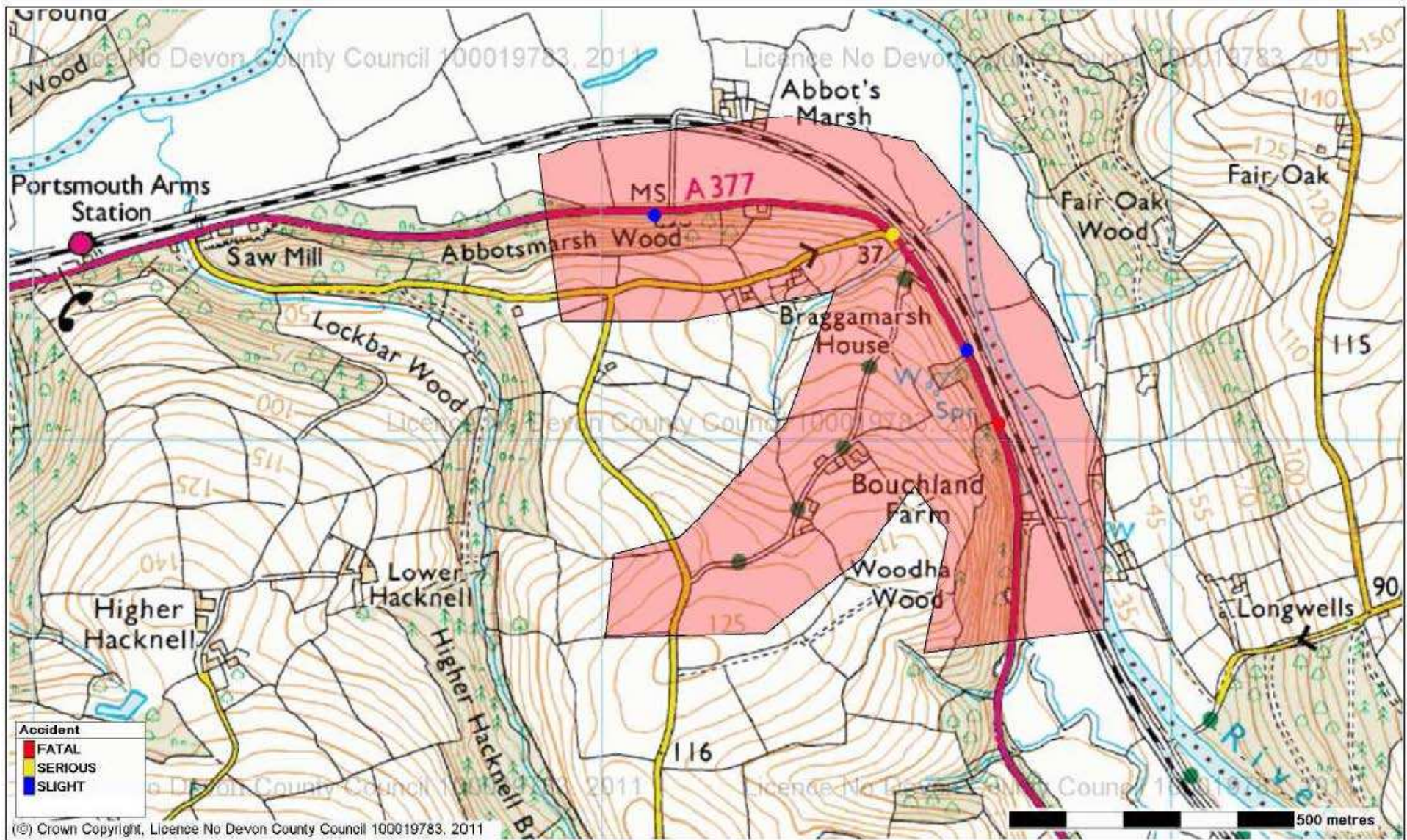
Accident Public Report

Collisions between : 01/Jan/1992 and 31/Dec/2010, Polygons: 11_10_10_DCC James Anstee Bouchland Farm
Severity: (FATAL,SERIOUS,SLIGHT)

Accident Ref:	01C257493	Road:	A377	Easting:	264700	Northing:	119031	FATAL
Date:	29-November-2001 at 12:20		Light: DAYLIGHT: NO STREET LIGHTING					
Weather:	RAINING (WITHOUT HIGH WINDS)		Surface: WET / DAMP					
Location:	BURREINGTON - A377 BRAGAMARSH CROSS							
Description:	CAR 1 TRV TWD BARNSTAPLE - FOR NO APPARENT REASON DRIFTS TO OPP CW COLLIDED HEAD ON WITH CAR 2 TRV IN OPP DIR							
Accident Ref:	05C21B582	Road:	A377	Easting:	264643	Northing:	119160	SLIGHT
Date:	04-January-2005 at 15:10		Light: DAYLIGHT: STREET LIGHTING UNKNOWN					
Weather:	FINE (WITHOUT HIGH WINDS)		Surface: WET / DAMP					
Location:	BARNSTAPLE - A377, UMBERLEIGH, NEAR BRAGGA MARSH CROSS							
Description:	VEH1 OVERTAKING VEH3, VEH2 TRAVELING IN OPP DIR HAD TO BRAKE AND SWERVE TO AVOID COLLISION, VCEH1 THEN CUT INFRONT OF VEH3							
Accident Ref:	03C24H260	Road:	A377	Easting:	264095	Northing:	119395	SLIGHT
Date:	06-June-2003 at 12:40		Light: DAYLIGHT: STREET LIGHTING UNKNOWN					
Weather:	FINE (WITHOUT HIGH WINDS)		Surface: WET / DAMP					
Location:	1 MILE EXETER SIDE OF PORTSMOUTH ARMS ON A377							
Description:	VEH1 TRAV ALONG RD NEAR STOP/GO SIGN MAN. VEH1 THOUGHT HE COULD STOP BUT HIS WHEELS LOCKED & TO AVOID PEDESTRIAN HE SWERVED COL WITH FENCE.							
Accident Ref:	03C25K107	Road:	A377	Easting:	264514	Northing:	119362	SERIOUS
Date:	25-August-2003 at 16:14		Light: DAYLIGHT: STREET LIGHTING UNKNOWN					
Weather:	FINE (WITHOUT HIGH WINDS)		Surface: DRY					
Location:	A377 APPROX 2 MILES SOUTH OF THE PORTSMOUTH ARMS							
Description:	VEH1 TRAV NE TO S WHEN NEG. ACUTE LHB IT CROSSED THE CARRIAGEWAY & COLL WITH VEH2 TRAV OPP DIRECTION							
FATAL : 1		SERIOUS : 1		SLIGHT : 2		TOTAL: 4		

10/10/2011

Collisions Between 01/Jan/1992 and 31/Dec/2010, Bouchland Farm Vicinity



Scale 1:8880

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