

Phil Norrey
Chief Executive

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

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 2 July 2020
Please ask for : Wendy Simpson 01392 384383

Email: wendy.simpson@devon.gov.uk

EAST DEVON HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

Friday, 10th July, 2020

A meeting of the East Devon Highways and Traffic Orders Committee is to be held on the above date at 10.30 am. This will be a virtual meeting - for the joining instructions please contact the Clerk for further details on attendance and/or public participation to consider the following matters.

P NORREY
Chief Executive

A G E N D A

PART 1 - OPEN COMMITTEE

- 1 Meeting Procedures - Briefing and Etiquette
Democratic Services Officer to present.
- 2 Election of Chair and Vice-Chair
(In accordance with the County Council's Constitution, the Chair and Vice-Chair must be County Councillors.)
- 3 Apologies
- 4 Minutes (Pages 1 - 4)
Minutes of the meeting held on 22 November 2019, attached.
- 5 Items Requiring Urgent Attention
Items which in the opinion of the Chair should be considered at the meeting as a matter of urgency.

MATTERS FOR DECISION

- 6 Stopping up of public highway: Land adjacent to Little Slades, Rockbeare (Pages 5 - 10)
Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/25), attached.

Electoral Divisions(s): Broadclyst

- 7 Request for Introduction of weight limit on A375 through Sidbury
(In accordance with Standing Order 23(2) Councillor Hughes has requested that the Committee consider this matter.)

- 8 Rail bridge at Station Road, Broadclyst (Pages 11 - 20)
(In accordance with Standing Order 23(2) Councillor Bloxham has requested that the Committee consider this matter.)

Report of Councillor Bloxham, attached.

- 9 Tiger Way, Axminster - A358
(In accordance with Standing Order 23(2) Councillor Hall has requested that the Committee consider this matter.)

STANDING ITEMS

- 10 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-7petition_scheme/)

MATTERS FOR INFORMATION

- 11 Action Taken Under Delegated Powers (Pages 21 - 22)
Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/26), attached.

Electoral Divisions(s): All in East Devon

- 12 Dates of Future Meetings
4 December 2020 and 8 February 2021.

The County Council Calendar of meetings is available on the website:
<http://democracy.devon.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

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.

Membership

County Councillors

Councillors Bloxham, Channon, Chubb, Hall, Hughes, Randall Johnson, Scott, Trail, Twiss, Shaw and Wright

East Devon District Council

Councillors Hartnell, M Howe and T McCollum

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-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 Stephanie Lewis on 01392 382486.

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 Customer Service Centre on 0345 155 1015 or email: committee@devon.gov.uk or write to the Democratic and Scrutiny Secretariat in G31, County Hall, Exeter, EX2 4QD.



Induction loop system available

EAST DEVON HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

22 November 2019

Present:-

Devon County Council:-

Councillors S Hughes (Chair), R Bloxham, C Channon, I Chubb, M Shaw, J Trail and P Twiss

East Devon District Council

Councillor M Howe

Devon Association of Local Councils

Councillor D Stewart

Apologies:-

Councillors M Hartnell, T McCollum, I Hall, S Randall-Johnson and R Scott

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Minutes

RESOLVED that the Minutes of the meeting held on 18 July 2019 be signed as a correct record.

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Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

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Highways Permit Scheme

The Committee received a presentation from the Assistant Project Manager on the proposed permit scheme for approving works on the highway and the introduction of statutory regulations. The presentation covered:

- the current noticing system for informing the County Council as Highways Authority of proposed road works;
- the Council's statutory duty to co-ordinate works and reduce disruption;
- the requirement for all local authorities to consider introducing a scheme by April 2020;
- the project timeline;
- the scope covering all statutory undertakers and DCC Highway works and in phase 2 all other privately licensed works;
- types of highway works included in the proposed scheme;
- permit discounts available for recommended good practice; and
- range of conditions.

Discussion points with the Officers included:

- the co-ordination of works to enable better management and less disruption;
- that retrospective permits could be applied for in emergency situations, e.g. for gas or water leaks;
- significant street works were notified to towns and parishes where a TTRO/TTN was required and agreed streetworks could be seen at www.roadworks.org;

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- there was a year's embargo on digging up a road again once resurfaced (unless emergency);
- that fixed penalty notices could be issued for works overrunning or if different to the permit issued, although permits could be varied; and
- the proposed timeline included a period for consultation before 'going live' in March 2020;

[N.B. the presentation is attached and additional information on the Permit Scheme is available at www.devon.gov.uk/workspermit-scheme]

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Proposed signalised Toucan crossing - Honiton Road (Blackhorse Village), Broadclyst

The Committee received the Report of the Head of Planning, Transportation and Environment (PTE/19/44) which sought approval for a signalised toucan crossing across Honiton Road in Blackhorse village in Broadclyst.

The report highlighted how the crossing would allow the first stage of the Clyst Valley Trail to be progressed enabling cyclists and pedestrians to cross Honiton Road to travel to and from Sowton village. It would also improve access for pedestrians travelling to and from the local bus stop in Blackhorse Lane and provide a gateway feature for through traffic approaching or exiting Blackhorse village.

It was **MOVED** by Councillor Bloxham, **SECONDED** by Councillor Twiss and

RESOLVED

(a) that the signalised crossing shown on C18034/003 included in Appendix II be approved for construction at an estimated cost of £70,000; and

(b) that the Head of Planning, Transportation and Environment be given delegated powers, in consultation with the Chair and Local Member, to make minor amendments to the scheme details.

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Annual Local Waiting Restriction Programme

(Mr J Walker attended the meeting under the Council's Public Participation Scheme and spoke to this item in relation to the proposals at Seafeld Road, Sidmouth.)

(In accordance with Standing Order 19, the Chair adjourned the meeting at 11.17am. The meeting was reconvened at 11.25am.)

(Mr G Ward and Dame J Slingo also attended the meeting under the Council's Public Participation Scheme and spoke to this item in support of the proposals at Seafeld Road, Sidmouth.)

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/102) on the Annual Local Waiting Restriction Programme which had previously been presented to this Committee on 12 March 2019.

A number of objections and comments had been received since the advertisement of the agreed proposals, details of which were shown in the Appendices to the report. Proposals which did not attract objections would be implemented without the need to report back to the Committee.

It was **MOVED** by Councillor Hughes, **SECONDED** by Councillor Twiss and

RESOLVED

(a) that work on the annual waiting restrictions programme process for 2019/20 be noted;

(b) that the recommendations contained in Appendix II to Report HIW/18/90 be agreed and the proposals implemented where relevant, subject to:

- (i) ENV5710-011 Essington Close/Mount Pleasant Avenue, Exmouth – that the recommendation be to proceed with the proposed restrictions;
- (ii) ENV5710-26 The Strand, Lympstone – that the proposal be withdrawn;
- (iii) ENV5710-041 Sidmouth Road, Colyton – that a site visit be arranged and that a decision on the matter be delegated to the Chief Officer for Highways, Infrastructure Development and Waste in consultation with the Chair and Local Member; and
- (iv) ENV5710-048 The Esplanade, Sidmouth – that, subject to advertising, a Modification Order be made seeking to reduce the extent of the maximum stay to 30 minutes and that a decision on the matter be delegated to the Chief Officer for Highways, infrastructure Development and Waste in consultation with the Chair and Local Member.

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Action Taken Under Delegated Powers

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/103) on action taken in consultation with the Chair and Local Member.

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

The Meeting started at 10.30 am and finished at 11.50 am

HIW/20/25

East Devon Highways and Traffic Orders Committee
20 July 2020

Stopping up of public highway: Land adjacent to Little Slades, Rockbeare

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 extent of highway land adjacent to Little Slades, Rockbeare, 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. 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 the landowner at Little Slades who 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.

2. Proposal

It is recommended that an application is made to the Magistrates' Court under Section 116 of the Highways Act 1980 for the stopping-up of part of the public highway adjacent to Little Slades, Rockbeare as shown on the Drawing attached as Appendix I.

The land is not currently registered and, if the stopping up were agreed, it is the responsibility of the applicant to make a claim to the Land Registry.

3. Alternatives

Devon County Council could refuse the application but would have no specific reasons for doing so.

4. Consultations

A number of organisations have been contacted on the proposal and a summary of the consultees and their response can be found in Appendix II.

A response is still outstanding from East Devon District Council who have until 7 July 2020 to respond. If a response is received prior to the deadline then it will be discussed with the local member and chair, before a final decision is made whether to proceed with the application to the Magistrates Court.

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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. 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 adjacent to Little Slades, Rockbeare as 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: Broadclyst

Local Government Act 1972: List of Background Papers

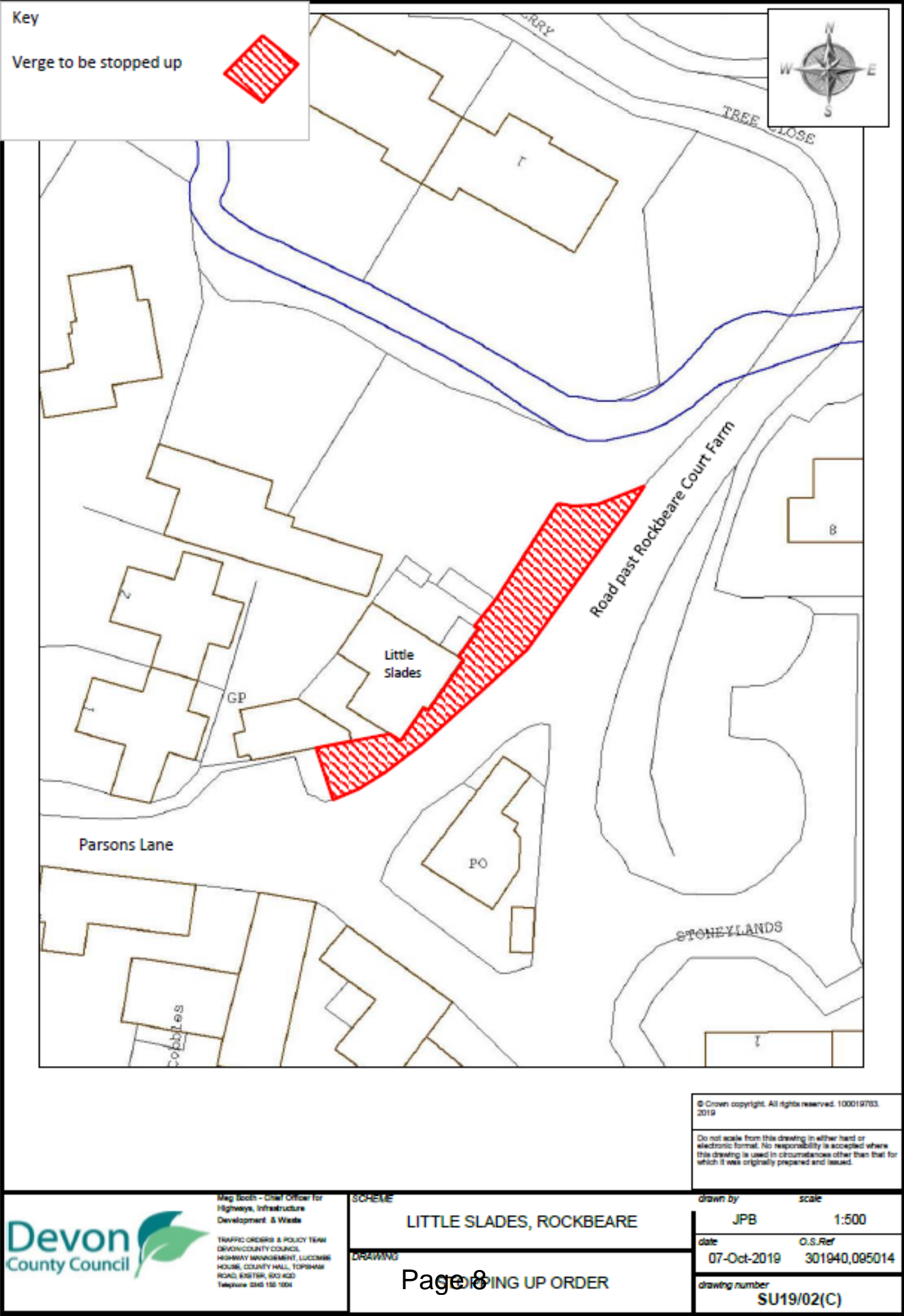
Contact for enquiries: James Bench

Room No: ABG Lucombe House

Tel No: 0345 155 1004

Background Paper	Date	File Ref.
None		

pg150620edh
sc/cr/Stopping up of public highway Land adjacent to Little Slades Rockbeare
02 300620



Appendix II To HIW/20/25

Organisations Contacted & Response

Organisation Contacted	Response
East Devon District Council	None received to date but deadline is 07/07/20
Rockbeare Parish Council	None received to date but deadline is 07/07/20. However, in previous correspondence the parish council state that they have no objections to the proposal.
South West Water PLC	None received
Wales and West Utilities PLC	None received
Western Power Distribution PLC	None received
Auto Cycle Union	None received
British Driving Society	None received
British Horse Society	None received
Cycling UK	None received
Owner - Pound Cottage, Rockbeare	None received
Owner - 1 Little Slade Mews, Rockbeare	None received
Owner - 2 Little Slade Mews, Rockbeare	None received
Owner – 3 Little Slade Mews, Rockbeare	None received
Owner – Hawthorns, Rockbeare	None received

East Devon Highways and Traffic Orders Committee

Wednesday 1st April 2020

Rail Bridge - Station Road Broadclyst

Report by Cllr Ray Bloxham - Broadclyst Division.

Recommendation: It is recommend that:

- a) Traffic light controls be installed to regulate alternate direction traffic flows over the railway bridge.**
- b) Build-outs be installed to provide a safety gap between traffic flows and the edge of the existing carriageway**
- c) Temporary traffic signals be installed in the interim whilst a permanent scheme is designed, costed and funding sought.**

Reasons for the recommendation.

1. Current traffic flows including a high volume of HGVs and school transport have difficulty in negotiating the bridge and larger vehicles are unable to pass each other resulting in reversing operations on the approaches both of which have steep gradients to the immediate side.
2. The bridge is constructed with an almost 90 degree bend with no visibility or warning of on-coming traffic.
3. There have been a number of collisions with existing barriers and recently a HGV left the road during a reversing manoeuvre.
4. There is no safety for pedestrians across the length of the bridge.
5. The carriageway on the southern side is immediately adjacent to and above a nursery with frequent movement of children and parents.
6. There is mounting concern from local residents and road users.
7. The western expansion of Cranbrook will add to the levels of vehicle movements.

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8. Whilst it is accepted that it will take time to work up a scheme and secure funding, measures are required now and therefore the recommendation includes temporary traffic signals.

Background

Station Road is a narrow rural road which in recent years has seen considerable increases in traffic flows including increases in HGV and coach use. The rail bridge is narrow, subject to a sharp, near 90 degree bend and has no visibility nor warning of oncoming traffic. Larger vehicles are unable to pass each other on the bridge and most vehicles of any size have difficulty passing at the point where the bridge has a near 90 degree turn.

Station Road Broadclyst is the principle north - south link between Broadclyst and settlements to the north of Cranbrook and the B3174 which runs east - west to the South of the new town. The B3174 is the principle link between the east of Exeter, Cranbrook and settlements to the east and also provides direct access to the major employment sites at Hayes Farm (currently occupied by Amazon but only partially developed), the Lidl distribution centre, Sky Park and Exeter Science Park.

Lodge Trading Estate is located in Station Road just north of the railway. This employment site is essentially B8 business class use with two major haulage companies operating from this location with consequent continual HGV movements in both directions over the rail bridge.

East Devon Planning authority granted a change of use from retail to B8 for the former co-op store on the Lodge site. There were no objections to the change of use from the Highway authority and the former co-op store site is now occupied by a haulage and crane hire business.

Station Road is also a principle route for school transport to and from the local education establishments including Clyst Vale Community College.

The land immediately to the east of Station Road (south of the rail bridge) is designated as strategic development land for the western expansion of Cranbrook with an additional 930 homes and associated development expected in the near future. There is a live and validated planning application for this area 19/0260/MOUT and this land is also designated for development in the Cranbrook Development Plan Document currently before the Planning Inspector. Traffic flows are therefore expected to increase in the near future.

Station Road is not helpful to pedestrians with long stretches devoid of any footway or place of refuge. This is particularly so in the case of the rail bridge.

Particular concerns have been raised by the proprietors of Echoes Nursery which is located to the south of the bridge. They care for a large number of small children from 7am until 7pm daily. The building has been subject to a vehicle collision and the barrier above their site has also been struck and damaged.

There are constant complains from local residents about traffic congestion on and around the rail bridge due to HGVs and other larger vehicles being unable to pass each other on the bridge leading to reversing manoeuvres which are potentially dangerous given the topography of the land either side of the bridge.

Proposal

The proposal as set out in the recommendations is to install traffic light controls on the bridge in order to create alternate traffic flows in each direction. This would prevent the frequently occurring situation where larger vehicles meet on the bridge and have to reverse.

Alternate single file traffic on the bridge would:

1. Enable the installation of build-outs or refuges for pedestrians;
2. Ensure there is separation between vehicles and the bridge edge - this would lower the risk of a collision with the barrier / bridge parapet and reduce the risk of a vehicle leaving the bridge over one of the steep sided boundaries.
3. Enable safer movement of parents and children around the nursery and cottages in Station Road as they would be able to make use of the traffic light phasing to negotiate across the road.

Financial Considerations

It is appreciated that these proposals would be costly to complete and there would be a need for designs to be properly costed and funded.

There may be opportunities to link this to the expansion of Cranbrook as that development would increase the traffic flows on this stretch of road.

(The planning application referred to above includes provision to re-route the most southerly stretch of Station Road through the western expansion of Cranbrook to meet the B3174 at a newly constructed roundabout. However the current proposals do not address any of the issues with the bridge).

In the interim it is recommended that temporary traffic lights be installed. This would alleviate the issues now and also allow time for the design, costing and funding work to progress.

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Environmental Impact Considerations

Controlling the flow of traffic over the bridge as proposed would prevent the traffic hold-ups on the bridge and go some way towards a reduction of pollution from idling traffic and reversing traffic.

The proposals are very well supported locally and by the Parish Council as a means of regulating traffic flows over the bridge.

Equality Considerations

There are no adverse impacts on any particular group.

Public Health

Installation of traffic light controls would have a benefit to local residents, pedestrians and those using the children's nursery. There would be clear safety advantages and people would also feel safer.

Reasons for the recommendations

These are set out in the report. The recommendations are fully supported by Broadclyst Parish Council and are consistent with their emerging Neighbourhood Plan.

Ray Bloxham

County Councillor
Broadclyst Division

Appendices:

A - Location Plan

B - Western Expansion

C - Photos from South (1)

D - Photos from South (2)

E - Photos from North

F - Photos of topography - south side

Appendix A
Location Plan





Appendix C - Approach from South (1)



Agenda Item 8

Appendix D - Approach from South (2)



Appendix E - North Side approach



Agenda Item 8

Appendix F - Topography South Side



HIW/20/26

East Devon Highways and Traffic Orders Committee
10 July 2020

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 *4 of the Meeting of this Committee on 24 July 2017 this report details the actions taken under Delegated Powers since the last meeting and, where appropriate, in consultation with the Chair and Local County Councillor.

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.

Location	Proposal	Action
Countywide	Introduction of Care Workers permits and changes to Dispensation Permit scheme	Traffic regulation order advertised, objections resolved and scheme implemented following consultation with the Cabinet Member for Highway Management and the Cabinet Member for Adult Social Care & Health Services.
Various roads, Exmouth	Introduction and removal of disabled parking bays	Traffic regulation orders advertised and implemented after consultation with Local County Councillors and HATOC Chair as no objections were received for the bays in this area.
A3052 & Seaton Down Hill, Seaton	Extension to /Introduction of 40mph	Traffic regulation order advertised and implemented after consultation with Local County Councillors and HATOC Chair as no objections were received.
B3178, East Budleigh	Extension to the 30mph speed limit	Traffic regulation order advertised, objections resolved and speed limit implemented after consultation with Local County Councillors and HATOC Chair.

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Location	Proposal	Action
Frog Lane, Clyst St Mary	Extension to No Waiting At Any Time	Following HATOC on 7/12/2018, a site meeting was held with local members and HATOC Chair where decision was made to implement restrictions as advertised.
Pathwhorlands, Sidmouth	Extension to No Waiting restrictions	Following HATOC on 7/12/2018, a site meeting was held with local member and HATOC Vice Chair where decision was made to advertise a modification to the proposals. No objections were received and the restrictions have now been implemented.

Meg Booth
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Divisions: All in East Devon

Local Government Act 1972

List of Background Papers

Contact for enquiries: James Bench

Tel No: 0345 155 1004

Background Paper

Date

File Ref.

None

jb260620edh
sc/hq/action under delegated powers
2 hq 300620