

Phil Norrey
Chief Executive

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

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 19 October 2018
Please ask for : Wendy Simpson, 01392 384383

Email: wendy.simpson@devon.gov.uk

MID DEVON HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

Monday, 29th October, 2018

A meeting of the Mid Devon Highways and Traffic Orders Committee is to be held on the above date at 10.30 am in the Phoenix House, Tiverton to consider the following matters.

P NORREY
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

- 1 Apologies for Absence
- 2 Minutes (Pages 1 - 2)
Minutes of the meeting held on 11 June 2018, 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 Annual Local Waiting Restriction Programme (Pages 3 - 38)
Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/68), attached.
Electoral Divisions(s): All in Mid Devon
- 5 Review of Building, Improvement and Visibility Lines in Register of Local Land Charges (Pages 39 - 44)
Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/69), attached.
Electoral Divisions(s): All in Mid Devon

STANDING ITEM

6 Petitions/Parking Policy Reviews

[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]

<http://democracy.devon.gov.uk/ieListDocuments.aspx?CId=416&MId=2487&Ver=4&info=1>

MATTERS FOR INFORMATION

7 Delegated Powers (Pages 45 - 46)

Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/70), attached.

Electoral Divisions(s): Cullompton & Bradninch; Willand & Uffculme

8 Dates for Future HATOC Meetings

Please use link below for County Council Calendar of Meetings:

<http://democracy.devon.gov.uk/ieDocHome.aspx?bcr=1>

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PUBLIC AND PRESS ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED

Nil

Part II Reports

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).

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.

Agenda Items and Attendance of District & Town/Parish Councillors

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.

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.

For further information please contact Wendy Simpson on 01392 384383.

MembershipCounty Councillors

Councillors R Radford (Chair), J Berry (Vice-Chair), P Colthorpe, C Slade, M Squires and N Way

Mid Devon District Council / Devon Association of Local Councils

Councillors R Chesterton, D Coren and L Cruwys

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 Wendy Simpson on 01392 384383. 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-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 fourth working day before the relevant meeting. The name of the person making the presentation will be recorded in the minutes. For further information please contact Wendy Simpson on 01392 384383.

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Induction loop system available

MID DEVON HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

11 June 2018

Present:-

Devon County Council

Councillors R Radford (Chair), J Berry (Vice-Chair), P Colthorpe, C Slade, M Squires and N Way

Mid Devon District Council

Councillors R Chesterton and D Coren

Devon Association of Local Councils

Councillor L Cruwys

* **18** **Election of Chair and Vice-Chair**

RESOLVED that Councillor Radford be elected Chair and Councillor Berry be elected Vice Chair for the ensuing year.

* **19** **Minutes**

RESOLVED that the minutes of the meeting held on 19 October 2017 be signed as a correct record.

* **20** **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

* **21** **Annual Local Waiting Restriction Programme**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/36) on the Annual Local Waiting Restriction Programme for the Mid Devon HATOC area for the funding and delivery of waiting restrictions schemes for 2018/19, identified in Appendices I and II of the Report.

Although Councillors Way and Squires were disappointed that, due to time restraints, some of their proposals had not been included in the programme, the Chief Officer explained that the investigation and design work for their proposals would nonetheless continue.

In discussions relating to the proposal at Castle Street, Bampton, the Chief Officer undertook to inform the Local Member of the frequency of enforcement visits to the area.

It was **MOVED** by Councillor Radford, **SECONDED** by Councillor Berry and

RESOLVED

(a) that work on the annual waiting restrictions programme process for 2018/19 be noted;

(b) that further site visits take place in respect of the proposals at Cullompton Hill, Bradninch; Exeter Road Junction with Ploudal Road, Cullompton; Halsbury Road, Tiverton and North Devon Cottage Road, Tiverton;

(c) that the proposal at Melbourne Street, Tiverton be amended to allow parking between the hours of 5pm and 8.30am Monday to Friday and all day at weekends;

Agenda Item 2

(d) that the recommendations and proposals contained in Appendix I and II of the Report (HIW/18/36) be agreed and advertised, subject to consultation with local Members on the details and subject also to resolutions (b) and (c) above having first taken place; and

(e) that an additional list of site locations to be assessed for inclusion in the annual local waiting restriction programme for 2018/19 be circulated to local Members when available.

22 Delegated Powers

The Committee received the report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/37) on action taken in consultation with the Chair and local County Councillors.

*** 23 Petitions/Parking Policy Reviews**

There was no current petition for a parking review from a member of the public relating to Mid Devon.

*** 24 Dates of future meetings**

29 October 2018 and 18 February 2019

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

The Meeting started at 10.30 am and finished at 11.30 am

HIW/18/68

Mid Devon Highways and Traffic Orders Committee
29 October 2018

Annual Local Waiting Restriction Programme

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) work on the annual waiting restrictions programme process for 2018/2019 is noted; and***
- (b) the recommendations contained in Section 4 of this report and detailed in Appendices I and II to this report are agreed.***

1. Background

Proposals for the Mid-Devon HATOC Annual Waiting Restriction Review for 2018 were presented to this Committee on 11 June 2018.

2. Proposal

Agreed proposals have since been advertised with significant objections having been received to 17 of the proposals.

Details of these proposals and the objections received are shown in Appendix I to this report with plans of the proposals shown in Appendix II.

3. Consultations

Following advertisement:

- Proposals which did not attract objections will be implemented without the need to report back to Committee.
- Proposals attracting significant objections are detailed in Appendices I and II to this report.

4. Specific Proposals and Recommendations

RECOMMENDATION - that the recommendations individually listed in Appendix I are agreed.

5. Financial Considerations

The total costs of the scheme are contained within a countywide budget of £100,000 which has been allocated from the On Street Parking Account.

Agenda Item 4

There will be a cost to the Council in advertising a new Traffic Order for each Committee Area, this will be approximately £1,500. In addition, the costs of any changes to signing or lining will be attributed to that Order.

6. Environmental Impact Considerations

The proposals are intended to rationalise on street parking and improve mobility and access within the district and are designed to:

- Encourage turnover of on street parking to benefit residents and businesses.
- Enable enforcement to be undertaken efficiently.
- Encourage longer term visitors to use off street car parks.
- Encourage commuters to make more sustainable travel choices eg Car Share, Public Transport, Walking and Cycling.
- Assist pedestrians and other vulnerable road users in crossing the highway.

The Environmental effects of the scheme are therefore positive.

7. Equality Considerations

There are not considered to be any equality issues associated with the proposals. The impact will therefore be neutral.

8. Legal Considerations

The lawful implications and consequences of the proposal have been considered and taken into account in the preparation of this report.

When making a Traffic Regulation Order it is the County Council's responsibility to ensure that all relevant legislation is complied with. This includes Section 122 of the Road Traffic Regulation Act 1984 that states that it is the duty of a local authority, so far as practicable, secures the expeditious, convenient and safe movement of traffic and provision of parking facilities. It is considered that the proposals comply with Section 122 of the Act as they practically secure the safe and expeditious movement of traffic in the Mid Devon District.

9. Risk Management Considerations

There are thought to be no major safety issues arising from the proposals.

10. Public Health Impact

There is not considered to be any public health impact.

11. Reasons for Recommendations

The proposals rationalise existing parking arrangements within the Mid Devon District by:

- Encouraging turnover of on street parking to benefit residents and businesses
- Enabling enforcement to be undertaken efficiently.
- Encouraging longer term visitors to use off street car parks.
- Encouraging those working in the town make more sustainable travel choices eg Car Share, Public Transport, Walking and Cycling.

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The proposals contribute to the safe and expeditious movement of traffic in the Mid Devon District and therefore comply with S 122 of the Road Traffic Regulation Act 1984.

Meg Booth
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Divisions: All in Mid Devon District

Local Government Act 1972: List of Background Papers

Contact for enquiries: Mike Jones

Room No: ABG Lucombe House

Tel No: 01392 383000

Background Paper	Date	File Ref.
None		

lc181018mdh
sc/cr/Annual Local Waiting Restriction Programme
02 191018

Agenda Item 4

Appendix I
To HIW/18/68

Devon County Council
(Mid Devon HATOC)
(Traffic Regulation) Amendment Order Summary of Representation

Comment	Devon County Council (DCC) Response
Bampton – Briton Street - 3 Representations Plan Ref: ENV5668/01 (A)	
<p>Comment (District Councillor & Town Council):</p> <ul style="list-style-type: none"> Surprised that the proposed restrictions do not extend further east up Briton Street in order to prevent parking over critical drain infrastructure, allowing regular clearance. <p>Comment (Town Councillor):</p> <ul style="list-style-type: none"> Requests that a compromise is reached that allows residents to park but protect the new drainage system. It has been suggested that kerbs are built alongside the drainage system to form a gully and still allow parking. 	<p>Reason for proposal Extend existing length of No Waiting at Any Time to prevent inappropriate and obstructive parking and maintain visibility.</p> <p>Response Concern of Town Council is noted as is the pressure on parking for residents.</p>
Recommendation - It is recommended that a site visit should be arranged and that a decision on the matter should be delegated to the Chief Officer for Highways, Infrastructure, Development & Waste in consultation with the Local Member and Chair.	

Comment	Devon County Council (DCC) Response
Bampton – Castle Street - 14 Representations Plan Ref: ENV5668/02 (A)	
<p>Objections 11 (10 residents of Bampton & 1 Business Owner) and 2 petitions, comments include:</p> <ul style="list-style-type: none"> 6 respondents - Parking is a premium in town and restricting space for residents will cause undue stress and additional parking pressures. Proposed restrictions to the detriment of local businesses as well as residents. 2 respondents - Proposals for the sole benefit of one individual. 5 respondents- Suggestion that new restriction is for emergency access and oil delivery needs, which has not been a problem in past. 4 respondents - Concerned there have been no consultation or meaningful study. 2 respondents - Danger to pedestrian (inc. wheel chair/push chairs users) walking on footways as vehicles mount pavements. Questions the location of the passing place as not the narrowest section of carriageway and will not allow two HGVs to pass. 5 respondents - Parked cars act as traffic calming and protect pedestrians. There is no legal requirement for a passing place or waiting area for deliveries or emergency vehicles. No significant traffic accidents during past 21 years. People are safe and traffic flows to simple courtesy. Historical proposals to restrict parking on Castle Street and subsequent decision not to install. <p>Petitions</p> <ul style="list-style-type: none"> 35 name petition opposed to proposed restrictions. Not notified of the proposals. Town Council mis-informed that the yellow lines were to create a space for ambulances and oil delivery tankers – these are not legitimate reasons for a statutory order and are not agreed by the Highway Authority. The proposals will have no benefit to the whole street other than improve access to one property. Far from preserving/improving the amenities of the area the provision of a second passing space will increase noise and pollution from braking and accelerating vehicles, exacerbate the parking space shortage, encourage greater driving speeds and expose pedestrians 	<p>Reason for proposal New length of No Waiting at Any Time to prevent obstructive parking and maintain vehicle flows by providing a passing place.</p> <p>Response The purpose of the Highways and Traffic Order Waiting Restriction review is to provide non-contentious parking restriction schemes, clearly based on the response there is minimal support.</p> <p>The programme is not used to implement weight and speed restrictions. The concerns regarding speed are noted and will be assessed through the Speed Compliance Action Review Forum (SCARF) to consider if any intervention measure are required.</p> <p>Highway Code indicates that 30mph repeater signs are not permitted in street lit areas.</p> <p>It is however noted that the B3227 is a signed route for HGVs travelling to Dulverton and weight and height restrictions would not be an appropriate measure. Objectors should also note that where HGVs mount footways to pass parked vehicles, this could</p>

Comment	Devon County Council (DCC) Response
<p>on the pavement to moving vehicles. (SEE APPENDIX III).</p> <ul style="list-style-type: none"> • 500 name petition opposed to proposed restrictions. (SEE APPENDIX IV). <p>Other Comments/Suggestions</p> <ul style="list-style-type: none"> • 5 respondents - Speed restriction measures. • Enforcement of untaxed vehicles. • 30mph repeater signs to remind drivers of the speed limit. • Weight and height limits for lorries and agricultural vehicles avoiding DfT weighbridge on A361 when travelling to North Devon. • 2 respondents - Weight restriction. • Width restricting bollards at either end of the street. • Reduction of the speed limit from 30 to 20 mph, as is commonplace on residential roads in villages and towns throughout the country, e.g. Halberton, Langport. • 2 respondents - traffic calming measures, i.e. speed humps, electronic displays for excessive speed. • Electronic displays when the speed limit (hopefully 20 mph) is exceeded. • Adequate signage for the above, including 'Local Access Only' • CCTV cameras to monitor contraventions. • Castle Street suffers from vehicle emissions and should urgently be monitored. • Castle Street sits within Conservation Area and many properties are Grade I or Grade II Listed and repairs to damage must adhere to necessary legislation. Both Councils have part to play in preventing damage. • Identified damage caused to street furniture, buildings and footways, danger to pedestrians walking on footways caused by HGVs. • Would make more sense to make non-enforceable white line outside Castle grove Nursing Home enforceable. • Widen pavement at brow of hill to reduce vehicle speeds. • Would be helpful to residents if the area below Motte on Morebath Road is made into a more suitable lay-by. • Refers to Nolan Principles. <p>Support (Town Councillor)</p> <ul style="list-style-type: none"> • Historically parking restricted but owing to modern needs parking was allowed for whole length. This has resulted in obstructive parking for buses, farm vehicles and other large vehicles, which have no means of passing one another. • No accommodation for emergency service vehicles. • Passing place is therefore a good compromise. 	<p>be alleviated with waiting restrictions to allow the highway to be appropriately used for its fundamental purpose for vehicles to pass and repass.</p>
Recommendation – Not proceed with the proposed restrictions.	

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Comment		Devon County Council (DCC) Response
Cullompton, Duke Street - 1 Representation Plan Ref: ENV5668/07 (A)		
Comment (Resident Duke Street) <ul style="list-style-type: none">Proposed restrictions will mean that residents further up the road parking outside our house will get worse.Current parking arrangement has benefit of slowing traffic and restricting larger vehicles as there is a 6'6" restriction in place.Oppose house is busy pre-school, no pavements and is used by walkers, cyclists and children. Allowing 2-way traffic will contribute to accidents.		Reason for proposal Extend existing and implement new lengths of No Waiting at Any Time to prevent inappropriate and obstructive parking and prevent damage to the footway. Response The existing width restriction has an allowance for wide vehicles, such as refuse vehicles, to access area. The proposed restrictions seek to address inappropriate parking practices.
Recommendation – Implement proposal as advertised.		

Comment	Devon County Council (DCC) Response
Cullompton, Willand Road - 8 Representations (St Georges Residents Group, 7 Local Residents) Plan Ref: ENV5668/10 (A)	
<p>Objection – 5 Objections (St Georges Residents Group & 4 Local Residents)</p> <ul style="list-style-type: none"> • 4 respondents - Extension of restrictions on Willand Road will force current parkers to make alternative arrangements including using St Georges View. St Georges View is narrow and there are examples of near misses when line of vehicles extends up road obscuring sightlines. Number of vehicles parked where new developments proposed, no doubt these will park in St Georges View. • St Georges View is 4.9 metres wide which means access and egress from driveway is difficult and becoming a health and safety concern. • 3 respondents - Restriction will lead to increased vehicle speeds making walking route to town, schools, nurseries and college hazardous. <p>Comments/Suggestions</p> <ul style="list-style-type: none"> • Residents feel the only solution would be introduction of residents parking. • Have the Council considered measures to counteract the full consequences. • This road was supposed to have traffic calming schemes years ago, so that traffic would use Millennium Way and avoid Higher Street/Station Road congestion. This traffic order will work the opposite way, making it a fast and noisy road. • There are areas between opposite Astra Printing, Hillcrest and Goblin Lane where a few spaces could be provided. • New restrictions will make crossing main road difficult. • Consider making some single yellow lines so that traffic slowed at night. <p>Support – 3 Local Residents</p> <ul style="list-style-type: none"> • Current parking arrangements leads to near misses, minor incidents, driver mounting footways, excessive speed and road rage. • Parked cars make it difficult to exit drive safely onto Willand Road and lead to a collision. 	<p>Reason for proposal Extend existing and implement new lengths of No Waiting at Any Time to prevent inappropriate and obstructive parking.</p> <p>Response Support noted.</p> <p>Residents parking is only considered as part of an area wide review and would not be implemented on individual roads.</p> <p>Concerns regarding increase in vehicle speeds and displacement noted.</p> <p>The proposal for traffic calming is related to future developments in Cullompton.</p>
<p>Recommendation – It is recommended that a site visit should be arranged and that a decision on the matter should be delegated to the Chief Officer for Highways, Infrastructure, Development & Waste in consultation with the Local Member and Chair.</p>	

Agenda Item 4

Devon County Council (DCC)	
Comment	Response
Thorverton – School Lane – 2 representations (Parish Council, 10 residents of School Lane under one letter) Plan Ref: ENV5668/11 (A)	
Comments/Suggestions <ul style="list-style-type: none"> To improve pedestrian safety vegetation growth and silt build up at base of wall should be removed so road can be taken back to original width, which extends 500 to 700mm beyond current top dressing. Support <ul style="list-style-type: none"> No objection to proposed double yellow lines. Supports proposals (Parish Council). 	Reason for proposal Reduce School Keep Clear markings and new lengths of No Waiting at Any Time to prevent inappropriate and obstructive parking and maintain visibility in the vicinity of the school. Response Proposed restrictions not effected by the width of the carriageway. Support noted.
Recommendation – Implement restrictions as advertised – Arrange meeting with Neighbourhood Highway Officer and Local Member to investigate concerns regarding width of road.	

Devon County Council (DCC)	
Comment	Response
Tiverton, Canal Hill - 2 representations (Residents of Canal Hill) Plan Ref: ENV5668/18 (A)	
Objection <ul style="list-style-type: none"> Removing occasional parked vehicle will lead to an increase in vehicle speeds. There has never been an accident. Any decision should be evidence based. Support <ul style="list-style-type: none"> Supports Proposal. 	Reason for proposal Extend existing lengths of No Waiting at Any Time to prevent inappropriate and obstructive parking. Response The location of the proposed restrictions is on the brow of a hill where forward visibility is restricted. The implementation of waiting restrictions seeks to address local concerns and is not part of a collision reduction programme. Support noted.
Recommendation – Implement proposal as advertised.	

Comment	Devon County Council (DCC) Response
Tiverton, Halsbury Road – 10 representations (1 District Councillor, Business Owner, 8 local residents) Plan Ref: ENV5668/19 (B)	
<p>Objection – 10 Objections (1 District Councillor, Business Owner, 8 local residents)</p> <ul style="list-style-type: none"> • 8 respondents - Already difficult parking situation in area who have limited access to properties and parking. • If proposals go ahead will cause congestion. • Limited on street parking in area and parked vehicles have slowing effect on most vehicles. • Made aware of proposals to install double yellow lines opposite and around local shop owned business for four years and not aware of any injury collisions. <p>Comments/Suggestions</p> <ul style="list-style-type: none"> • Suggests a limited no waiting restriction to allow residents parking overnight. • Are Devon County Council going to find a place to put a car park. • 2 respondents - Car park located in area is leased by shop and is relatively quiet at most times. • Suggests that local residents will start parking directly outside the Spar shop as they do now on occasions. This will mean that deliveries and customers will be forced to park on No Waiting at Any Time restrictions for short periods. Due to infrequent nature of enforcement delivery drivers and customers will avoid prosecution in majority of occasions. • Delivery drivers stopping on new restriction will then be forced to cross the road with cages. Road is on a hill and therefore cages are likely to run away from delivery drivers into vehicles. • Historic issue of speeding in area. Believes that omission of traffic calming on Harrowby Close is main contributory factor to speeding area. • As a separate note pavement parking is a bigger safety issue in this road. • Sending traffic wardens to enforce will cost tax payers. • No pedestrian or traffic incidents to legitimize restrictions. • There seems to be a deflection of responsibilities between Devon County and Mid Devon resulting in no action from either authority i.e. no street cleaning, dilapidated over priced garages. • Will impact on property prices. • Suggest that a temporary single yellow line 08.30 to 16.30 allowing residents overnight parking. • Further suggest daytime no waiting at end of Mackenzie Way where vehicles are forced to approach mini roundabout on wrong side of road due to parked vehicles. • Request that trees are pruned as they obscure street lights and road signs, refurbishment of roundabout signs on all approaches and street lighting all night. • 20mph speed limit considered as observation is that current 30mph limit is routinely ignored. 	<p>Reason for proposal</p> <p>New lengths of No Waiting at Any Time to prevent inappropriate and obstructive parking.</p> <p>Response</p> <p>There are no proposals to install waiting restriction directly outside the shop.</p> <p>Original request from District Council was raised following complaints from residents about inconsiderate and dangerous parking outside shop and immediate vicinity of mini roundabout.</p> <p>The private car park is beyond the control of Devon County Council.</p> <p>Part night lighting is related to Devon County Councils Street Lighting Policy Carbon Reduction Strategy.</p> <p>The waiting restriction programme is not used to implement speed restrictions. The concerns regarding speed are noted and will be assessed through the Speed Compliance Action Review Forum (SCARF) to consider if any intervention measure is required.</p> <p>Pavement parking can only be addressed through the Police where the vehicle is observed driving or obstructing a footway or where a vehicle contravenes an adjacent parking restriction.</p>
Recommendation – Not proceed with the proposed restrictions.	

Agenda Item 4

Comment	Devon County Council (DCC) Response
Tiverton, Melbourne Street - 3 representations (3 local residents) Plan Ref: ENV5668/20 (B)	
<p>Objection (3)</p> <ul style="list-style-type: none"> Concerned that restrictions will impact value of home as parking already tight in area. Proposals will cause neighbourly disputes. Will struggle to look after children and unload shopping away from home. 3 respondents - Restrictions will considerably reduce supply of on street parking. Will result in residents being inconvenienced, especially those who are disabled or have young children and will increase likelihood of danger. School day ends at 3.30pm as such restriction until 5pm is unnecessary. 2 respondents - School is not open during school holidays, the no waiting is unsuitable and unnecessary. Residents have not been properly consulted. 113 metres of restriction will considerably reduce supply of on street parking. Will result in residents being inconvenienced, especially those who are disabled or have young children. <p>Comments/Suggestions</p> <ul style="list-style-type: none"> 3 respondents - Request that Residents Parking scheme is considered to limit impact of commuter parking, shopping and school run traffic stopping in area. If proposal approved residents of Melbourne Street who benefit from advisory disabled bay will suffer. 2 respondents - Devon County Council has not presented any alternative parking. Shortening zone on western side to create space for unrestricted parking north of existing advisory disabled bay should be considered. 	<p>Reason for proposal School Keep Clear to be made mandatory and new lengths of No Waiting Mon-Fri 8.30am-5pm to prevent inappropriate parking outside the school.</p> <p>Response No Waiting restriction allows motorists to load and unload and allow passengers to board and alight vehicles.</p> <p>Vehicles currently park on footway making pedestrian movements hazardous.</p> <p>There are no proposals to increase the extent of the markings or remove disabled bay.</p> <p>There are no current proposals to consider residents parking in Tiverton.</p>
Recommendation – Implement proposal as advertised.	

Comment	Devon County Council (DCC) Response
Uffculme, Fore Street - 1 representation (Local Resident) Plan Ref: ENV5668/21 (A)	
<p>Objection</p> <ul style="list-style-type: none"> Will affect ability to park outside property. <p>Comments/Suggestions</p> <ul style="list-style-type: none"> Lorries are too big to negotiate road network in Uffculme and residents should not be unduly affected by vehicles movements. 	<p>Reason for proposal New length of No Waiting at Any Time to prevent inappropriate and obstructive parking and maintain visibility.</p> <p>Response Customer comments noted regarding restrictions on Fore Street.</p>
Recommendation – Proceed with No Waiting at Any Time restriction on Bridge Street and not proceed with proposals on Fore Street.	

Devon County Council (DCC) Response	
Comment	
Cheriton Bishop, Cheriton cross to Four Cross Ways - 2 representations (Parish Council & Local Resident) Plan Ref: ENV5668/22 (A)	
Objection <ul style="list-style-type: none"> Parish Council believes that the proposals merely move the problem to the other side of the road and what is needed is a thorough understanding of the issues and potential solutions. Would be please to meet HATOC representatives on site to discuss. Length of proposal is excessive. Parking acts as natural traffic calming some space should be maintained. Comments/Suggestions <ul style="list-style-type: none"> Suggest parking restrictions on southern end of Church Lane. 	Reason for proposal New length of No Waiting at Any Time to prevent inappropriate and obstructive parking and maintain visibility. Response Comments noted.
Recommendation – It is recommended that a site visit should be arranged and that a decision on the matter should be delegated to the Chief Officer for Highways, Infrastructure, Development & Waste in consultation with the Local Member and Chair.	

Devon County Council (DCC) Response	
Comment	
Crediton, Butts Park/Winswood Road - 2 representations (Local Residents) Plan Ref: ENV5668/23 (A)	
Comments/Suggestions <ul style="list-style-type: none"> Wondering if there is any provision for residents parking outside of their house. Will a resident permit scheme be operated? The only problem around Butts Park is that there is not enough parking. Hope proposals mean that residents will have permits to park as there is nowhere else to park and will simply move problem elsewhere. 	Reason for proposal New lengths of No Waiting at Any Time to prevent inappropriate and obstructive parking. Response Proposed restrictions seek to address inappropriate parking at junctions. There are no proposals to introduce Residents parking and the provision of No Waiting at Any Time will prohibit vehicles from waiting.
Recommendation – Implement proposal as advertised.	

Devon County Council (DCC) Response	
Comment	
Crediton, Exeter Road - 1 representation (Town Council) Plan Ref: ENV5668/24 (A)	
Objection <ul style="list-style-type: none"> Object to the removal of the hatching. It was felt that it is ok to park on the hatching as this does not cause any problems. No objection to installing the no waiting restriction on the bend. 	Reason for proposal New length of No Waiting at Any Time to prevent inappropriate and obstructive parking. Response The proposed restrictions seek to remove vehicles inappropriately parked at the ends of the hatching. There are no current proposals to remove the hatching.
Recommendation – Not proceed with the proposed restrictions.	

Agenda Item 4

Comment		Devon County Council (DCC) Response
Crediton, Belle Parade - 1 representation (Town Council) Plan Ref: ENV5668/26 (A)		
Objection <ul style="list-style-type: none"> Object as this is not necessary. 		Reason for proposal Extend existing length of No Waiting at Any Time to prevent inappropriate and obstructive parking. Response Objection from Town Council is noted.
Recommendation – Not proceed with the proposed restrictions.		

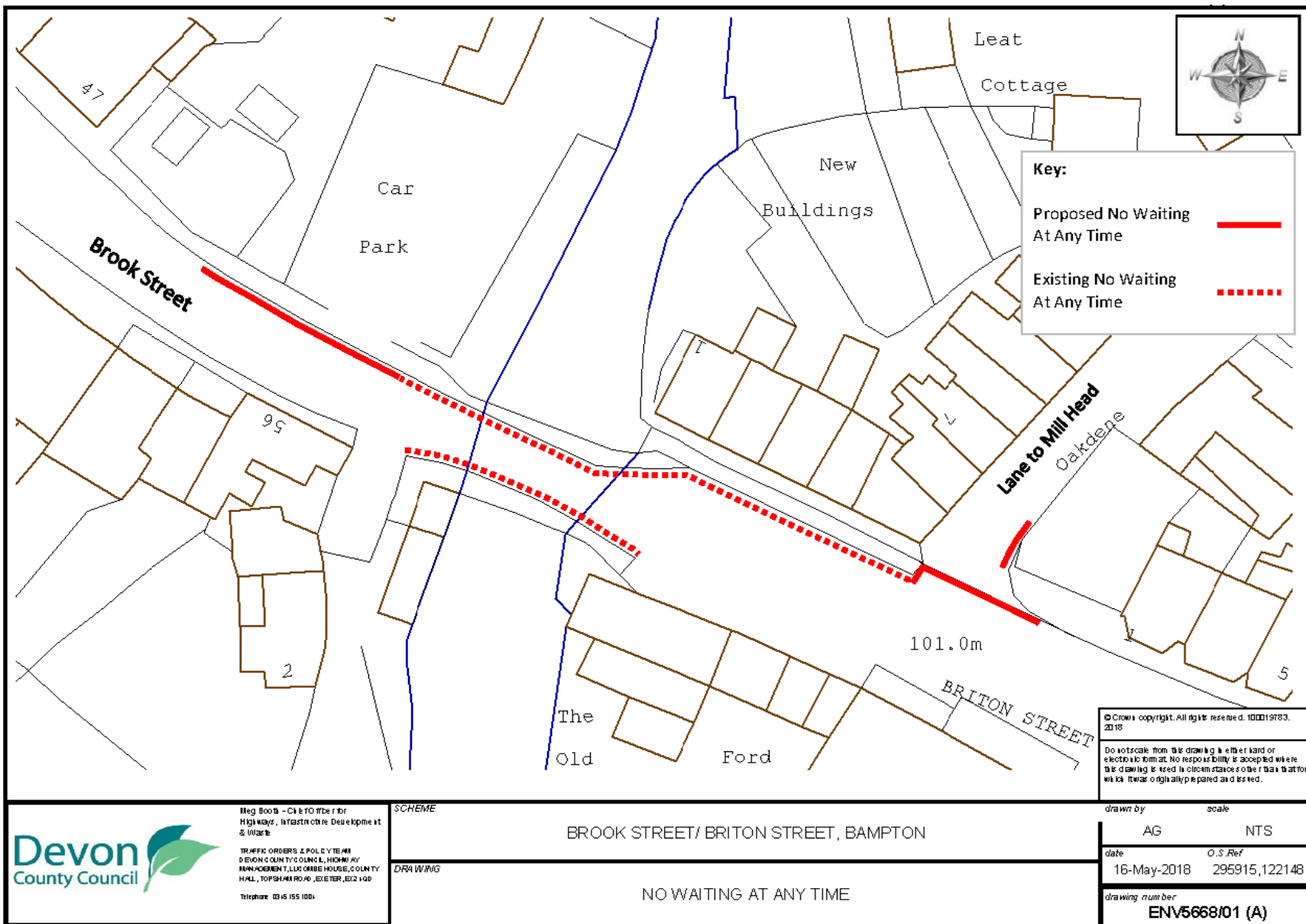
Comment		Devon County Council (DCC) Response
Crediton, Westwood Road - 1 representation (Town Council) Plan Ref: ENV5668/28 (A)		
Objection <ul style="list-style-type: none"> Object as this is not necessary. 		Reason for proposal New length of No Waiting at Any Time to prevent inappropriate and obstructive parking and maintain visibility. Response Objection from Town Council is noted.
Recommendation – Not proceed with the proposed restrictions.		

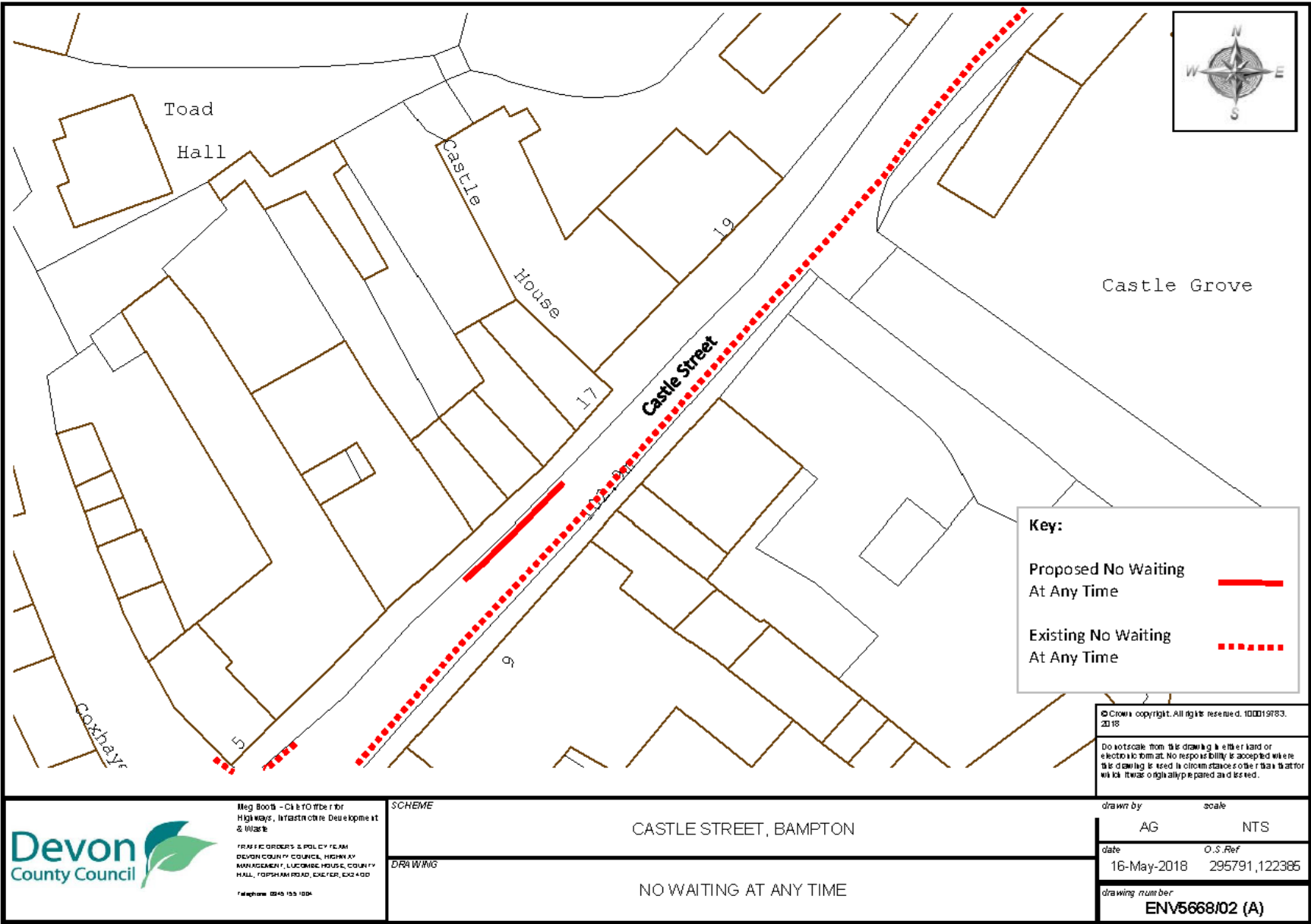
Comment		Devon County Council (DCC) Response
Crediton, Bramble Lane - 1 representation (Town Council) Plan Ref: ENV5668/29 (A)		
Objection <ul style="list-style-type: none"> Object to the removal of parking on the left-hand side, as you enter Bramble Lane from Exhibition Road. 		Reason for proposal New lengths of No Waiting at Any Time to prevent inappropriate and obstructive parking and maintain visibility. Response Objection from Town Council is noted.
Recommendation – Implement proposals as advertised except for restrictions adjacent to 62 Exhibition Road.		

Devon County Council (DCC)	
Comment	Response
Newton St Cyres, West Town Road - 1 representation (Parish Hall Committee)	
Plan Ref: ENV5668/32 (A)	
Support <ul style="list-style-type: none"> Support the proposals but request that signs are installed to indicate that unloading is permitted. 	Reason for proposal New lengths of No Waiting at Any Time to prevent inappropriate and obstructive parking. Response Support noted. Current highway law allows motorists to load and unload on No Waiting at Any Time restrictions without the need for the provision of a sign. There is no permitted sign within the Traffic Sign Regulations and General Directions.
Recommendation – Implement proposal as advertised.	

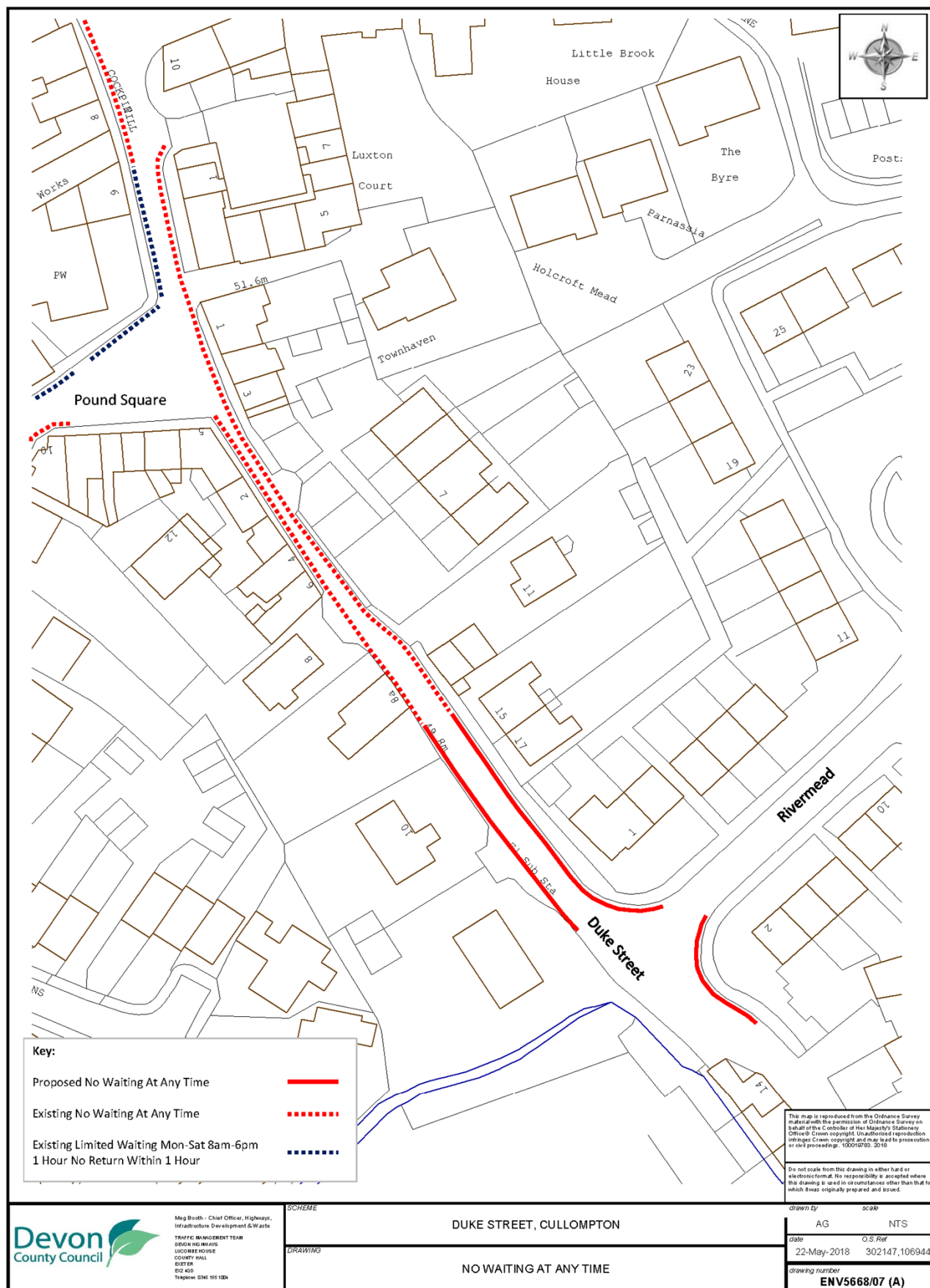
Devon County Council (DCC)	
Comment	Response
Sandford, Meadowside Road - 2 representations (Parish Council, 1 Local Business)	
Plan Ref: ENV5668/33 (A)	
Objection <ul style="list-style-type: none"> Have parked vehicles in area for a number of years causing no problem. Vehicles are always parked well back from the junction causing no problem. Support <ul style="list-style-type: none"> Parish Council support proposals. 	Reason for proposal New lengths of No Waiting at Any Time to prevent inappropriate and obstructive parking and maintain visibility. Response Support noted.
Recommendation – It is recommended that a site visit should be arranged and that a decision on the matter should be delegated to the Chief Officer for Highways, Infrastructure, Development & Waste in consultation with the Local Member and Chair.	

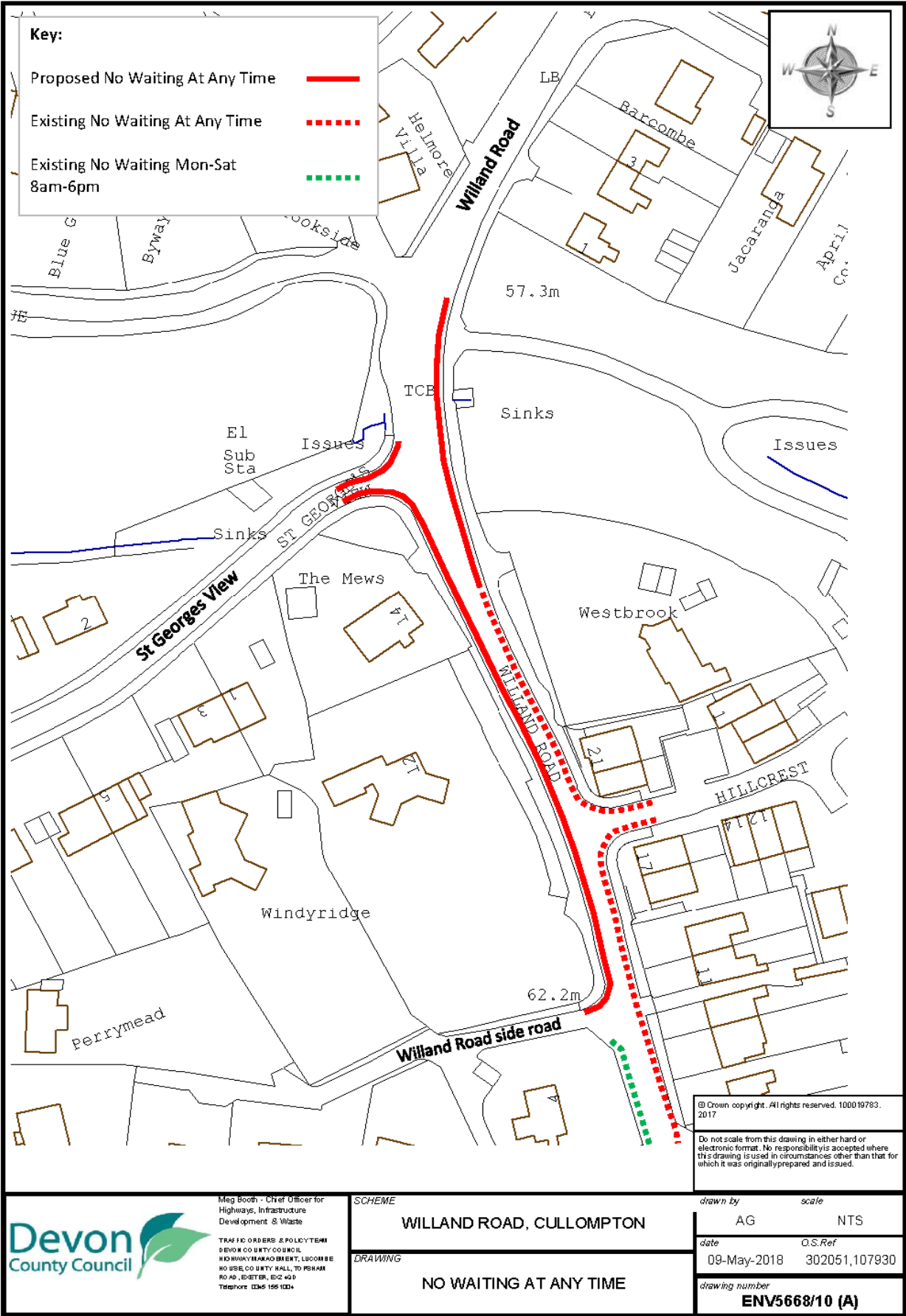
Appendix II
To HIW/18/68



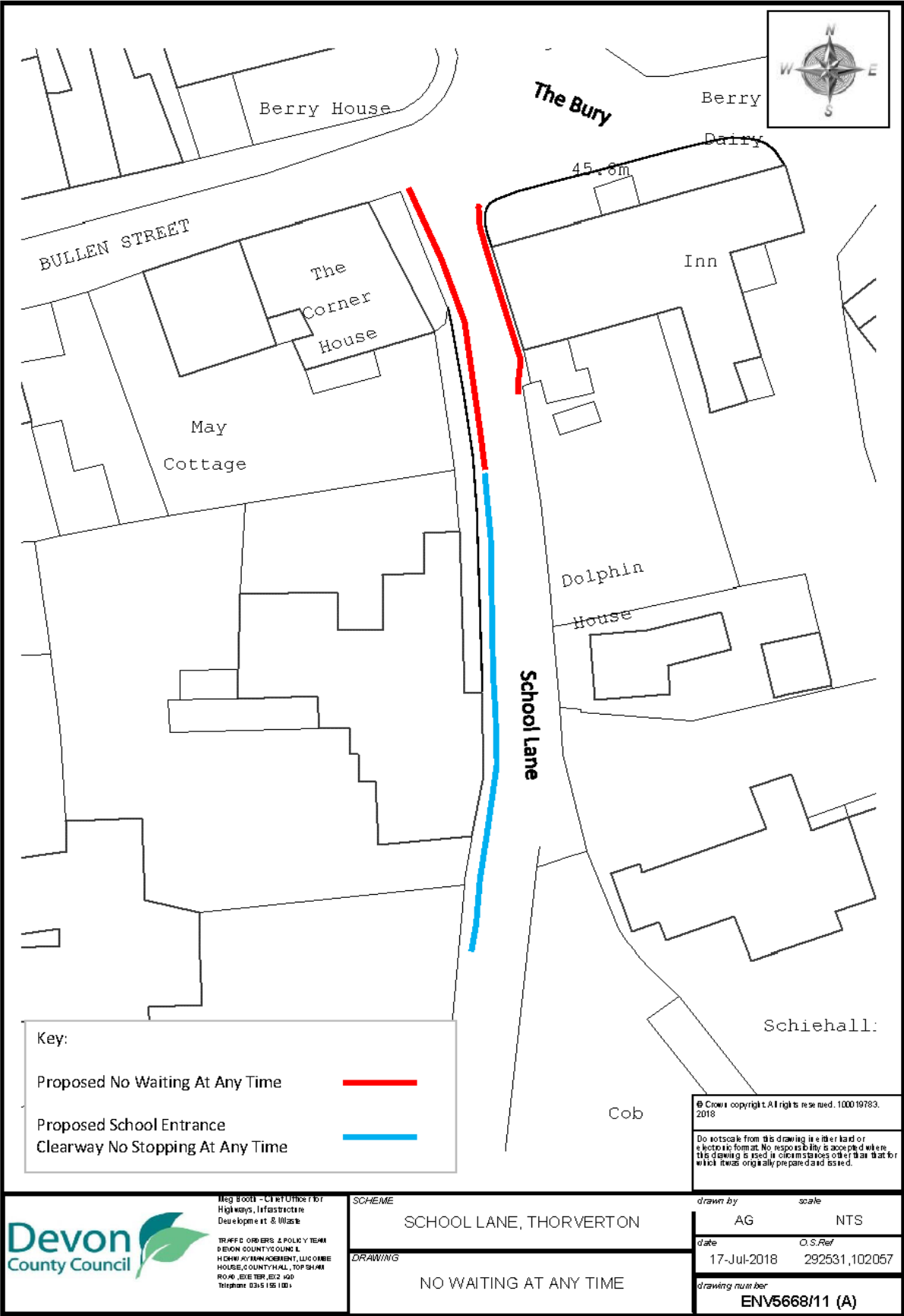


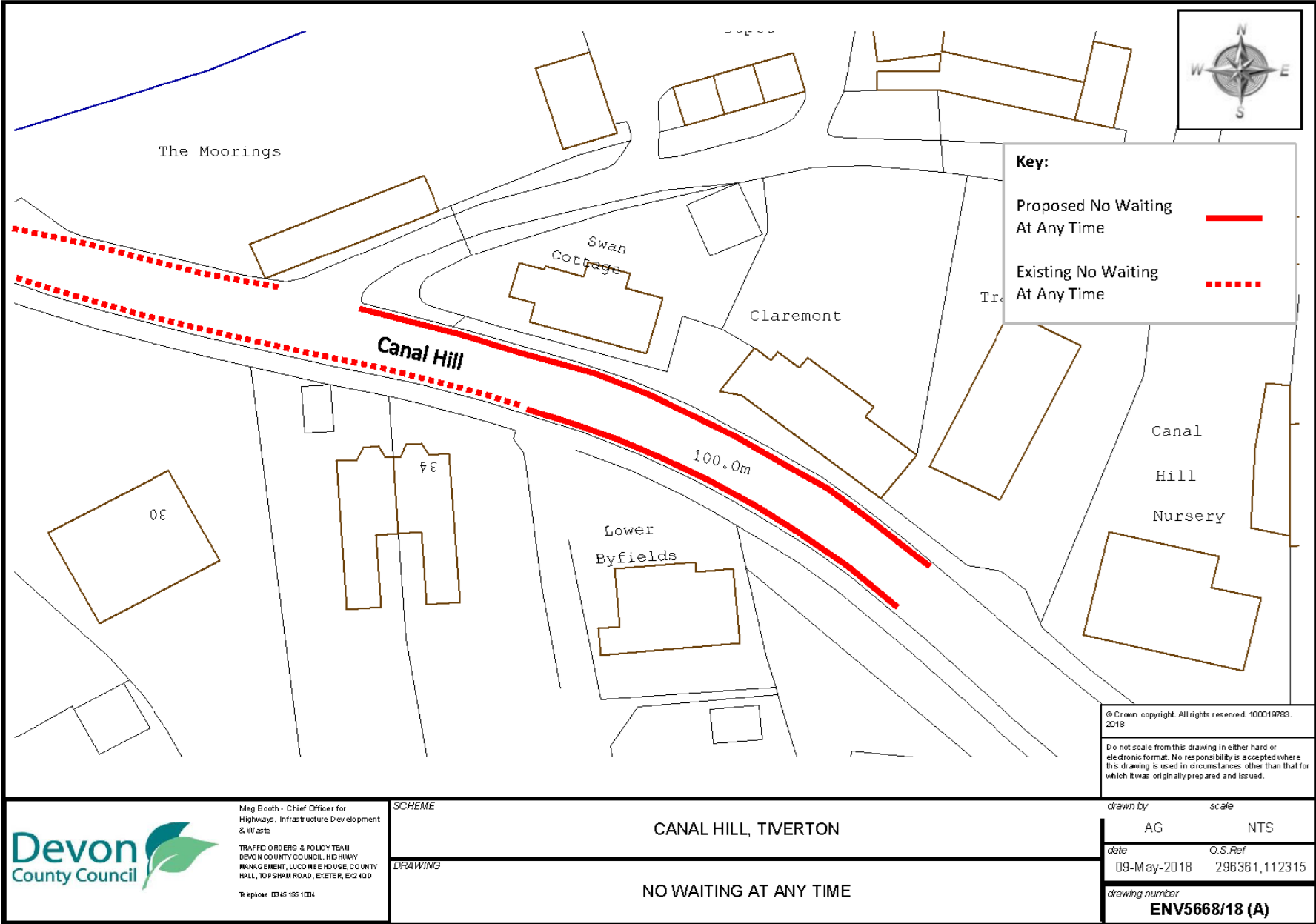
Agenda Item 4





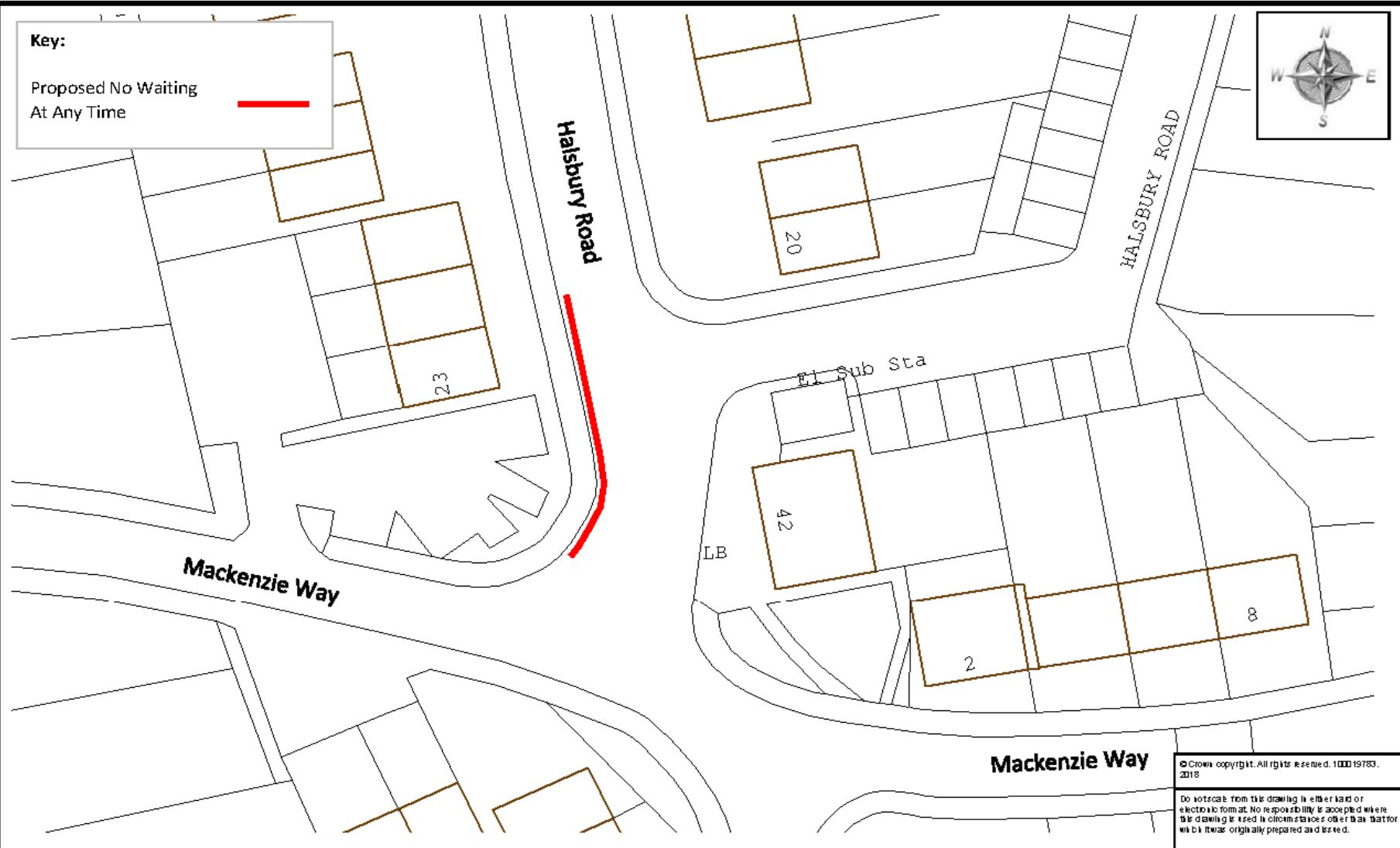
Agenda Item 4







Key:
Proposed No Waiting
At Any Time



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Do not scale from this drawing in either hard or electronic format. No responsibility is accepted where this drawing is used in circumstances other than that for which it was originally prepared and issued.



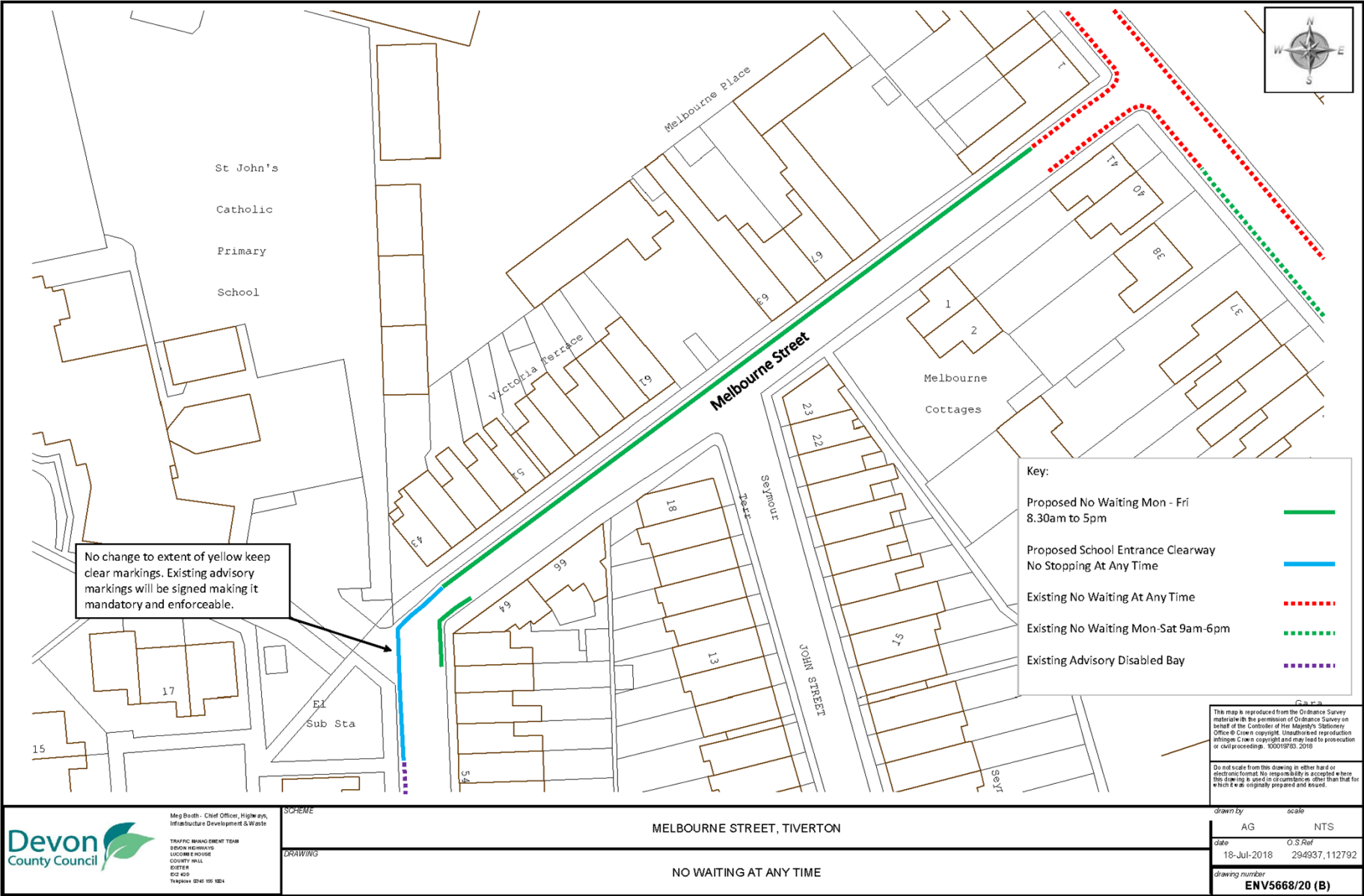
Meg Booth - Clerk to Officers for Highways, Infrastructure, Development & Waste
TRAFFIC ORDERS & POLICY TEAM
DEVON COUNTY COUNCIL, HIGHWAY MANAGEMENT, LUDCOMBE HOUSE, COUNTY HALL, TOPSHAM ROAD, EXETER, EX2 1QD
Telephone 0345 155 1000

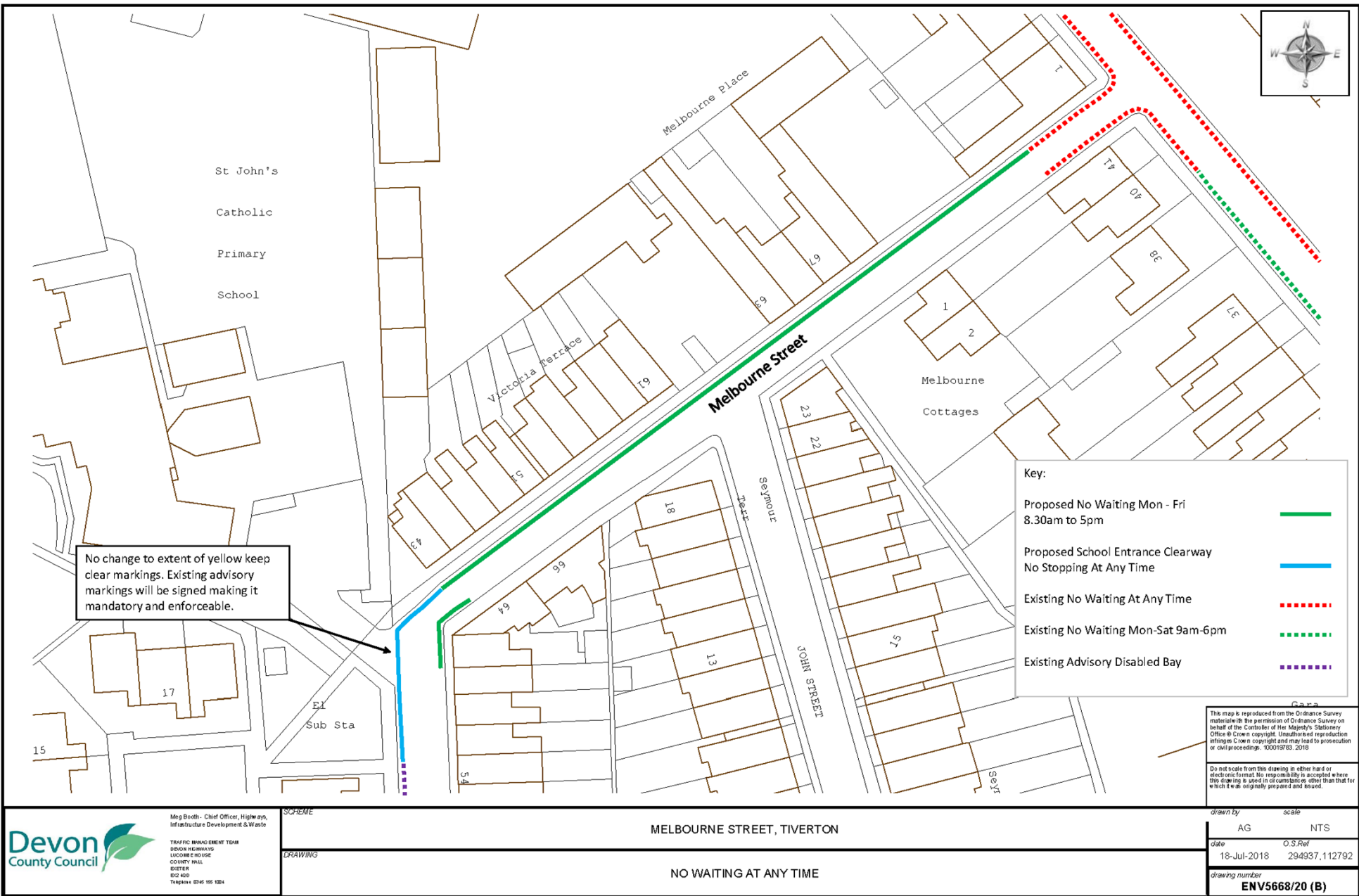
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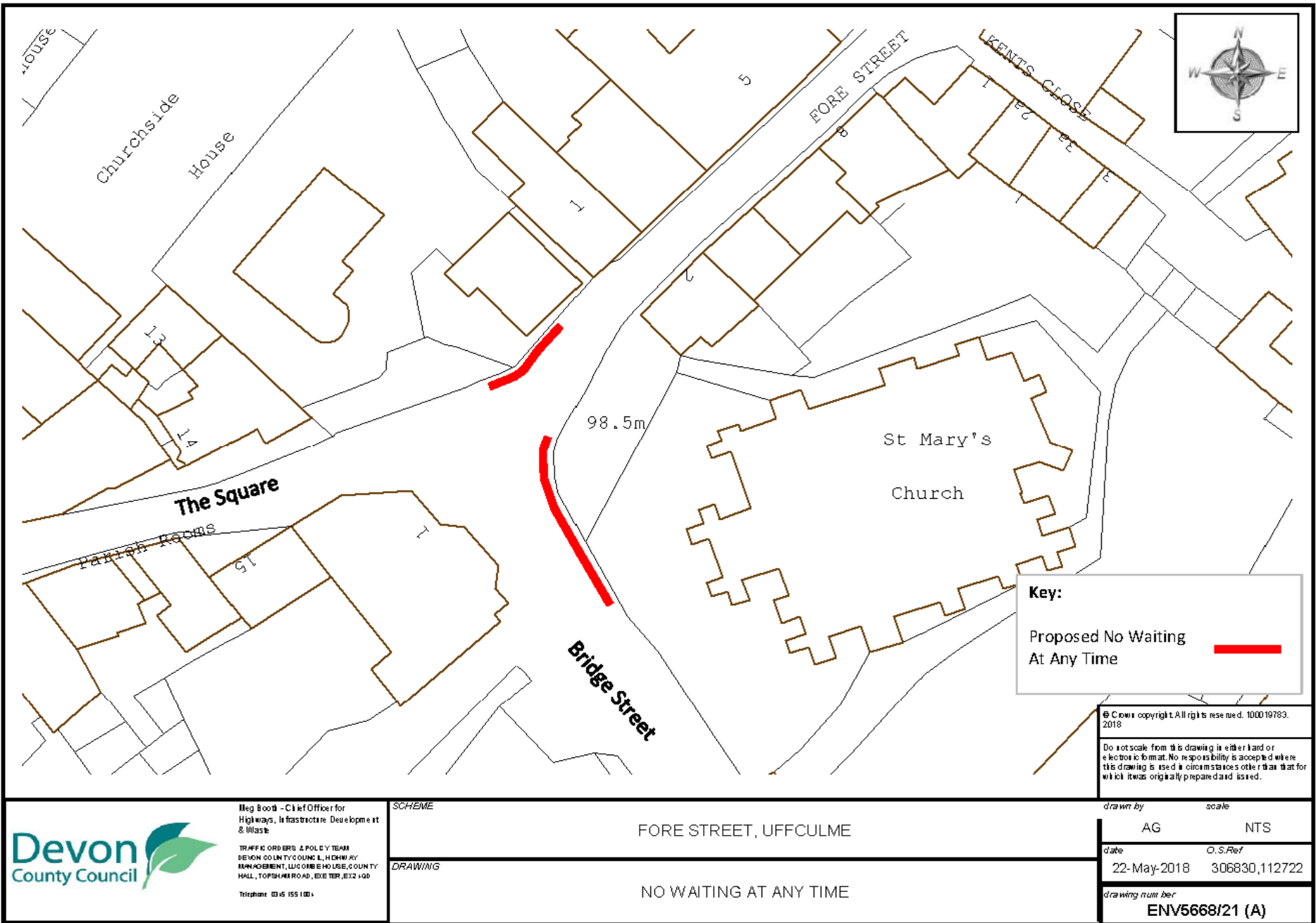
HALSBURY ROAD, TIVERTON

NO WAITING AT ANY TIME

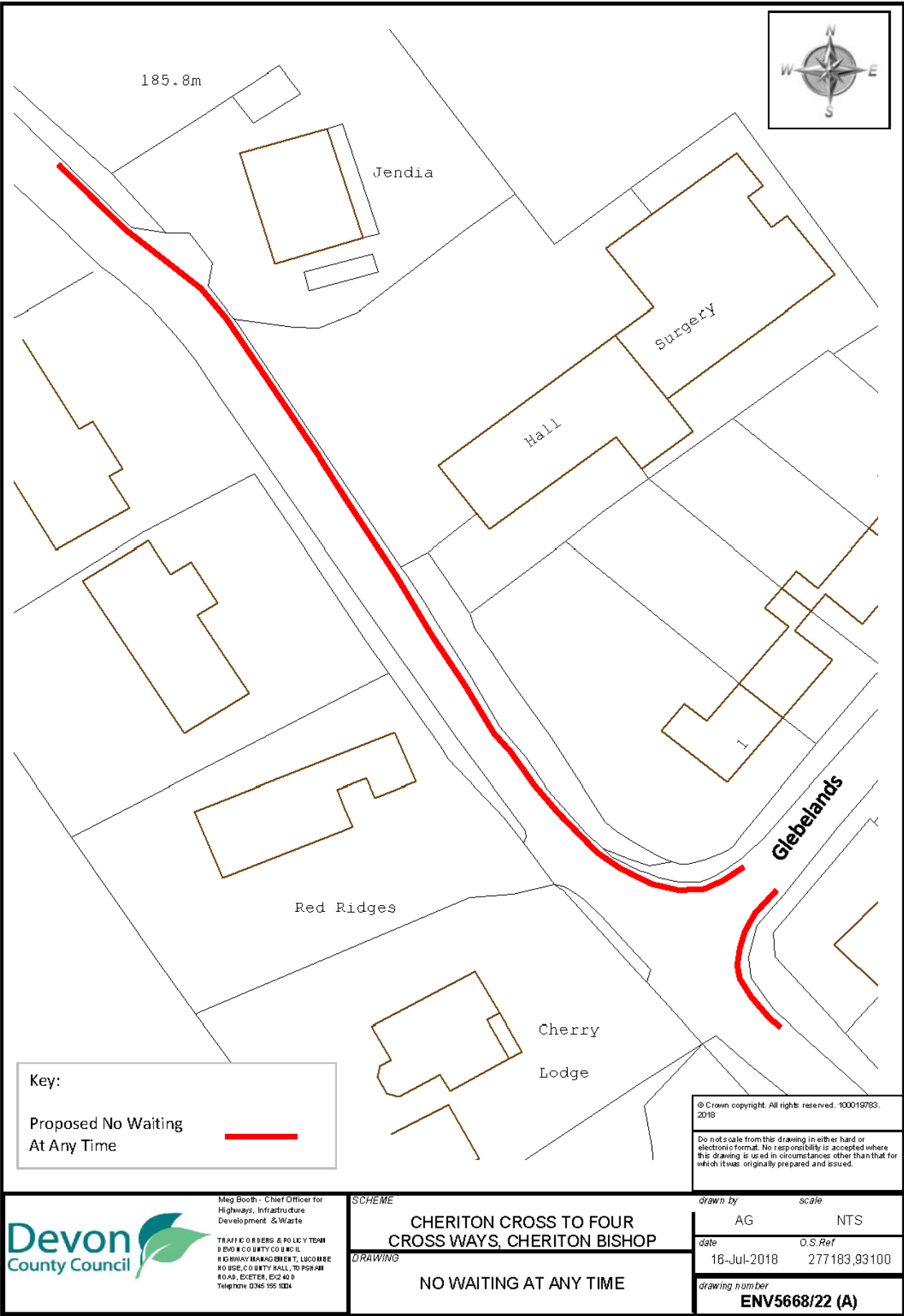
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AG	NTS
date	O.S. Ref
29-Jun-2018	296633,112560
drawing number	
ENV5668/19 (B)	

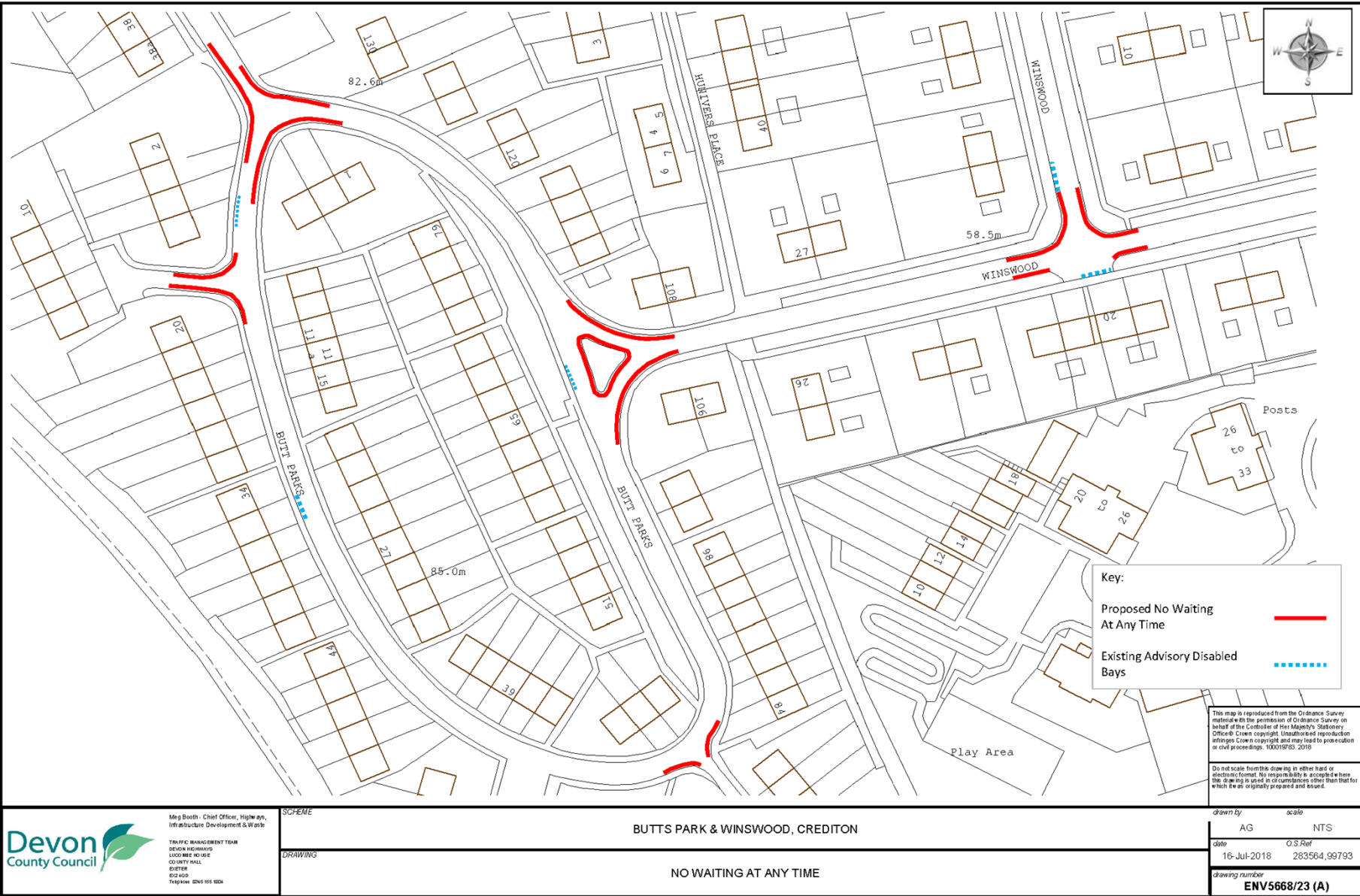




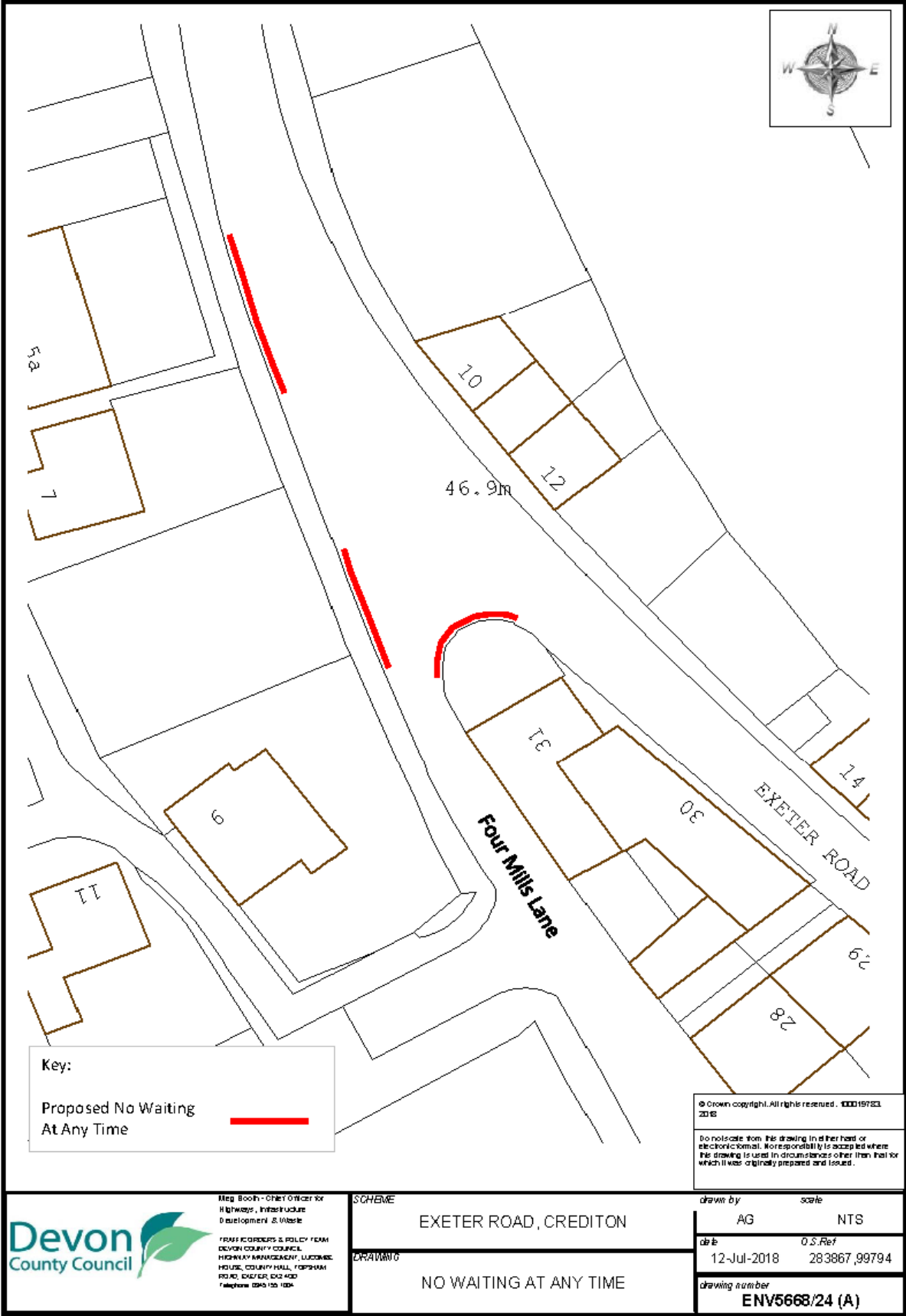


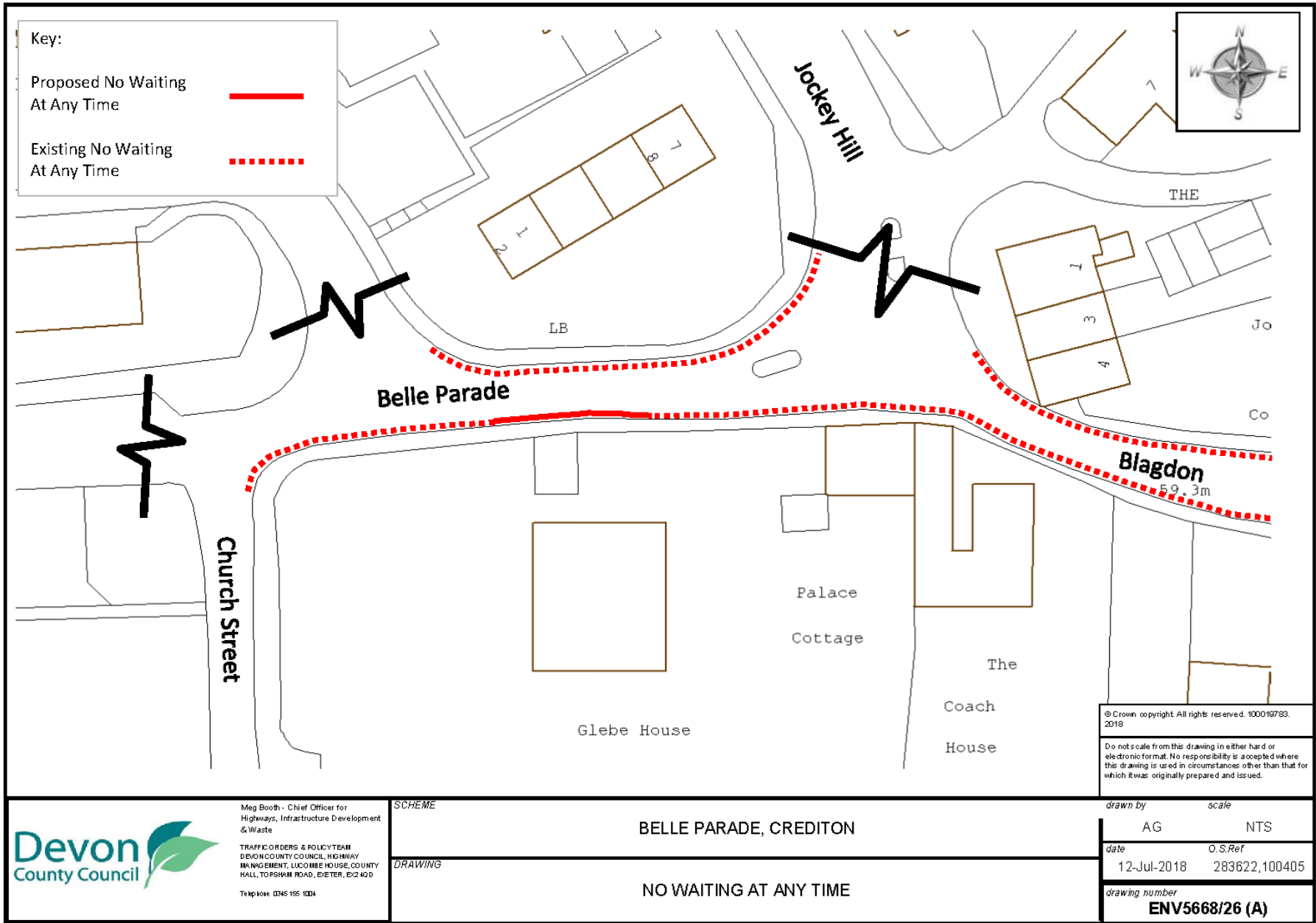
Agenda Item 4

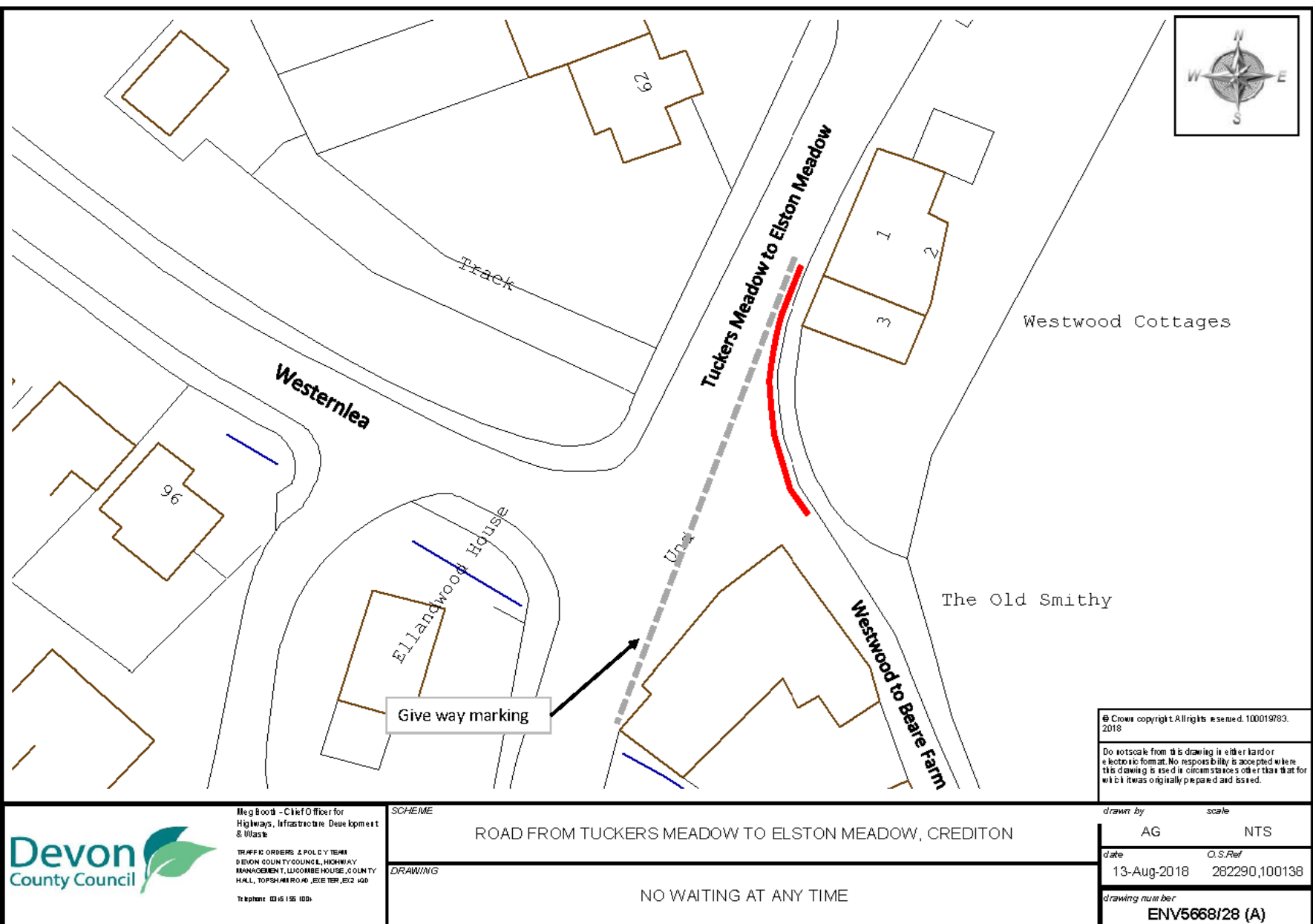




Agenda Item 4

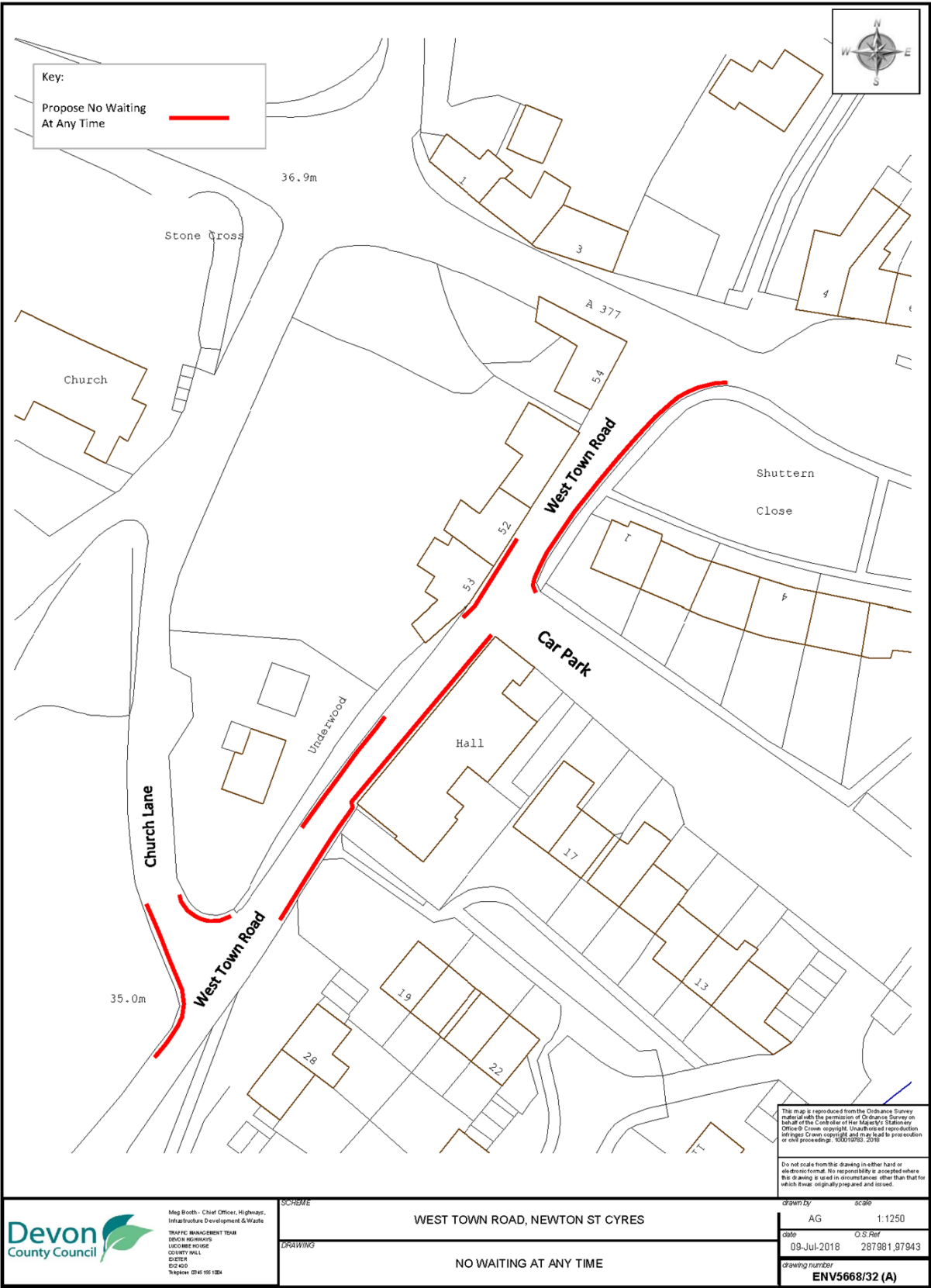


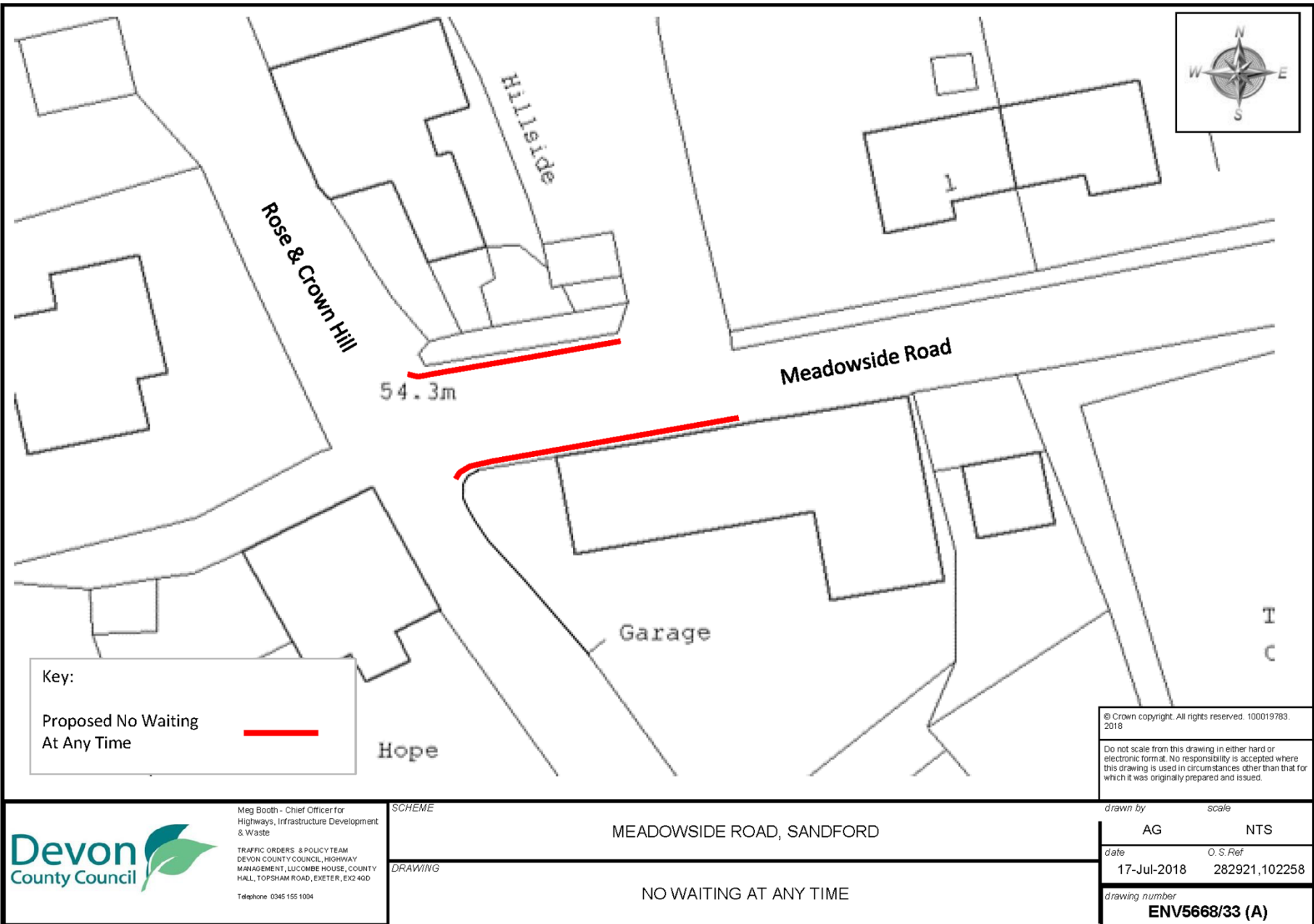






Agenda Item 4





Agenda Item 4

Appendix III
To HIW/18/68



12th September 2018

County Solicitor
County Hall,
Topsham Road
Exeter EX2 4QD.

Dear Sir,

Reference IMR/B13326-5668/28th August.

Please find attached the names and signatures of residents of Castle Street and adjacent roads. All signatories are opposed to the proposed installation of double yellow lines 27 meters from the junction of Castle Street and Frog Street.

This is the majority of the residents in the area.



*Please note that this petition consists of 3
separate sheets.*



Traffic Regulation Amendment Order 5668

I, the undersigned, wish to **object** to the proposed **double yellow lines in Castle Street, Bampton**, for the following reasons:

1. I was **not** notified in anyway of the proposal. **No notice** was **displayed** in Castle Street.
2. The Town Council at its last meeting was **misinformed** that the yellow lines were to **create** space for ambulances and oil delivery tankers – these are **not** legitimate reasons for a statutory order and are not agreed by the Highways Authority. The proposal will have no benefit to the whole street other than to **improve access to one property**.
3. Far from 'preserving/improving the amenities of the area', as the **draft Order states**, provision of a second passing space in the **Castle Street** will **increase** noise and pollution from braking and accelerating vehicles, **exacerbate the parking space shortage**, encourage greater driving speeds and expose pedestrians **on the pavement to moving traffic**.

NAME	ADDRESS	SIGNATURE
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Petition signed by 37 people.
Names and addresses have been removed.

Agenda Item 4

Appendix IV
To HIW/18/68



17 September 2018

17 September 2018

County Solicitor

County Hall

Topsham Road

Exeter EX2 4QD


Ref: IMR/B 13326-5668/28th August 2018

Dear Sir/Madam,

Following our recent letter to you objecting to the imposition of No Waiting At Any Time yellow line restrictions in Castle Street, Bampton, we now enclose a petition with almost 500 signatures pertaining to this issue.

We have retained the originals for inspection if required.





Name	Address
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HIW/18/69

Mid Devon Highways and Traffic Orders Committee
29 October 2018

Review of Building, Improvement and Visibility Lines in Register of Local Land Charges

Report of the Chief Officer 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 building, improvement and visibility lines as prescribed in the Schedule attached as Appendix I be revoked and rescinded and removed from the Register of Local Land Charges.

1. Background

The Public Health Act 1925 and the Roads Improvement Act 1925 empowered the Highway Authority of the day to prescribe, in relation to one side or both of any Highway Maintainable at Public Expense, an improvement line the effect of which is to protect land, which may eventually be needed for road widening, from the erection of buildings.

Upon Local Government Re-organisation in 1974 the Devon County Council inherited as successor Highway Authority various building, improvement and visibility lines prescribed by the former Highway Authorities, most of which were prescribed in the 1920's and 1930's.

All building and improvement lines are protected by registration in the Register of Local Land Charges and are revealed in replies to searches made by Solicitors acting for prospective purchasers of properties or land.

Most of the Orders made under the Public Health Act 1925 and the Roads Improvement Act 1925 are unable to be located in printed version. It would be difficult, therefore, to enforce if thought necessary.

2. The Supplementary Search Process

Private individuals or companies wishing to purchase properties will arrange to undertake a Search of the Local Land Charges via their Solicitors. Searches that reveal a Building, Improvement or Visibility Line also state that further information may be obtained from the County Council.

Such Enquiries – known as Supplementary Search Enquiries – are submitted by Solicitors acting for prospective purchasers to the Land Charges Team. Responses are provided having consulted with local Highways Officers and a letter is sent, together with an invoice relating to the payment due to cover the notional administration charge. Replies are expedited but may cause delay to the purchase process.

Most of the Supplementary Search Enquiries related to Building, Improvement and Visibility Lines are returned advising the enquirer that the Order has no practical effect today (current Planning Legislation is able to condition appropriate highway improvements). This may be seen as an unnecessary procedure and a waste of time and money.

Agenda Item 5

3. Review of Register of Local Land Charges

A review of building, improvement and visibility lines within the area of the Mid Devon District Council has been undertaken.

It is considered that the historic improvement, building and visibility lines in the Register of Local Land Charges summarised in Appendix I are now obsolete by virtue of the changes to road layout or traffic patterns over the years, the powers contained in current Planning Legislation, or there is no prospect of the identified highway improvement being progressed. It is recommended that the detailed lines should be revoked and rescinded and removed from the Register of Local Land Charges.

4. Options/Alternatives

The Committee may decide to retain in the Register of Local Land Charges any or all of the lines detailed in Appendix I.

5. Financial Considerations

There are no additional costs involved in implementing the recommendation. The modifications to the Register of Local Land Charges would be undertaken by existing staff.

6. Environmental Impact Considerations

It is considered the environmental impact of implementing the recommendation would be neutral.

7. Equality Considerations

It is considered there are no considerations in relation to the Public Sector Equality Duty in implementing the recommendation.

8. Legal Considerations

The lawful implications of the recommendations have been considered and taken into account in the preparation of this report.

9. Reasons for Recommendations

It is considered that the historic improvement, building and visibility lines in the Register of Local Land Charges summarised in Appendix I are now obsolete by virtue of the changes to road layout or traffic patterns over the years, the powers contained in current Planning Legislation, or there is no prospect of the identified highway improvement being progressed.

Meg Booth
Chief Officer Highways, Infrastructure Development and Waste

Electoral Divisions: All in Mid Devon

Agenda Item 5

Local Government Act 1972: List of Background Papers

Contact for enquiries: Tony Matthews

Tel No: 01392 383000

Background Paper	Date	File Ref.
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Register of Local Land Charges
for Mid Devon District

tm011019mdh
sc/cr/Review of Building, Improvement and Visibility Lines in Register of Local Land Charges
02 191018

Appendix I
To HIW/18/69

Schedule of Local Land Charges to be revoked and rescinded and removed from the Register.

Nature of prohibition or restriction; and reference to order, scheme, instrument, resolution, covenant, agreement or other document, under or by virtue of which prohibition or restriction is created or enforceable	Historic description of land affected by prohibition or restriction	Current road number/ Electoral Division	Date
Improvement Line under Public Health Act 1925	Exeter – Taunton Road A38 Stoneshill Railway Bridge, Willand	B3181 Willand and Uffculme	23 February 1928
Building Line under Section 5 of the Roads Improvement Act, 1925	Exeter – Taunton Road A38 Woodland Glade, Cullompton A38/2D/1	B3181 Cullompton & Bradninch	24 July 1929
Building Line under Section 5 of the Roads Improvement Act, 1925	Exeter – Taunton Road Route A38 Poundapit Farm – Merry Harriers A38/2F/1 A38/2F/2	B3181 Cullompton & Bradninch	16 October 1931 16 October 1931
Building Line under Section 5 of the Roads Improvement Act, 1925	Exeter – Taunton Road Route A38 Merry Harriers - Westcott A38/2E/1	B3181 Cullompton & Bradninch	9 May 1931
Building Line under Section 5 of the Roads Improvement Act, 1925	Exeter – Taunton Road Route A38 Westcott – Padbrook Bridge A38/2G/1 A38/2G/2	B3181 Cullompton & Bradninch	15 October 1931 15 October 1931
Building Line under Section 5 of the Roads Improvement Act, 1925	Exeter – Taunton Road Route A38 Padbrook Bridge – Knowle Lane A38/2B/1	B3181 Cullompton & Bradninch	8 February 1928
Building Line under Section 5 of the Roads Improvement Act, 1925	Exeter – Taunton Road Route A38 Cullompton – Willand Moor Cross A38/2I/2 A38/2I/3 A38/2I/4	B3181 Willand & Uffculme	9 December 1931 9 December 1931 9 December 1931

Nature of prohibition or restriction; and reference to order, scheme, instrument, resolution, covenant, agreement or other document, under or by virtue of which prohibition or restriction is created or enforceable	Historic description of land affected by prohibition or restriction	Current road number/ Electoral Division	Date
Building Line under Section 5 of the Roads Improvement Act, 1925	Exeter – Taunton Road Route A38 Willand Moor Cross – Waterloo Cross A38/2M/1 A38/2M/2	B3181 Willand & Uffculme	18 July 1933 18 July 1933
Building Line under Section 5 of the Roads Improvement Act, 1925	Exeter – Taunton Road Route A38 Waterloo Cross – Uffculme Cross A38/2C/1	A38 Willand & Uffculme	24 July 1929
Building Line under Section 5 of the Roads Improvement Act, 1925	Exeter – Taunton A38 Lamb inn By-pass A38/2H/1	A38 Willand & Uffculme	4 May 1931
Building Line under Section 5 of the Roads Improvement Act, 1925	Copplestone – Bow Road B3215 Copplestone - Furzedown Cross	A377/A3072 Credton	7 July 1932
Visibility Line under Section 4 of the Roads Improvement Act, 1925	Halberton – Waterloo Cross Road Whitnage turning Sampford Peverell	C105 Willand & Uffculme	18 January 1933
Visibility Line under Section 4 of the Roads Improvement Act, 1925	Halberton – Waterloo Cross Road Westleigh turning triangle Sampford Peverell	C105 Willand & Uffculme	6 July 1932
Visibility Line under Section 4 of the Roads Improvement Act, 1925	Tiverton – Willand Road South View Terrace, Willand	C769 Willand & Uffculme	7 July 1932
Visibility Line under Section 4 of the Roads Improvement Act, 1925	Tiverton – Willand Road Willand turning	C769 Somerville Road / Gables Road Willand & Uffculme	7 July 1932
Visibility Line under Section 4 of the Roads Improvement Act, 1925	South Molton – Tiverton Road Corn Mill - Cadeligh turning Cruwys Morchard	B3137 Morchard Mill Cross Creedy, Taw & Mid Exe	7 July 1932

HIW/18/70

Mid Devon Highways and Traffic Orders Committee
29 October 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 29 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 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
St Andrews Road Car Park, Cullompton	Introduction of pay & display in off street car park	Traffic regulation order advertised, objections resolved, and order sealed after consultation with Cullompton Town Council, Local Member and HATOC Chair.
Roads around Tiverton Parkway Station, Sampford Peverell	Changes to speed limits and parking in association with new footway works.	Traffic regulation order advertised, objection resolved, and order sealed after consultation with Local Member and HATOC Chair.

Meg Booth
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Divisions: Cullompton & Bradninch and Willand & Uffculme

Local Government Act 1972: List of Background Papers

Contact for enquiries: James Bench

Room No: ABG Lucombe House, County Hall, Exeter

Tel No: 0345 155 1004

Background Paper

Date

File Ref.

None

jb161018mdh
sc/cr/action under delegated powers
2 hq 191018

