

Phil Norrey
Chief Executive

To: The Chair and Members of the
West Devon Highways and
Traffic Orders Committee

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 1st March 2018
Please ask for : Gerry Rufolo 01392 382299

Email: gerry.rufolo@devon.gov.uk

WEST DEVON HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

Friday, 9th March, 2018

A meeting of the West Devon Highways and Traffic Orders Committee is to be held on the above date at 10.30 am at the Town Hall, Okehampton to consider the following matters.

P NORREY
Chief Executive

AGENDA

PART 1 OPEN COMMITTEE

- 1 Apologies for Absence
- 2 Minutes (Pages 1 - 4)
Minutes of the meeting held on 6 November 2017 (attached).
- 3 Items Requiring Urgent Attention
Items which in the opinion of the Chairman should be considered at the meeting as matters of urgency.

MATTERS FOR DECISION

- 4 Stopping up of public highway; Land at Runnon Moor, Hatherleigh (Pages 5 - 10)

Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/7), attached

Electoral Divisions(s): Hatherleigh & Chagford

5 Proposed Pedestrian Crossing Improvement: A386, Plymouth Road, Horrabridge
(Pages 11 - 14)
Report of the Chief Officer for Highways, Infrastructure Development and Waste
(HIW/18/8), attached
Electoral Divisions(s): Yelverton Rural

6 State of the Roads in Beaworthy
(In accordance with Standing Order 23(2) Councillor McInnes has asked that the
Committee considers this item

Chief Officer for Highways, Infrastructure Development and Waste to report.
Electoral Divisions(s): Hatherleigh & Chagford

7 Petitions/Parking Policy and Review
[An item to be taken under s18 of the Traffic Management Act 2004 relating to any
reviews of parking policy sought in line with the Council's Petition Scheme
(<https://new.devon.gov.uk/democracy/guide/constitutionparts2-4/part-4-section-7-petition-scheme/>).]

MATTERS FOR INFORMATION

8 Delegated Powers (Pages 15 - 16)
Report of the Chief Officer, Highways, Infrastructure Development and Waste
(HIW/17/9), attached

Electoral Divisions(s): Okehampton Rural; Yelverton Rural

**PART II - ITEMS WHICH IN THE OPINION OF THE CHAIRMAN MAY BE TAKEN IN
THE ABSENCE OF THE PRESS AND PUBLIC**

Nil

<p>Part II Reports</p> <p><i>Members are reminded that Part II reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s).</i></p> <p><i>Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.</i></p>
<p>Agenda Items and Attendance of District & Town/Parish Councillors</p> <p><i>Under the provisions of Standing Order 23, any member of the HATOC (including the District Council representatives) may put an item on the Agenda for the HATOC relevant to the functions of the Committee, subject to them giving notice in writing to the Chief Executive of the matter to be discussed by 9.00am on the eighth working day before the meeting.</i></p> <p><i>Any member of the District Council for the area covered by the HATOC who is not a member of the Committee, or a Town or Parish Councillor within the area covered by the HATOC, may, after giving 24 hours' notice in writing to the Chief Executive, attend and speak to any item on the Agenda with the consent of the Committee.</i></p> <p><i>For further information please contact Gerry Rufolo on 01392 382299.</i></p>

Membership**County Councillors**

Councillors P Sanders (Chair), K Ball, J McInnes and D Sellis

West Devon Borough Council

Councillors B Lamb, T Leech

DALC

Councillor C Marsh

Declaration of Interests

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

Access to Information

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Gerry Rufolo on 01392 382299.

Agenda and minutes of the Committee are published on the Council's Website and can also be accessed via the Modern.Gov app, available from the usual stores.

Webcasting, Recording or Reporting of Meetings and Proceedings

The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: <http://www.devoncc.public-i.tv/core/>

In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.

Public Participation

Any member of the public resident in the administrative area of the County of Devon may make a presentation on any proposed traffic order being considered by the Committee. Any request to make a presentation must be given to the Chief Executive's Directorate, County Hall, Exeter by 12 noon on the forth working day before the relevant meeting.

For further information please contact Gerry Rufolo on 01392 382299.

Emergencies

In the event of the fire alarm sounding leave the building immediately by the nearest available exit, following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so.

Mobile Phones

Please switch off all mobile phones before entering the Committee Room or Council Chamber

If you need a copy of this Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Information Centre on 01392 380101 or email to: centre@devon.gov.uk or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.



Induction loop system available

WEST DEVON HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

6 November 2017

Present:-

Devon County Council:-

Councillors P Sanders (Chair), K Ball, J McInnes and D Sellis

West Devon Borough Council

Councillors B Lamb and T Leech

Apologies:-

Councillor C Marsh (Devon Association of Local Councils)

* 10

Minutes

RESOLVED that the Minutes of the meeting held 17 July 2017 be signed as a correct record.

* 11

Matter of Urgency: Highways Maintenance: Skanska Contract

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

The Chair had decided that the Committee should consider, as a matter of urgency, an update of the progress of the new Highways Maintenance contract with Skanska.

The Neighbourhood Highways Manager (South and West) reported on initial problems with IT compatibility and gully emptying which were being resolved and patching and surfacing work was also improving. Completion of other main works were on target for the end of the financial year.

The Highways Manager undertook to investigate and report back to local members issues raised regarding:

(a) Fore Street, Bere Alston: recent delays in carrying out resurfacing works;

(b) Kilworthy Park, Tavistock: lack of diversionary signage in regard to works which had resulted in access problems to the Council offices and other offices during the working day and alleged inappropriate comments by Skanska operatives on site to members of the public; and

(c) Meavy Lane, Yelverton: long delays in commencing programmed resurfacing works (delayed from the last financial year).

* 12

Annual Waiting Restriction Programme

(Councillor Leech declared a personal interest in this item in so far as it related to the proposals at Limehayes Road, Okehampton and at South Zeal by virtue of being a local resident (near the proposed restrictions) in Limehayes Road and by a family member living in South Zeal)

(Mr S Powell attended under the Council's Public Participation Scheme and spoke to this item objecting to the proposal for waiting restrictions in South Zeal)

Agenda Item 2

The Committee considered the report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/17/79) on the annual local programme for the HATOC area for the funding and delivery of waiting restriction schemes for 2017/18. It was anticipated that approved restrictions would be implemented by the end of the current financial year.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Sellis and

RESOLVED

- (a) that work on the annual waiting restrictions programme process for 2017/2018 be noted;
- (b) that the recommendations contained in Appendix 111 of Report HIW/17/79 be approved and the proposals implemented where relevant, subject to:
 - (i) Yelverton, Westella Road: investigation by officers into the creation of a 'build-out' in Grenville Park to ensure prevention of the obstruction of the dropped kerb or consideration of improved enforcement action at the location;
 - (ii) South Zeal: a Parish Council representative also being invited to the Committee's site visit;
- (c) that the proposals detailed in Appendix 1 of the Report which attracted no objections be implemented as advertised.

[N.B. In accordance with Standing Order 32(4) Councillor Leech asked that his abstention from voting in respect of Limehayes Road, Okehampton and South Zeal be recorded)

* 13 **Traffic Sensitive Streets**

The Committee noted the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/17/70) on the process for a full review of the traffic sensitive streets network across the county to be completed by 1 April 2018. When a street was designated 'Traffic Sensitive', timings of street works could be better regulated to ensure free flow of traffic so far as was reasonably practicable (i.e. no works on major roads during peak morning and afternoon traffic flows) under powers conferred by the Traffic Management Act 2004/Section 59 New Roads and Street Works Act 1991 to co-ordinate works activities on the road network.

The Neighbourhood Highways Manager (South and West) undertook to provide to Members the current designations in the West Devon HATOC area. Members' views on proposed designations could also be discussed with the Highways Neighbourhood Team prior to public consultation.

[N.B. a Review consultation webpage would be published shortly]

* 14 **Petitions/Parking Policy and Review**

No petition for a parking review from a member of the public relating to Mid Devon had been received.

* 15 **Dates of Meetings**

9 March (Okehampton), 16 July (Tavistock) and 23 October (Okehampton) 2018 and 22 March (Tavistock) 2019 (all at 10.30 alternating between Kilworthy House, Tavistock and Town Council Offices, Okehampton).

The County Council Calendar of meetings available on the website:

<http://democracy.devon.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

Agenda Item 2

WEST DEVON HIGHWAYS AND TRAFFIC ORDERS COMMITTEE
6/11/17

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

The Meeting started at 10.30 am and finished at 11.40 am

Agenda Item 2

HIW/18/7

West Devon Highways and Traffic Orders Committee
9 March 2018

Stopping up of public highway; Land at Runnon Moor, Hatherleigh

Report of the Chief Officer for Highways, Infrastructure Development and Waste

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

Recommendation: It is recommended that:

- (a) the highway land at Runnon Moor Hatherleigh, as detailed in Appendix I, is not needed for public use; and**
- (b) this Committee resolves that subject to the consultations referred to in section 4, Devon County Council makes an application to the magistrates' court for an order under Section 116 of the Highways Act 1980 that the said highway land be stopped up.**

1. Background/Introduction

Under Section 116 of the Highways Act 1980, Devon County Council can make an application to a magistrates' court to stop up a section of highway if they think it is unnecessary.

We have received representation from Peter, Peter and Wright solicitors that their client, Mr A K Norman, wishes to apply for a stopping up order so that the land in question (as shown in Appendix I) no longer forms part of the public highway. The land in question is actually registered with the Land Registry as belonging to Mr A K Norman.

2. Main Text/Proposal

The land at Runnon Moor, Hatherleigh was originally dedicated to Devon County Council to be utilised as public highway through a Memorandum of Dedication dated 21 September 1959 (Appendix II).

From the wording in the dedication, however, it was only ever intended that the actual lane itself should be the subject of the dedication and not the verge, or land adjoining.

The original Memorandum of Dedication dated 21 September 1959 included the area on a very small-scale plan leading to some confusion. As such both the lane and verge were dedicated as public highway rather than just the lane itself.

The stopping up order seeks to legally rectify the position so that the land reverts solely to Mr A K Norman's ownership and no longer forms part of the public highway.

3. Options/Alternatives

Devon County Council could refuse the application but would have no specific reasons for doing so. The land in question is currently fenced off and has not been utilised as an area of public highway for some time, supporting the assertion that it is unnecessary as public highway.

Agenda Item 4

4. Consultations/Representations/Technical Data

Consultations with any interested parties will be sought prior to any application to the magistrates' court. If the Parish or District Council do not support the proposal the application cannot proceed.

5. Financial Considerations

There are no financial implications to this proposal as all costs will be met by the applicant.

6. Environmental Impact Considerations

There are no environmental impacts in relation to this proposal.

7. Equality Considerations

There are no equality considerations in relation to this proposal.

8. Legal Considerations

Under Section 116 of the Highways Act 1980 a highway authority can apply to a magistrates' court to stop up highway on the ground that it is 'unnecessary'. Whether a highway is unnecessary is a question of fact. It should be unnecessary for the sort of purpose for which the public might reasonably be expected to use it, for example, to reach a specific destination or for recreational purposes.

Only a highway authority can apply to a magistrates' court for a stopping up order. A highway authority has discretion on whether or not to make an application. However, this discretion is capable of being judicially reviewed. It should therefore have good reason for not making an order.

9. Risk Management Considerations

No risks have been identified.

10. Public Health Impact

There are no implications of the proposals on public health in the area.

11. Summary/Conclusions/Reasons for Recommendations

In summary it is recommended that the Committee approve the request for an application to the magistrates' court for a stopping up order on the 'Land at Runnon Moor', Hatherleigh described above, as the land is not needed for public use and is unnecessary as public highway.

Meg Booth
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Division: Hatherleigh & Chagford

Agenda Item 4

Local Government Act 1972: List of Background Papers

Contact for enquiries: Simon Phillips

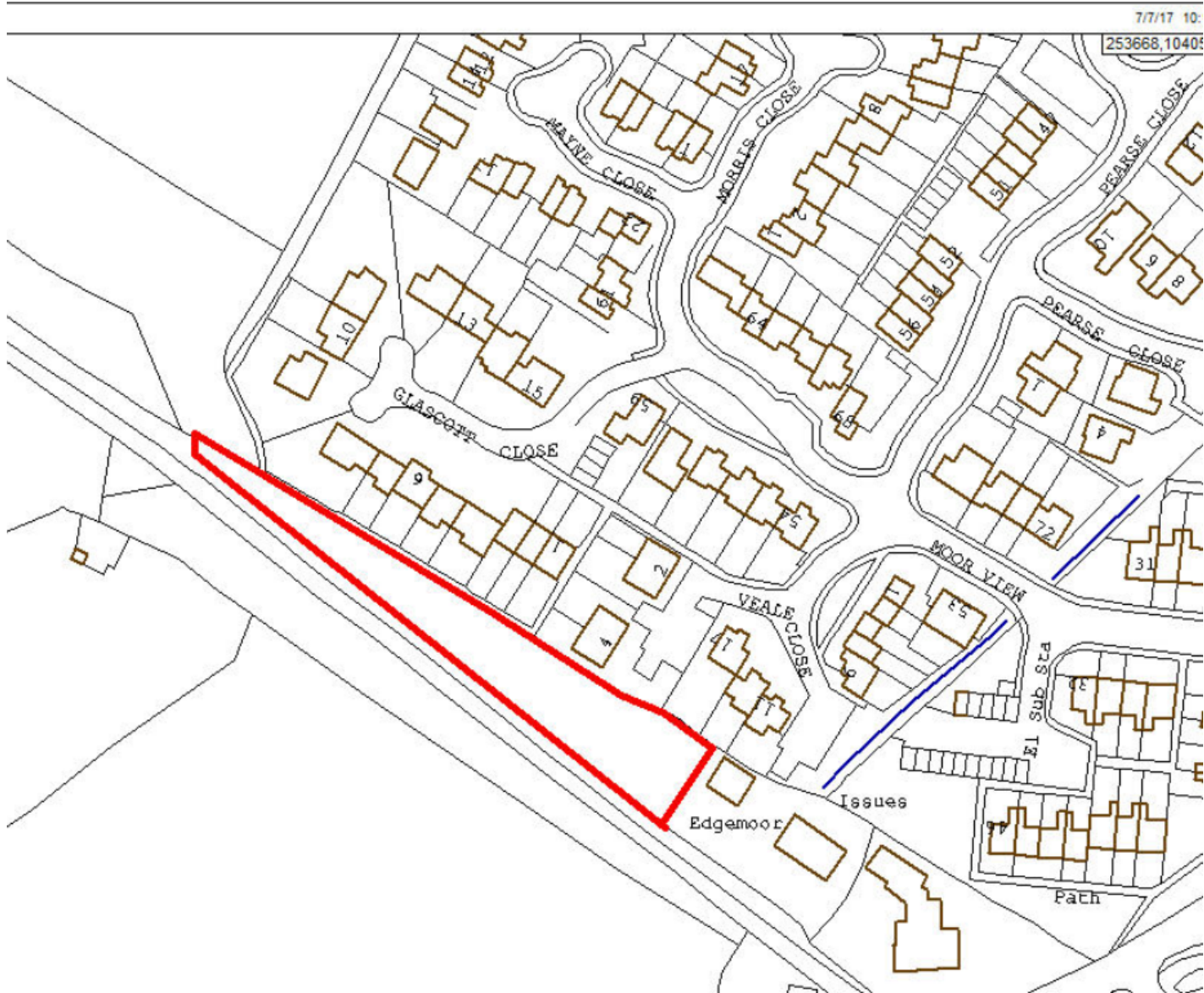
Room No: Gas Lane, Torrington

Tel No: 0345 1551004

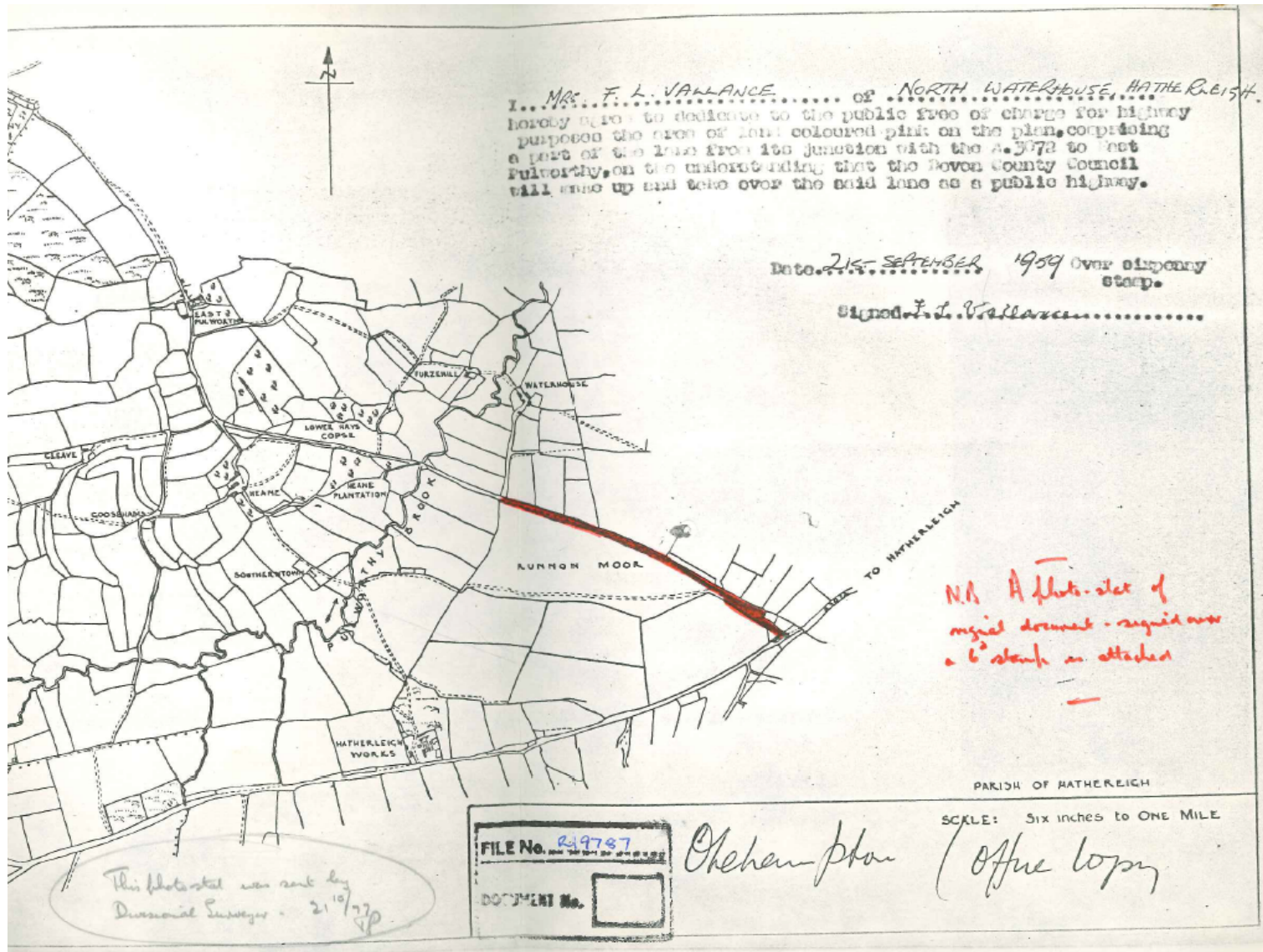
Background Paper	Date	File Ref.
None		

sp191217wdh
sc/cr/ Stopping up of public highway land at Runnon Moor Hatherleigh
03 280218

Plan of land at Runnon Moor, Hatherleigh.



Memorandum of dedication, 21st September, 1959.



Agenda Item 4



HIW/18/8

West Devon Highways and Traffic Orders Committee
9 March 2018

Proposed Pedestrian Crossing Improvement: A386, Plymouth Road, Horrabridge

Report of the Chief Officer for Highways, Infrastructure 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:

- (a) the contents of the report are noted; and**
- (b) that construction of an improved pedestrian refuge on A386 Plymouth Road Horrabridge as shown on drawing B17014 at a cost of £30,000 is approved.**

1. Background

A request to consider improved crossing facilities at this location was considered by this Committee at its meeting on 23 March 2015. Investigation of the request indicated that an improved pedestrian refuge would be the most appropriate option.

The Committee RESOLVED

- (a) that the contents of the Report detailing the results and analysis of surveys undertaken be noted;
- (b) that a bid for up to £20,000 be prepared for funding, if available, to enable the existing pedestrian refuge close to Graybridge Road, Horrabridge to be widened during 2016/17, unless sufficient funding becomes available earlier from other sources e.g. Town and Parish Fund, Members Locality Budgets;
- (c) that the position regarding funding for the widening of the refuge and the impact of future development on vehicles using and pedestrians crossing this stretch of the A386 be reviewed in 12 months time.

The matter was referred again to this Committee at its meeting on 22 March 2016. It was reported that additional resources for the scheme had not been identified and

RESOLVED that the position be noted and no further action be taken at this time.

2. Proposal

Local Transport Plan funding for 2018/19 has been identified to progress the provision of a substantially widened pedestrian refuge and footway at this location on the A386 which serves as access between 2 bus stops used by children travelling to Schools in Tavistock and Plymouth, also providing access for residents of the Manor Gardens Estate to facilities in the village centre. A plan of the proposal can be seen in Appendix I to this report.

Agenda Item 5

3. Options/Alternatives

Options for the provision of Zebra and Puffin Controlled Crossings have both been explored. The position of a Safety Camera sited to the South East of the Graybridge Road junction complicates provision of either facility at the location of the existing refuge as the required "Zig Zag" clearway markings will interfere with the operation of the secondary check road markings required for the camera to legally operate.

Relocation of the Camera would be costly, physically difficult to achieve and is not desirable as it is currently sited at the best location to monitor traffic speeds at the entrance to the village.

Siting a controlled crossing at an alternative location to the south east would be not be at the established pedestrian desire line and furthers complicated by the proximity of both the Manor Gardens and Old Station Road junctions which are approached on a downhill bend.

4. Consultations

Horrabridge Parish Council have been made aware of the proposal and have indicated that they are in support.

The proposal has been subject to a Road Safety Audit process which has indicated that the design is acceptable. Further Road Safety Audits will be undertaken both prior to and post construction.

5. Financial Considerations

Estimated costs of the proposal is £30,000 to include design and supervision. Funding has been allocated from the Devon Local Transport Plan.

6. Environmental Impact Considerations

The proposal will improve access to local facilities on foot and encourage the use of Public Transport. The environmental impacts arising from the proposals are therefore positive.

7. Equality Considerations

There are no equality consideration impacts arising from the recommendation.

8. Legal Considerations

There are no specific legal considerations arising from the recommendation.

9. Risk Management Considerations

This recommendation has been assessed and all necessary safeguards or action have been taken to safeguard the Council's position.

10. Reasons for Recommendations

The recommendation provides an appropriate enhancement to pedestrian crossing facilities across the A386 in Horrabridge.

Meg Booth
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Divisions: Yelverton Rural

Local Government Act 1972: List of Background Papers

Contact for enquiries: Mike Jones

Room No: ABG Lucombe House, County Hall, Exeter

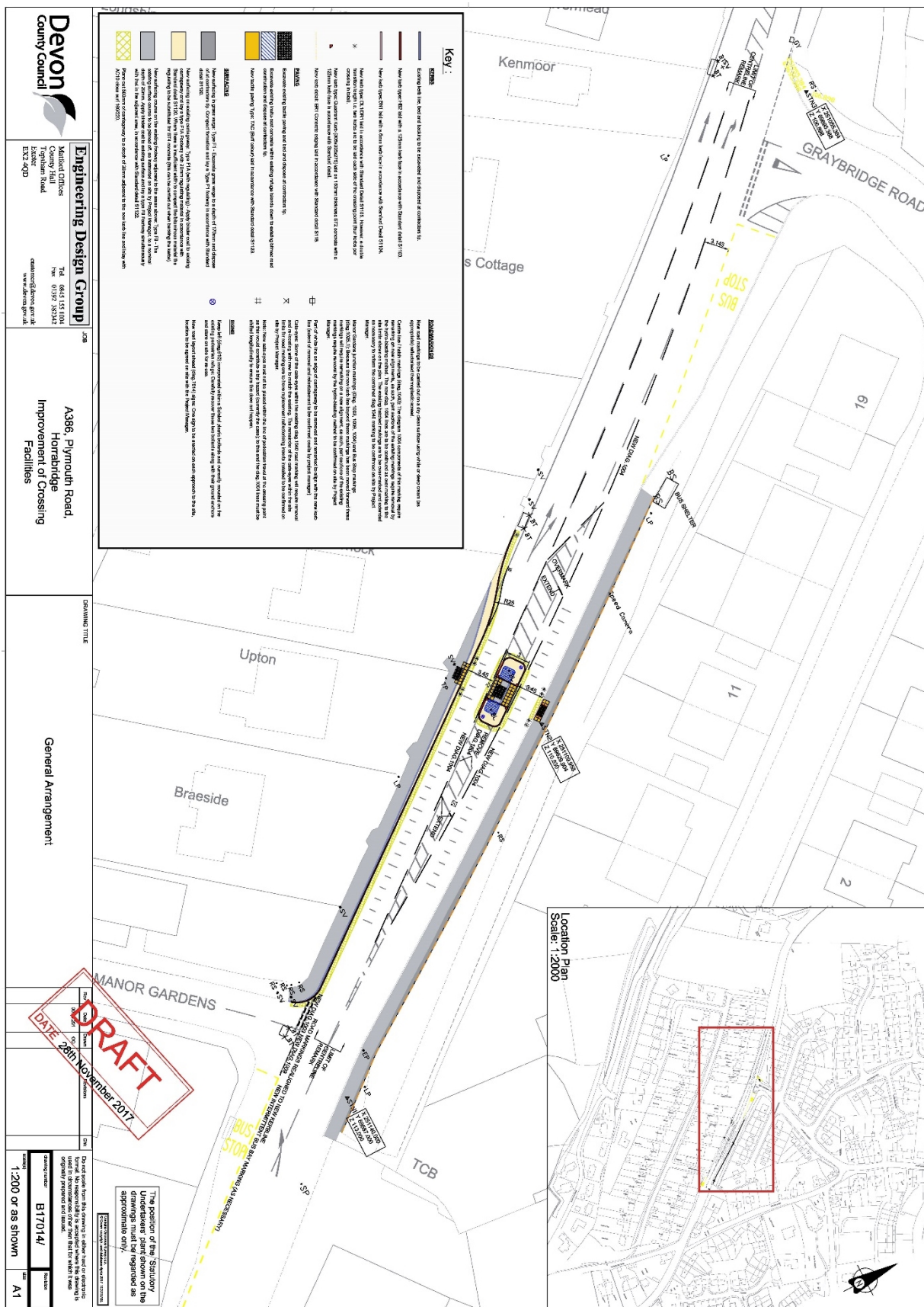
Tel No: 01392 382000

Background Paper	Date	File Ref.
1. West Devon Hatoc Item 5	23/03/2015	
2. West Devon Hatoc Item 6	23/03/2015	

mj280218wdh
sc/cr/ Proposed Pedestrian Crossing Improvement A386 Plymouth Road Horrabridge
02 280218

Agenda Item 5

Appendix I
To HIW/18/8



Devon County Council

Engineering Design Group
Market Office
County Hall
Tiptonham Road
EX2 2QD

A386, Plymouth Road,
Horrabridge
Improvement of Crossing
Facilities

- ### Key:
- Existing kerb, foot and parking to be removed and replaced with kerbside.
 - New kerb type EC2 (as shown in cross-section with Standard 66) 112.
 - New kerb type EC1 (as shown in cross-section with Standard 66) 112.
 - Handicap kerbs (75mm) kerbs and tactile paving (15mm) kerbs (Standard 66) 112.
 - Handicap kerbs (75mm) kerbs and tactile paving (15mm) kerbs (Standard 66) 112.
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 - Handicap kerbs (75mm) kerbs and tactile paving (15mm) kerbs (Standard 66) 112.

NOTES

1. The proposed works include the removal of the existing kerbs, foot and parking and the installation of new kerbs, foot and parking. The works will also include the installation of tactile paving on the kerbside.
2. The proposed works will be carried out in two stages. Stage 1 will involve the removal of the existing kerbs, foot and parking and the installation of new kerbs, foot and parking. Stage 2 will involve the installation of tactile paving on the kerbside.
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1208

General Arrangement

DATE 26th November 2017

DRAFT

DRAFT
DATE 26th November 2017

1:200 or as shown

A1

HIW/18/9

West Devon Highways and Traffic Orders Committee
9 March 2018

Actions Taken Under Delegated Powers

Report of the Chief Officer for Highways, Infrastructure Development and Waste

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

Recommendation: It is recommended that the report be noted.

1. Summary

In accordance with Minute *3 of the Meeting of this Committee on 25 July 2003 this report details the actions taken under Delegated Powers since the last meeting and, where appropriate, in consultation with the Chairman and Local Members.

2. Actions on Advertised Traffic Orders

Since the last meeting of this Committee, a number of Traffic Orders and Traffic Schemes have been progressed and where objections have been received, these have been dealt with by a consultation with the Chairman and Local Members. Details of these matters are listed below.

Location	Proposal	Action
Fore Street, Bere Alston	Introduce an, At Any Time, Disabled Badge Holders only bay, by shortening the southern end of a Limited Waiting bay (Mon-Sat 9am-4pm 30 Minutes No Return Within 30 Minutes).	Traffic order was advertised and sealed (08February 2018) following Local member and HATOC Chair approval. No objections received.
Northfield Road, Okehampton	Removal of an At Any Time Disabled Badge Holders Only bay.	Traffic order was advertised and sealed (08February 2018) following Local member and HATOC Chair approval. No objections received.

Meg Booth
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Divisions: Yelverton Rural and Okehampton Rural

Local Government Act 1972

List of Background Papers

Contact for enquiries: Neil Oxtan

Tel No: 0345 155 1004

Background Paper

Date

File Ref.

None

no280218wdh
sc/hq/action under delegated powers
2 hq 280218

