

## SOUTH HAMS HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

20 April 2018

Present:-

Devon County Council:-

Councillors J Brazil, R Croad (Chair), R Gilbert, J Hart, J Hawkins, J Hodgson and R Hosking

Other Representatives

Councillor Trevor Pennington, South Hams District Council

Apologies:-

Councillors P Smerdon, South Hams District Council

\* 26

### **Minutes**

**RESOLVED** that the minutes of the meeting held on 24 November 2017 be signed as a correct record.

*(Noted for information:*

- Minute 15, Marley Head Roundabout: travellers had moved on, but a longer term solution was desirable due to the resources required for pursuing individual illegal cases;*
- Minute 20, Safer and More Attractive Roundabouts: the Corporate Infrastructure and Regulatory Services Scrutiny Committee was considering the Council's wider strategy for cycling and walking at a Masterclass in June 2018).*

\* 27

### **Standards Monitoring**

Mrs A Mayes MBE who was attending in her capacity as a Co-opted Member of the County Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework was welcomed to the meeting.

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### **Maudlin Road, Totnes - Wall Collapse**

(An item taken under Section 100B(4) of the Local Government Act 1972).

The Chair had decided that the Committee should consider this item as a matter of urgency, in order that the Committee could be appraised of recent developments regarding the County Council's position and concerns of residents regarding the Maudlin Road, Totnes wall collapse.

(Ms C Voaden, resident, spoke to this item with the consent of the Committee).

The Local County Councillor advised of residents' serious concerns at the recent wall collapse following adverse weather and snow. It was felt there was a public safety concern due to the current condition of the collapsed wall and other sections of unstable wall and that there was unreasonable delay (due to ongoing legal considerations), impact on and inconvenience to residents, when the County Council had a statutory duty to reopen the road. It was requested that the County Council carry out the necessary work to reopen and seek reimbursement from landowners where appropriate.

Officers reported that South Hams District Council had visited the site and advised it was a civil matter and lay outside their Building Control enforcement powers. The County Council had arranged a structural survey undertaken on 27 March 2018 with the report received on

3 April 2018. The report determined it was not simply a case of clearing and reopening the road as remedial works to make the area safe before reopening were required, involving entering private property. A neighbouring property had been partially developed and abandoned excavations left unsafe. Any planned works needed to consider the impact on the neighbouring property. Responsibility for the wall was in dispute between the landowners and the County Council. The County Council had sought the view of an external barrister, who was due to respond on 20 April 2018. Caution was advised in that: the barrister's view was imminent; recovering any costs for remedial works from landowners when ownership was in dispute was not always successful; there could be a potential precedent for other cases within the County; and other stretches of the Maudlin Road wall were in poor repair and may also need to be considered.

The Chair and Members had every sympathy with the residents for the delay in finding a solution and considered action was required at the earliest opportunity. Members would do whatever they possibly could to progress this, however with the caveat that given the potential legal considerations, the County Council would need to understand the legal and highway implications before any works could proceed.

\* **29      Slapton Line (A379) - Road Collapse**

An item taken under Section 100B(4) of the Local Government Act 1972).

The Chair had decided that the Committee should consider this item as a matter of urgency, in order that the Committee could be appraised of recent developments regarding road repairs following the collapse of the A379 between Slapton and Torcross as a result of storm damage.

The Chief Officer for Highways, Infrastructure Development and Waste advised that £2.5m had been secured from Government for works within this protected SSSI and AONB environment. Costings indicated that this funding may be more than would be required for the repairs and it was hoped to acquire Government approval for associated resilience works in the area and improvements to the diversion networks creating passing bays, minor junction improvements etc. More detailed proposals were now being drawn up, with a view to reopening the road in the autumn 2018. Local interested parties and the Slapton Line Partnership were looking at managing highway and tourism issues for the coming holiday season, with South Hams District Council looking at alternative car parking provision. Members hoped that safety improvements may also be able to be incorporated into the scheme e.g. traffic calming measures/pedestrian facilities.

**RESOLVED** that the update be noted and officers explore the possibility of traffic calming and other points raised with the Slapton Line Partnership.

\* **30      Petitions/Parking Policy Reviews**

There was no petition from a member of the public or the Council relating to the South Hams.

\* **31      Air Quality Management Action Plan**

The Chief Officer for Highways, Infrastructure Development and Waste reported that there were limited options the County Council might be able to take towards reducing pollution/improving air quality around the very busy A385 Redworth junction, Totnes and the railway bridge owned by Railtrack. The County Council however had a statutory duty to reduce pollution.

The local County Councillor considered that creating a pedestrian route underneath the railway arch, avoiding the pedestrian crossing outside Totnes Rail Station was potentially feasible and economic as she understood Network Rail was looking at realigning the signal box within the next 4 years. The possibility of extending the national cycle route network link to Littlehempston and Newton Abbot could make a difference for students and the public if South Devon Railway and South West Water were positive regarding their role in this,

particularly in facilitating access. Improvements to the major road network with an additional link road from the Kingsteignton bypass on to the A38 would be welcomed to divert through traffic out of Totnes and Dartington. The local County Councillor would also like to see extended monitoring and assessment of air quality from Totnes and into Dartington, given the extended housing development along this corridor and air quality concerns around Shinnars Bridge Dartington and local schools, but this would be a matter for the District Council. Members would welcome progress with the Littlehempston cycle link, if agreement could be found with the South Devon Railway and South West Water.

Officers advised that South Hams District Council's consultation on its Clean Air Strategy was anticipated shortly.

\* **32**      **Dartington Village Centre Traffic Issues - Item under SO23(2)**

**RESOLVED**

The Committee noted that, in accordance with Standing Order 23(2), Councillor Hodgson had asked that the Committee consider this item.

(Councillors Chadwick and Lunk, Dartington Parish Council spoke to this item with the consent of the Committee).

(Ms Balch, Dartington Neighbourhood Plan group, spoke to this item with the consent of the Committee).

The local County Councillor and speakers sought traffic calming measures, an improved bus stop at Shinnars Bridge, better pedestrian crossing facilities, and quiet lane improvements resulting from local concerns regarding increased traffic and a need for improved traffic management; pedestrian/school children safety; access to local shops and amenities; and air quality in Dartington centre. There had been a 63% housing increase built/with planning permissions in the area since 2014, together with significant growth in industrial units. Dartington Hall, whilst good for the local economy, also generated traffic. The village was tri-sected by the A385 and A384 at the roundabout at Shinnars Bridge, used by significant through traffic from Totnes and Torbay to access the A38. The local County Councillor tabled some background information on planning permissions, Section 106 developer contributions and financial extracts and was concerned that S106 requirements had not yet been carried out. The results of the Dartington Neighbourhood Plan group traffic survey and quiet lanes survey was also reported.

HATOC Members felt that an informed site visit with an officer report on realistic considerations and the S106 developer contributions situation, to follow an officer meeting with the local County Councillor, would help in considering this matter in the round.

**RESOLVED** that Chief Officer for Highways, Infrastructure Development and Waste meet with the local County Councillor and that a subsequent informed HATOC site visit be held as outlined above.

\* **33**      **Actions Taken Under Delegated Powers**

The Committee received the Report Head of Highways Highways, Infrastructure Development and Waste, (HCW/18/28) setting out action taken under delegated powers on advertised Traffic Regulation Orders since the last meeting, following consultation with the Chair and local County Councillor at: Aveton Gifford; The Grove Totnes; Bidders Close Stoke Fleming; Manor Way Totnes; Flavel Place Dartmouth.

\* **34**      **Dates for Future HATOC Meetings**

Members noted the dates of future meetings, in line with the Councils calendar;  
<http://democracy.devon.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

6 July 2018  
23 November 2018  
5 April 2019

*At 10.30am at Follaton House, Totnes.*

\* **35**      **Exclusion of the Press and Public**

**RESOLVED** that the press and public be excluded from the meeting for the following item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 5 of Schedule 12A of the Act, namely information relating to an individual and information likely to reveal the identity of an individual and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings which would be likely to inhibit the free and frank provision of advice and exchange of views for the purpose of deliberation or the effective conduct of public affairs and in accordance with Section 36 of the Freedom of Information Act 2000 by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

\* **36**      **Review of Beacon Road Closure, Kingswear**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/27) following progress since the last HATOC meeting.

A legal undertaking had now been agreed for all repairs reasonably necessary to the land affected by landslip, subsidence and instability to a standard by 12 October 2018, sufficient to allow the Local Authority to repair and re-open the public footpath.

The local County Councillor sought clarification of the legal undertaking in relation to responsibility for particular works and costs, given Kingswear Parish Council's and others wish to have the footpath reinstated as soon as possible.

**RESOLVED** that the Chief Officer for Highways, Infrastructure Development and Waste clarify the legal undertaking and advise the local County Councillor accordingly.

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.30 am and finished at 12.10 pm