

Proposed Cattle Grid Installations – Chagford area

Report of the Head of Highways, Capital Development and Waste

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

Recommendation: It is recommended that the installation of cattle grids south of Langaford Bridge in North Bovey parish, and south of Stiniel Cross in Chagford Parish be agreed, subject to:

- (a) the proposed cattle grid bypasses being dedicated by the landowners as public highway;
- (b) all installation costs being met by the applicant; and
- (c) the applicant agreeing to pay a commuted sum to cover the cost of future maintenance.

1. Introduction

This report considers proposals by Chagford Commoners to install cattle grids at two locations in the Chagford area, and representations received in relation to the proposals advertised under Section 82 and Schedule 10 Highways Act 1980.

2. Proposal

The County Council has received representations from Chagford Commoners that for the purposes of controlling the passage of animals along the highway it is expedient to erect and maintain cattle grids and bypass facilities at two locations in the Chagford area:

- 1) Langaford Bridge, North Bovey Parish
On unclassified road no. U4217 at a point approximately 50 metres south of Langaford Bridge. See Appendix I.
- 2) Stiniel Cross, Chagford Parish
On classified road no. C118 at a point approximately 50 metres north west of its junction with the unclassified county road no. U4211. See Appendix II.

Engineering drawings detailing the proposals will be displayed at the Committee meetings.

3. Consultations and Representations

In accordance with the Highways Act 1980 the proposals were advertised in November 2013 under Section 82 and Schedule 10 of the Act, seeking representations in relation to whether it is expedient to install the grids and bypasses.

32 representations have been received as summarised in Appendix III, together with officer responses to the issues raised.

4. Discussion

It is considered that there is no justification for the County Council as Highway Authority to withhold permission for the installation of cattle grids and bypasses as proposed at these two locations on the minor rural road network, which are of standard design and have been subject to site specific safety audits. The officer responses to the detailed highway issues raised are available at Appendix III.

The issue to be determined by the County Council in accordance with the Highways Act is whether it is “expedient” to install the grids and bypasses for the purposes of controlling the passage of animals along the highway. Installation of the two proposed grids would result in significant ecological benefit to Stiniel Common. The grids would allow greater control of livestock in the area, particularly through preventing livestock wandering towards the B3212, and thereby help to enable an effective grazing regime to be re-established on Stiniel Common. Grazing of this habitat is essential in order to prevent/reverse succession to woodland and to create the conditions required by species such as the Marsh Fritillary butterfly (a UK priority species).

5. Options

The Committee may consider the option of not permitting the installation of either or both cattle grids if it is considered their installation is not expedient for the purposes of controlling the passage of animals along the highway.

6. Financial Considerations

The cost of installation of the cattle grids and bypasses would be met by the applicant. Future maintenance would be the responsibility of the County Council as Highway Authority, but a commuted sum will be sought from the applicant to offset these future costs.

7. Environmental Considerations

Ecological impacts resulting from loss of two very short lengths of species poor hedge would be minimal. Approval has been obtained from Dartmoor National Park Authority to remove small sections of hedge under the Hedgerow Regulations.

All requirements of relevant European Directives, national statutes, regulations and policies have been met. Letters of support for installation of the grids have been received from Natural England and Dartmoor National Park Authority.

8. Equality Considerations

The proposals will inconvenience users of the highway, particularly horse riders, walkers and cyclists using the gated bypasses to avoid the cattle grids. This inconvenience needs to be balanced against the Commoners wish to control the passage of animals along the highway.

9. Other Considerations

This Report has no specific public health, risk management or legal implications that are not already covered by or subsumed within the detailed actions referred to therein.

10. Reasons for Recommendations

Under the Highways Act the County Council has a discretion to authorise the installation of cattle grids and bypasses where it is considered expedient to control the passage of animals along the highway.

David Whitton
Head of Highways, Capital Development and Waste

Electoral Divisions: Hatherleigh & Chagford and Bovey Tracey Rural

Local Government Act 1972: List of Background Papers

Contact for enquiries: Rhys Davies

Room No: Civic Centre, Barnstaple


Tel No: 01392 388526

Background Paper	Date	File Ref.
Representations received	November and December 2013	P081

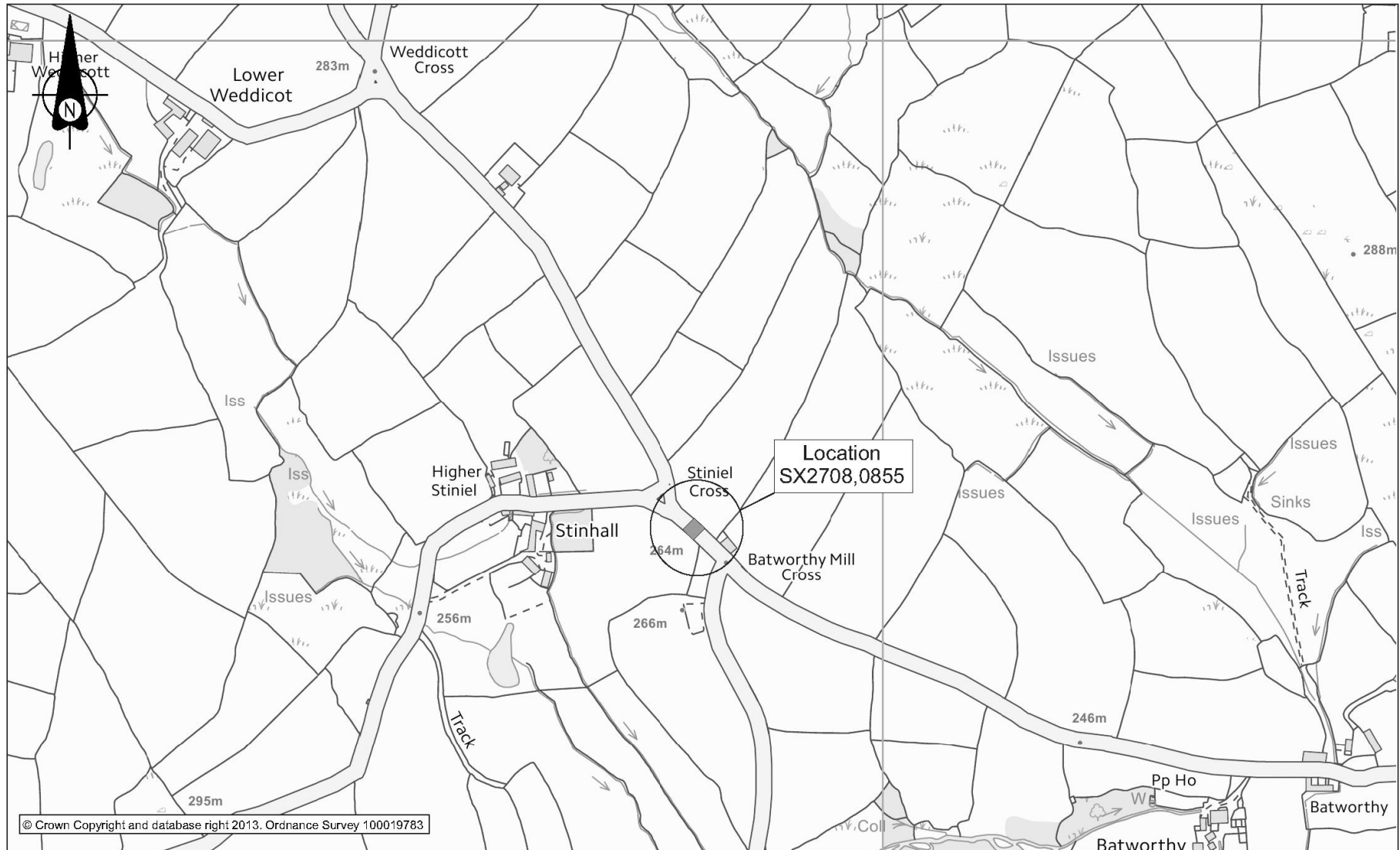
tm011014wdhteh
sc/cr/chagford cattle grids
04 241014


**Appendix I
To HCW/14/77**



	Head of Highways, Capital Development & Waste	West Devon Highways and Traffic Orders Committee Teignbridge Highways and Traffic Orders Committee	date Nov. 2014	scale 1:2500
		Proposed Cattle Grid Installations – Chagford area	drawing / application number	

**Appendix II
To HCW/14/77**



	Head of Highways, Capital Development & Waste	West Devon Highways and Traffic Orders Committee Teignbridge Highways and Traffic Orders Committee	date Nov. 2014	scale 1:2500
		Proposed Cattle Grid Installations – Chagford area	drawing / application number	

Comments received after formal advertising to proposal for Chagford Cattle Grid.

Comment	Response
<p>First Respondent – Chagford Objects on Safety Grounds</p> <ul style="list-style-type: none"> ➤ Road has no safe passing-places. ➤ believes that this is for the benefit of one (1) landowner. 	<p>*Same address as Respondent 16*</p> <p>The introduction of a cattle grid will due to the provision of a bypass gate provide a passing place.</p> <p>The request for the cattle grids has been made by the Chagford Commoners not an individual.</p>
<p>Second Respondent – Stiniel Objects on Safety Grounds</p> <ul style="list-style-type: none"> ➤ Proposal will allow animals to walk freely up and down the lane. ➤ Siting of a cattlegrid in the middle of an “S” bend is dangerous. ➤ Would create a stock “containment area” allowing stock to damage historically important features. 	<p>The proposed cattle grids will prevent livestock from straying onto the B3212.</p> <p>The proposed sites have been safety audited and are considered acceptable.</p> <p>Stock is currently free to roam from the commons.</p>
<p>Third Respondent – Hurston Objects on Safety & Environmental Grounds</p> <ul style="list-style-type: none"> ➤ Cattle and Ponies will be “stressed” by traffic between the cattlegrids. ➤ Livestock will damage banks, ditches etc. ➤ There is not enough quality grazing land on the common, which will lead to animals straying onto the highway between the 2 new grids. ➤ Will encourage animals onto highway. 	<p>Currently livestock is free to roam and the grids will not affect the ability of livestock to roam on the commons.</p> <p>Currently livestock on the common can roam freely.</p> <p>The management of stock levels on the common is an issue for the Commoners.</p> <p>See point 1 above.</p>
<p>Fourth Respondent - Stiniel Objects on Safety Grounds</p> <ul style="list-style-type: none"> ➤ Proposal is to control “stock movement” but will actually promote stock movement across a “free-range”. 	<p>*Same address as Respondent 13*</p> <p>Currently livestock is free to roam and the grids will not affect the ability of livestock to roam on the commons.</p>
<p>Fifth Respondent – Chagford Objects on Safety & Environmental Grounds</p> <ul style="list-style-type: none"> ➤ Will promote animals on road, hazardous (especially at night). ➤ Cattle allowed to stray to limit of new grids will damage hedgerows, banks and watercourses. ➤ The common will lose public amenity. 	<p>Currently livestock is free to roam and the grids will not affect the ability of livestock to roam on the commons.</p> <p>Currently livestock on the common can roam freely.</p> <p>The commoners have a right of grazing on the common and there is no conflict with public amenity.</p>
<p>Sixth Respondent – Chagford Objects on Safety Grounds</p> <ul style="list-style-type: none"> ➤ “Animals are not permitted on the highway” – Area outlined is the highway. 	<p>Currently livestock is free to roam on the common and surrounding highways. The grids will prevent livestock accessing the B3212.</p>
<p>Seventh Respondent – Stiniel Objects on Safety & Environmental Grounds</p> <ul style="list-style-type: none"> ➤ One of the cattlegrids is sited in the middle of an “S” bend. ➤ Animals will damage ancient “leat”. 	<p>*Same address as Respondent 12*</p> <p>The proposed sites have been safety audited and are considered acceptable on highway grounds. Animals already have access to the area as the common land is not bounded.</p>

Comment	Response
<p>Eight Respondent - Moretonhamstead Objects on the grounds that it is not Bicycle Friendly</p> <ul style="list-style-type: none"> ➤ Safety issues due to one grid being sited at the bottom of a steep hill, a gate is not sufficient for cycle access. 	<p>The proposed sites have been safety audited and are considered acceptable.</p> <p>Cyclists can ride across cattle grids or dismount and push across.</p>
<p>Ninth Respondent – Chagford Objects on Environmental Grounds</p> <ul style="list-style-type: none"> ➤ Dartmoor is a wilderness. ➤ Enclosing this section of the moor will lead to walkers, riders, cyclists, needing to confront livestock. 	<p>The Chagford commons are a landscape that has been created by management of animals on the land.</p> <p>The commoners have a right of grazing on the common and there is no conflict with public amenity.</p>
<p>Tenth Respondent – Chagford Objects - No Reason Given for Objection</p> <ul style="list-style-type: none"> ➤ Believes that Chagford Commoners Association is being misrepresented. 	<p>The request for the cattle grids has been made by the Chagford Commoners not an individual.</p>
<p>Eleventh Respondent – Unknown Location Objects on Safety Grounds</p> <ul style="list-style-type: none"> ➤ Stiniel Cross Cattlegrid – between two blind corners – Roads involved on the “edge” of common ground. ➤ Langaford Bridge – On edge of commons – Proposed site concealed by bridge (north) sharp bend and hill (south). 	<p>The proposed sites have been safety audited and are considered acceptable on highway grounds.</p>
<p>Twelfth Respondent – Stiniel Objects on Safety & Environmental Grounds</p> <ul style="list-style-type: none"> ➤ One of the grids is cited within a few metres of a blind corner. ➤ Straying animals in village may damage the leat. 	<p>The proposed sites have been safety audited and are considered acceptable.</p> <p>Animals already have access to the area as the common land is not bounded.</p>
<p>Thirteenth Respondent – Stiniel Objects as the proposal will create a “huge free-range” area</p> <ul style="list-style-type: none"> ➤ This will lead to unsupervised livestock roaming the C118. 	<p>Currently livestock is free to roam on the common and surrounding highways. The grids will prevent livestock accessing the B3212.</p>
<p>Fourteenth Respondent – Batworthy Mill Objects on Safety Grounds</p> <ul style="list-style-type: none"> ➤ Proposal does not Border common ground, allowing stock to roam on the public highway. ➤ Stiniel Cross site – blind stretch of road, grid is being placed between two junctions. ➤ Grids not horse rider friendly. 	<p>*Same address as Respondent 18*</p> <p>Currently livestock is free to roam on the common and surrounding highways. The grids will prevent livestock accessing the B3212</p> <p>The proposed sites have been safety audited and are considered acceptable on highway grounds.</p> <p>Bypass gates for horses will be provided.</p>
<p>Fifteenth Respondent – Higher Stiniel Objects on Safety Grounds</p> <ul style="list-style-type: none"> ➤ Location of one of the proposals in the middle of an “S” bend. ➤ Creates a “cul-de-sac” for animals to get pushed too and then trapped. ➤ An increase in the volume of traffic in recent years, means the C118 has become busier and is not appropriate for livestock on road. 	<p>The proposed sites have been safety audited and are considered acceptable on highway grounds.</p> <p>Currently livestock is free to roam on the common and surrounding highways. The grids will prevent livestock accessing the B3212.</p>

Comment	Response
<p>Sixteenth Respondent – Chagford Objects on the grounds that proposal benefits a “few individuals”</p> <ul style="list-style-type: none"> ➤ Enclosing the area outlined will allow “overstocking” by a few individuals leading to more animals on the public highway. 	<p>Currently livestock is free to roam on the common and surrounding highways. The grids will prevent livestock accessing the B3212.</p>
<p>Seventeenth Respondent – Chagford Objects on Safety Grounds</p> <ul style="list-style-type: none"> ➤ The Stiniel Cross cattlegrid is not within the common land. ➤ Langaforde cattlegrid is badly sited (just beyond a bridge). ➤ Stiniel Cross cattlegrid is between 2 junctions on a series of blind corners. ➤ Road condition is poor (prone to flooding and numerous potholes). 	<p>The grids are being installed to prevent stock from accessing the B3212.</p> <p>The proposed sites have been safety audited and are considered acceptable on highway grounds.</p> <p>The comment on the condition of the road is noted.</p>
<p>Eighteenth Respondent – Batworthy Cross Objects on Safety Grounds</p> <ul style="list-style-type: none"> ➤ Stiniel Cross proposal sited in the middle of an “S” bend on a single track road. ➤ Proposals will cause greater conflict on a shared road (walkers, riders, cyclists, drovers & motorists). 	<p>The grids are being installed to prevent stock from accessing the B3212.</p> <p>The proposed sites have been safety audited and are considered acceptable on highway grounds.</p> <p>Currently livestock is free to roam on the common and surrounding highways. The grids will prevent livestock accessing the B3212.</p>
<p>Nineteenth Respondent – Higher Stiniel Objects on Safety & Environmental Grounds</p> <ul style="list-style-type: none"> ➤ Promotes uncontrolled passage of stock onto the highway. ➤ Cost – Already rejected twice, once by the secretary of state (after enquiry), how much is this costing? ➤ Design of the cattlegrid by-passes require the removal of 30 metres of ancient Devon bank. 	<p>Currently livestock is free to roam on the common and surrounding highways. The grids will prevent livestock accessing the B3212.</p> <p>The matter is being dealt with internally costs to DCC are minimal.</p> <p>Planning consent for the removal of the hedgebank has been granted by Dartmoor National Park who are the planning authority for the area.</p>
<p>Twentieth Respondent – Moretonhampstead Supports on Safety Grounds</p> <ul style="list-style-type: none"> ➤ Will prevent animals straying onto the main road. 	
<p>Twenty-First Respondent – North Bovey Supports on Safety Grounds</p> <ul style="list-style-type: none"> ➤ Will prevent ponies from wandering and damaging banks. 	
<p>Twenty Second Respondent – North Bovey Supports on Safety Grounds</p> <ul style="list-style-type: none"> ➤ Will prevent stock straying onto B3212. 	
<p>Twenty Third Respondent – Chagford Supports on Ecological Grounds</p> <ul style="list-style-type: none"> ➤ Extensive cropping/trampling of the bracken by corralling the stock will create a more varied ecology. 	
<p>Twenty Fourth Respondent – Peter Tavy Supports on Animal Welfare Grounds</p> <ul style="list-style-type: none"> ➤ Will prevent ponies wandering onto the B3212 and being injured/killed in collisions. 	

Comment	Response
<p>Twenty Fifth Respondent – Cheriton Bishop Supports on Safety Grounds ➤ Will prevent animals straying.</p>	
<p>Twenty Sixth Respondent – Ashburton Supports on Safety Grounds ➤ Will prevent ponies wandering onto the B3212 and being involved in road collisions.</p>	
<p>Twenty Seventh Respondent – Moretonhamstead Supports on Safety and Congestion Alleviation Grounds ➤ Following stray animals causes congestion, the grids will prevent strays. ➤ Will prevent animals straying onto B3212.</p>	
<p>Twenty Eighth Respondent – Tavistock Supports on Safety Grounds ➤ Will prevent stock straying onto B3212.</p>	
<p>Twenty Ninth Respondent – North Bovey Supports on Safety Grounds ➤ Animals are currently able to access B3212 via Stiniel. These proposals should prevent this.</p>	
<p>Thirtieth Respondent – Chagford Supports on Safety Grounds ➤ More cattlegrids in the area would end the problems associated with straying animals.</p>	
<p>Thirty First Respondent – Gidleigh Supports on Safety Grounds ➤ Concedes there may be noise associated with the cattlegrids. ➤ Welcomes the prevention of staying animals through the use of grids.</p>	
<p>Thirty Second Respondent – Chagford Supports ➤ Will benefit the community.</p>	