

Phil Norrey  
Chief Executive

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

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

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(See below)

Your ref :  
Our ref :

Date : 26 June 2019  
Please ask for : Fiona Rutley 01392 382305

Email: [fiona.rutley@devon.gov.uk](mailto:fiona.rutley@devon.gov.uk)

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**TEIGNBRIDGE HIGHWAYS AND TRAFFIC ORDERS COMMITTEE**

Thursday, 4th July, 2019

A meeting of the Teignbridge Highways and Traffic Orders Committee is to be held on the above date at 10.30 am at the Council Chamber, Forde House, Teignbridge District Council to consider the following matters.

P NORREY  
Chief Executive

**AGENDA**

**PART I - OPEN COMMITTEE**

- 1 Apologies for absence
- 2 Election of Chair  
*(NB: In accordance with the County Council's Constitution, The Chair and Vice Chair must be County Councillors. County and District Councillors may vote)*
- 3 Election of Vice-Chair  
*(NB: In accordance with the County Council's Constitution, The Chair and Vice Chair must be County Councillors. County and District Councillors may vote)*
- 4 Minutes (Pages 1 - 6)  
Minutes of the meeting held on 28 February 2019 attached.
- 5 Items Requiring Urgent Attention  
Items which in the opinion of the Chairman should be considered at the meeting as matters of urgency.

- 6 Highway Asset Management/Doing what Matters  
Presentation by the Chief Officer for Highways, Infrastructure Development and Waste.

*Electoral Divisions: All in Teignbridge*

### **STANDING ITEMS**

- 7 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]  
(<https://new.devon.gov.uk/democracy/guide/constitutionparts2-4/part-4-section-7-petition-scheme/>).

### **MATTERS FOR DECISION**

- 8 Removal of Building, Improvement and Visibility Lines at South West Exeter (minute \*76)  
(Pages 7 - 12)  
Report of the Head of Planning, Transportation and Environment (PTE/19/26) attached.

*Electoral Divisions: Exminster and Haldon, Alphington and Cowick*

- 9 Extinguishing a Section of Highway Land at 25 Grove Crescent, Teignmouth (Pages 13 - 16)  
Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/62) attached.

*Electoral Division: Teignmouth*

### **MATTERS FOR INFORMATION**

- 10 Actions Taken Under Delegated Powers (Pages 17 - 18)  
Report of the Chief Officer for Highways, Capital Development and Waste (HIW/19/63) attached.

*Electoral Division: Newton Abbot North*

*(In accordance with Minute \*3 of the Meeting of this Committee on 27 June 2003 this report details the actions taken in respect of traffic regulation orders under Delegated Powers since the last meeting).*

- 11 Calendar of Meetings  
All meetings to be held at Teignbridge District Council, Forde House, Newton Abbot.  
  
14 November 2019  
5 March 2020.

Please use link below for County Council Calendar of Meetings;  
<http://democracy.devon.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

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

**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 Fiona Rutley on 01392 382305.*

**Membership**County Councillors

Councillors S Barker, J Hook, J Brook (Chair), J Clatworthy, A Connett, A Dewhirst, G Gribble, G Hook, R Peart and S Russell

Teignbridge District Council

Councillors P Bullivant, S Cook and C Nuttall

Devon Association of Local Councils

Councillor R Winsor (Observer)

**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 Fiona Rutley on 01392 382305. 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 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 Fiona Rutley on 01392 382305.

**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](mailto:centre@devon.gov.uk) or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.



Induction loop system available

## TEIGNBRIDGE HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

28 February 2019

Present:-

Devon County Council:-

Councillors J Hook, J Brook (Chair), J Clatworthy, A Connett, A Dewhirst, G Gribble, G Hook, R Peart and S Russell

Teignbridge District Council

Councillors S Cook, M Haines and R Prowse

\* **70**      **Minutes**

**RESOLVED:** that the minutes of the meeting held on 15 November 2018 be signed as a correct record.

\* **71**      **Petitions/Parking Policy Reviews**

There was no petition received from a Member of the public or the Council.

\* **72**      **Teignmouth Traffic Management Review**

(Ms Atkins, a local resident, spoke to this item with the consent of the Committee in favour of retaining the resident's parking zone with modifications, expressing disappointment at the delay and requesting the further review be undertaken in consultation with local representatives).

The Committee considered the report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/13), following its earlier consideration on 14 July 2016 and 15 November 2018.

The proposals were intended to rationalise existing parking arrangements within the Teignmouth area 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; and
- Encouraging those working in the town to make more sustainable travel choices eg Car Share, Public Transport, Walking and Cycling.

Teignmouth Town Council's representations were detailed in section 4 of the report ie:-

-30 October 2018 TC Finance and General Purposes Committee report and recommendations to the Town Council (Appendices I and II to report HIW/19/13);

-Town Council special motion 14 November 2018.

Subsequently at a meeting on 13 February 2019 with County Council Officers, the local County Councillor and the Town Council's Car Parking Working Party, views broadly represented previous submissions of 30 October 2018 together with specific proposals (sections 1 and 5 of report HIW/19/13).

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The local County Councillor would welcome further review given the complexities, to look in detail and see how traffic issues could be improved. She commented that the St James' precinct area had ongoing difficulties caused by original terraced houses converted to flats increasing the number of vehicles per property. Teignmouth was a confined area with traffic and parking limitations. Further consideration was needed of some parking areas currently under-used at different times to be made available for limited waiting/visitors. Parking was a particular issue for those attending St James's Church and the Alice Cross Centre. There was a view that the changes to date had shifted parking difficulties elsewhere.

A District Councillor had received representations that there was not enough disabled parking for those using the Pavilions. Officers explained that this was being reviewed in conjunction with HGV deliveries to the Pavilions and work undertaken by the District Council.

It was MOVED by Councillor Clatworthy, SECONDED by Councillor Peart and

## **RESOLVED:**

(a) the contents of the report be noted;

(b) that, subject to budgetary approval by Cabinet, a further review of on-street parking provisions in Teignmouth be undertaken based on the findings detailed in the Town Council report (Appendix I) and proposals listed in Section 5, of the Chief Officer's Report (HIW/19/13);

(c) that the review be undertaken in liaison with Teignmouth Town Council, Teignbridge District Council and Teignmouth Town Centre Management Committee so that a co-ordinated approach to parking provision within the town can be further developed.

\* 73

## **Road Safety Report**

The Head of Planning, Transportation and Environment presented an overview for both Devon and Teignbridge and detailed analysis of Cycle and Motor Cycle traffic police collision data (2017 validated) for fatal and serious injury incidents, together with trends, contributory factors, schemes, initiatives and strategies to mitigate against and reduce risk and promote safety.

Whilst overall accidents had decreased, the number of fatal and serious injury accidents had increased in Devon and Teignbridge. Principal targeting arising were:-

- Young and novice drivers;
- Older drivers;
- Motorcyclists;
- Business Drivers; and
- Cyclists.

Members comments included:-

-The worst Teignbridge routes included the A381 Newton Abbot Asda to Penn Inn ranked 2/144 and the A379 Teignmouth to Dawlish ranked 4/144;

-A379 speed reduction and enforcement;

-Blending of data sets;

-Minor collisions without police attendance/unrecorded;

-A380 South Devon Highway;

-Speedwatch in Kingskerswell and driver observations; and

-Initiatives to support and positively change driver attitude and behaviour, including high risk groups and repeat offenders.

Road safety data was available at <https://new.devon.gov.uk/roadsandtransport/safe-travel/road-safety/>

It was MOVED by Councillor Brook, SECONDED by Councillor Peart and

**RESOLVED:** that Members welcome the road safety report and initiatives and look forward to the development of the Devon Dashboard.

\* 74

## **Annual Local Waiting Restriction Programme**

The Committee considered the report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/12).

The Report updated on progress with the 4th year of this project, which was a countywide initiative to rationalise existing parking arrangements, intended to deliver only non-contentious proposals unlikely to attract substantial objection.

Early consultation was being held with local Councils and local County Councillors prior to advertising with the aim of streamlining the administrative process and to enable works to be carried out during the better weather months.

**RESOLVED:** that work on the annual waiting restrictions programme process for 2019/2020 be noted.

\* 75

## **Somerset Place, Teignmouth - Provision of Mandatory Disabled Parking Bay**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HCW/19/14) on a blue badge holder application for a disabled parking bay.

During the consultation period, Teignmouth Town Council objected to the proposal, with concerns that the area would not solely be available for the resident and there were other nearby areas for badge holders to park.

DCC Officers advised this provision would reduce competition for the space in a given area, improving the chances for a disabled applicant to park close to their residence more often. The disabled parking bay would not cause any additional congestion in the area as this was already a parking bay. The applicant accepted the provision would be available to all blue badge holders.

Some Members supported the disabled parking bay given the applicant had met the criteria. However others expressed the view that this provision was not necessary due to blue badge holders being able to park elsewhere in the vicinity and would lead to the loss of a parking bay for local businesses in the area needing quick turnover parking and suggested this could be reviewed further as part of the Teignmouth Traffic Management review.

It was further noted that there was great demand on other disabled parking within the vicinity.

Officers advised the application should be granted or refused and it was not appropriate to defer this for the Teignmouth review.

It was MOVED by Councillor Brook, SECONDED by Councillor Clatworthy and

# Agenda Item 4

**RESOLVED:** that the proposal for the mandatory disabled parking bay at Somerset Place, Teignmouth be implemented as advertised and the Traffic Regulation Order in respect of the disabled parking bay be made and sealed.

\* 76 **Removal of Building, Improvement and Visibility Lines at South West Exeter**

The Committee considered the Report of the Head of Planning, Transportation and Environment (PTE/19/9), regarding the protection of land which might eventually be needed for road widening, from the erection of buildings. Building lines remained adjacent to the A379 between the Matford Roundabout and the A30 overbridge, within an area allocated for development (South West Exeter). These lines in the Register of Local Land Charges were now considered by Officers to be obsolete due to changes to road layout or traffic patterns over the years, the powers in current Planning Legislation, or there was no prospect of the identified highway improvement being progressed.

However the local County Councillor had some reservations supporting the recommendation without comparing exact details of the building lines, planned development and proposed improvements and regarding removing the building lines due to further planned development to the west and any future unforeseen requirements.

Another Member sought clarification as to whether the County Council, landowner or developer should fund removal of any building lines and requested this to be further explored.

It was MOVED by Councillor Connett, SECONDED by Councillor Dewhirst and

**RESOLVED:** that this matter be deferred for further consultation with the local County Councillor and clarification on funding the removal of building, improvement and visibility lines, with a further report to the next meeting.

\* 77 **Highweek Area, Newton Abbot - Experimental Traffic Regulation Order**

The Committee considered the report of the Head of Planning, Transportation and Environment (PTE/19/10), reviewing to date the experimental restrictions introduced in November 2017. This followed concerns and requests raised by residents and local Councillors for interim measures to address traffic issues in Highweek, in advance of longer term major scheme solutions being completed. The Experimental Traffic Regulation Order had already made improvements and its further modifications made further improvements to traffic in the Highweek area.

The local County Councillor supported the report proposals which went some way to alleviating the local community concerns, however she stressed Highweek would continue to experience traffic difficulties until longer term solutions were completed and hoped that Officers would continue to keep the Highweek Area under review and work on other solutions required.

It was MOVED by Councillor J Hook, SECONDED by Councillor Connett and

**RESOLVED:**

- (a) that the responses to the Experimental Traffic Regulation Order be noted; and
- (b) that the modified Experimental Traffic Order be made permanent.

\* 78 **Actions Taken Under Delegated Powers**

The Committee received the report of the Chief Officer for Highways, Infrastructure Development and Waste (HCW/19/15) on actions taken in respect of Traffic Regulation Orders under delegated powers following consultation with the Chair and local County Councillors, relating to:-



- Ashburton Road, Newton Abbot;
- Buckland Road, Newton Abbot;
- First Avenue, Dawlish; and
- Higher Brimley Road, Teignmouth.

\* 79

## **Calendar of Meetings**

All meetings to be held at Teignbridge District Council, Forde House, Newton Abbot.

4 July 2019  
14 November 2019  
5 March 2020.

Please use link below for County Council Calendar of Meetings;  
<http://democracy.devon.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

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

The Meeting started at 10.30 am and finished at 12.05 pm

# Agenda Item 4

PTE/19/26

Teignbridge Highways and Traffic Orders Committee  
4 July 2019

## **Removal of Building, Improvement and Visibility Lines at South West Exeter**

Report of the Head of Planning, Transportation and Environment

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

**Recommendation:** It is recommended that the building lines at South West Exeter as prescribed in the Schedule attached as Appendix I be revoked and rescinded and removed from the Register of Local Land Charges.

### **1. Background**

Proposals for the removal of building lines were reported to this Committee at its meeting on 28 February 2019.

It was RESOLVED:

that this matter be deferred for further consultation with the local County Councillor and clarification on funding the removal of building, improvement and visibility lines, with a further report to the next meeting.

A meeting has since been held with the local County Councillor and this report seeks to provide the additional information requested by Members.

### **2. Building Lines**

The original plan demonstrating the building lines is based on the planned alignment of the A379 of the time and dates from 1936. It is understood that the building lines were introduced to protect the land for future highway improvements, which may not have been foreseen at the time the A379 was built. They allow for a 40 feet (approximately 12 metre) strip alongside part of the A379 to be protected from future development. The building lines have been indicated, as accurately as possibly, on the plan included in Appendix II. The area between the A379 and the building line shown in blue is currently protected from future development.

As can be seen on the plan, the building lines do not extend along the full length of the A379 and as such only the area between the highway boundary and the extent of the building line is protected from development. Whilst there are not currently plans for further changes to the A379, beyond that which is required for the proposed development, it is recognised that there may be concerns that unforeseen impacts could require improvements. As the building lines are not comprehensive along the A379, the benefit of them in relation to any unforeseen future changes is considered to be minimal.

### **3. South West Exeter**

South West Exeter is a development of 2,500 dwellings on both sides of the A379. The building lines have the potential to impact on the delivery of this development. Retaining the building lines would necessitate a re-design of the proposed development, which is well

# Agenda Item 8

advanced. This would delay the delivery of the development. Furthermore, given that the building lines would not be able to be used for development, they have the potential to impact on the quality of the development being delivered, particularly if not maintained.

As reserved matters applications for the development have not yet been submitted, the impact of the building lines on the number of dwellings delivered cannot be quantified. Given the area covered, the impact on the number of dwellings may be considered small. The impact on the delivery of the proposed new all-through school at South West Exeter has also been considered. The school is critical for both the development at South West Exeter and the wider Exeter area. The building lines are adjacent to the school site, but do not directly impact on the site. There is a risk that any impact on the delivery of the housing at South West Exeter, could have a consequential impact on the delivery of the new school. Removal of the building lines would help to address this.

In order to bring forward and support the delivery of the development at South West Exeter, a bid to the Housing Infrastructure Fund to deliver infrastructure at South West Exeter for £55.1 million. DCC was successful with this bid. The intention of the funding is to deliver infrastructure upfront to unlock development and increase its rate of delivery. Retaining the building lines would likely slow down the delivery of the development as well as potentially impacting the ability to deliver the infrastructure included in the successful Housing Infrastructure Fund bid.

## **4. Options/Alternatives**

The Committee may decide to retain in the Register of Local Land Charges the lines detailed in Appendix I. The original intention of the building lines was to safeguard land for future improvements which could not be foreseen at the time. The development proposed in the area, including highway improvements, can be accommodated within the land available without the need to retain the building lines. As part of planning for the development, consideration has been given to sustainable modes. Provision for pedestrians and cyclists will be retained along the A379, in addition to the new development providing internal links. Similarly, bus services will be able to continue using the A379, with the expectation that bus links will also be facilitated within the development.

Further capacity improvements to the A379 are not anticipated. In addition, the rest of the network would not have the capacity to accommodate increases in capacity on the A379 in this location. It should also be noted that the building lines, as shown, are not comprehensive along the A379. This would impact the ability to deliver any improvements to the A379, without requiring additional land which is not protected. As such, it is considered that there is limited benefit in retaining the building lines, and this is outweighed by the benefits of removing them, which leads to greater certainty regarding the delivery of the new all-through school as well as ensuring the comprehensive delivery of development at South West Exeter.

## **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. A review of building, improvement and visibility lines within the area of the West Devon Borough, South Hams District and Mid Devon District Councils have been undertaken in recent years. It is intended to review other Districts in the County in due course as staff resources permit. In the interim the cases of any development proposals that conflict with building, improvement or visibility lines will be reviewed individually.

## 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.

Dave Black  
Head of Planning, Transportation and Environment

## Electoral Divisions: Exminster and Haldon, Alphington and Cowick

Local Government Act 1972: List of Background Papers

Contact for enquiries: Sarah Ratnage

Room No: AB2 Lucombe House, County Hall, Exeter

Tel No: 01392 383000

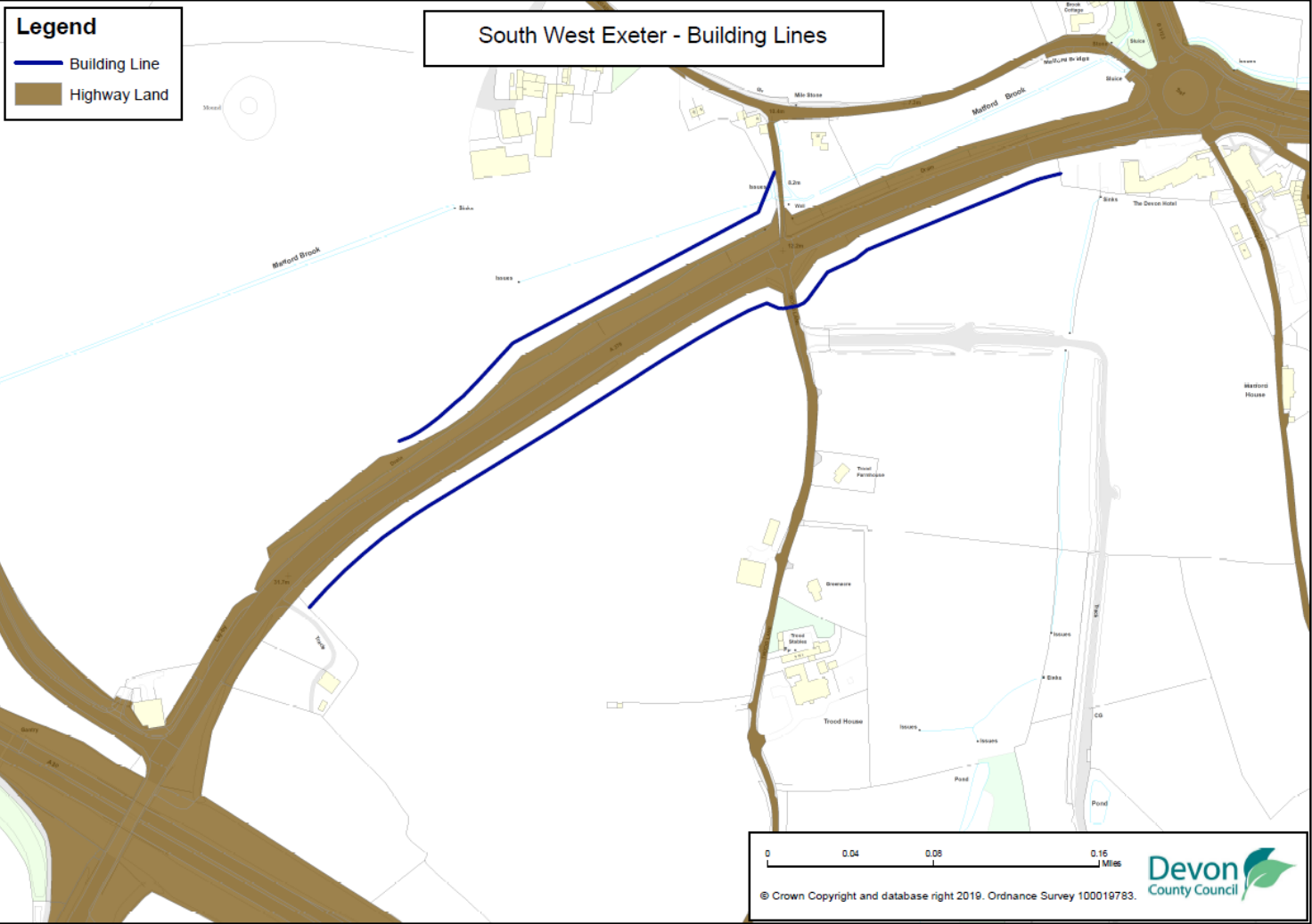
Background Paper	Date	File Ref.
Teignbridge HATOC report: Removal of Building, Improvement and Visibility Lines at South West Exeter	28/2/2019	Item 9: <a href="https://democracy.devon.gov.uk/documents/g2908/Public%20reports%20pack%2028th-Feb-2019%2010.30%20Teignbridge%20Highways%20and%20Traffic%20Orders%20Committee.pdf?T=10">https://democracy.devon.gov.uk/documents/g2908/Public%20reports%20pack%2028th-Feb-2019%2010.30%20Teignbridge%20Highways%20and%20Traffic%20Orders%20Committee.pdf?T=10</a>

sr250619teh  
sc/cr/ Removal of Building, Improvement and Visibility Lines at South West Exeter  
02 260619

**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
Building Line under Section 5 of the Roads Improvement Act, 1925	Exeter By-Pass Road	A379 Exminster and Haldon	23 January 1936

Plan of Building Lines at South West Exeter







HIW/19/62

Teignbridge Highways and Traffic Orders Committee  
4 July 2019

## **Extinguishing a section of Highway Land at 25 Grove Crescent, Teignmouth**

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) a section of highway land at 25 Grove Crescent, Teignmouth, is considered to be unnecessary for use as public highway, and;**
- (b) this committee resolves that Devon County Council submits a formal application to the magistrates' court for an order under Section 116 of the Highways Act 1980 that the said section of highway be extinguished.**

### **1. Introduction**

This report seeks approval for an application to the magistrate's court for the extinguishing a small section of highway land at 25 Grove Road in Teignmouth. The land is not being used as highway and is considered to be surplus to requirements.

### **2. Proposal**

Ms Needham, the landowner at 25 Grove Crescent received planning permission from Teignbridge Council on to change the use of this land adjacent to her property to domestic curtilage on 8 May 2019.

The disposal of the land is supported by Teignmouth Town Council and the local Member for the Teignbridge Division.

### **3. Options/Alternatives**

The alternative would be for the land to remain as highway, but it is considered to be surplus to requirements.

### **4. Consultations/Representations/Technical Data**

The proposal is supported by Teignmouth Town Council and the local Member for the Teignmouth Division, and has received planning permission from Teignbridge District Council.

### **5. Financial Considerations**

All costs will be borne by the applicant, there will be no cost to the County Council.

### **6. Environmental Impact Considerations**

There are no environmental impact considerations.

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## 7. Equality Considerations

There are no equality considerations.

## 8. Legal Considerations

Under section 116 of the Highways Act 1980 a highway authority can apply to a magistrates' court to extinguish a section of public highway on the grounds that is considered to be 'unnecessary'. Whether the land is unnecessary is a question of fact. It should be unnecessary for the purpose which the public might reasonably be expected to use it.

Only a Highway Authority can apply to a magistrates' court for a section of highway to be extinguished. A highway authority has discretion on whether or not to make an application. However, as this discretion is capable of being judicially reviewed it should have reason for making or not making the application.

## 9. Risk Management Considerations

No risks have been identified.

## 10. Public Health Impact

No public health impacts have been identified.

## 11. Summary/Conclusions/Reasons for Recommendations

It would appear from consultation with local highways officers, the Town Council and the local Member that this piece of land is not required for public use and therefore an application should be made to the magistrates' court for it to be extinguished.

Meg Booth  
Chief Officer for Highways, Infrastructure, Development and Waste

## Electoral Division: Teignmouth

Local Government Act 1972: List of Background Papers

Contact for enquiries: John Fewings

Room No: Ryefields, Avery Hill, Rydon Road, Kingsteignton, TQ12 3QG

Tel No: 01392 383000

Background Paper	Date	File Ref.
1. Teignbridge District Council Planning Application Ref No. 19/00648/FUL	May 2019	See <a href="http://www.teignbridge.gov.uk/planningonline">www.teignbridge.gov.uk/planningonline</a>
2. 2. Clerks report from Teignmouth Town Council Finance and General Purposes Committee	July 2018	Held by Teignmouth Town Council

jf260619teh  
sc/cr/Extinguishing a section of Highway Land at 25 Grove Crescent, Teignmouth  
01 260619

## Appendix I To HIW/19/62



Title: Land at Grove Crescent, Teignmouth		Project: Site plan	
<p><b>NPS South West Ltd</b></p> <ul style="list-style-type: none"> <li>Head office: Venture House, 1 Capital Court, Bittum Road, Sowton Ind Est, Exeter, EX2 7PW</li> <li>South office: The Acorn Centre, Lee Mill Ind. Est. Ivybridge, PL21 9QP</li> </ul>	Scale: 1:1,250	Date: Sep 18	Contact:
	File/Deed:	OS Sheet:	Telephone:
	Prep: CP	Checked:	Office: EXETER
	BIS No:	Project No: 18001	Drwg No: GC01



HIW/19/63

Teignbridge Highways and Traffic Orders Committee  
4 July 2019

## **Actions Taken Under Delegated Powers**

Report of 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 27 June 2003 this report details the actions taken under Delegated Powers since the last meeting and, where appropriate, in consultation with the Chair and Local County Councillors.

### **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 Chair and Local County Councillor. Details of these matters are listed below.

<b>Location</b>	<b>Proposal</b>	<b>Action</b>
St Johns Street, Newton Abbot	Introduction of a mandatory disabled parking bay	Traffic regulation order advertised and implemented after consultation with Local County Councillor and HATOC Chair as no objections were received.

Meg Booth  
Chief Officer for Highways, Infrastructure Development and Waste

## **Electoral Division: Newton Abbot North**

Local Government Act 1972: List of Background Papers

Contact for enquiries: Lee Cranmer

Room No: ABG Lucombe House, County Hall, Exeter

Tel No: 0345 155 1004

Background Paper	Date	File Ref.
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None

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sc/hq/action under delegated powers  
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