

SOUTH HAMS HIGHWAYS AND TRAFFIC ORDERS COMMITTEE

15 July 2016

Present:-

Devon County Council:-

Councillors J Brazil, R Croad, J Hart, J Hawkins, R Hosking and R Vint

Councillor Trevor Pennington, South Hams District Council

Apologies:-

Councillors R Gilbert and R Rowe

* **61** **Election of Chairman**

RESOLVED that Councillor Croad be elected Chairman for the ensuing year.

* **62** **Election of Vice Chairman**

RESOLVED that Councillor Hawkins be elected Vice Chairman for the ensuing year.

* **63** **Minutes**

RESOLVED that the minutes of the meeting held on 1 April 2016 be approved as a true record.

* **64** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **65** **Updated Road Warden Scheme**

The Committee received a verbal update from the Head of Highways, Capital Development and Waste on the updated road warden scheme and how the Council was moving forward with the initiative. Members noted that 16 agreements had been signed, with a further 16 waiting to be signed. It was hoped the funding would continue for a further twelve months to enable the scheme to grow.

Members discussed and asked questions on the take up of the scheme, the groupings of some parishes (therefore one agreement might cover several Parishes), the user friendliness of the guidance and the regular reviewing of that guidance to reduce bureaucracy and make the scheme as simple as possible, third party insurance and who was insured to undertake certain works, the use of red diesel and the impact of the new highways maintenance contract on this Scheme.

Members noted the Scheme was being relaunched in the Autumn with practical case studies for people to learn from. These could be shared with Highways and Traffic Orders Committees, if appropriate, at a later date.

* 66

Stopping-up part of Kingswear Unclassified Road No H107 (Galmpton Mill, Kingswear)

The Committee considered the Report of the Head of Highways, Capital Development and Waste (HCW/16/63) on the stopping-up part of Kingswear Unclassified Road NO H107 (Galmpton Mill, Kingswear).

The report sought approval for an application to the magistrates' court for the stopping up of that part of the Unclassified County Road No. H107, Kingswear, leading from its junction with the Unclassified County Road No. 305, Kingswear to Galmpton Mill, with reservation of public bridleway rights.

The report outlined that consultation responses and subsequent correspondence showed that the Road, as a public highway, was not needed for public use, therefore an application should be made to the magistrates' court for its stopping up with reservation of bridleway rights.

Members considered the relevant factors (e.g. financial, sustainability, carbon impact, risk management, equality and legal considerations and Public Health impact) as set out in the Head of Service's Report.

Members noted that the Parish Council, Local Member and landowners had been consulted and there had been no objections to the proposals.

It was **MOVED** by Councillor Hawkins, **SECONDED** by Councillor Croad and

RESOLVED

(a) that the Committee endorse the notion that the section of the Unclassified County Road (UCR) No. H107, Mill Lane at Galmpton Mill, Kingswear, is unnecessary for public use with vehicles; and

(b) that the Council submit 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 stopped up with reservation of public bridleway rights.

* 67

Highways Safety Policy (Cabinet Minute *403/14 October 2015 and Minute *27 11 May 2016)

The Committee received the Head of Highways, Capital Development and Waste (HCW/16/39) on the revised Highways Safety Policy, which had been approved by Cabinet on 11 May 2016. Cabinet had asked that the revised policy be circulated to Highways and Traffic Orders Committees for their information.

The report outlined that the revised operational policy had been designed to enable the Council to meet its statutory duty to maintain the highway network as safe as was reasonably practicable in all the circumstances and in so doing had also taken account of:

- guidance provided in the National Code of Practice (Well Maintained Highways);
- the draft update of the National Code of Practice (Well-managed Highway Infrastructure); and
- best practice in other authorities and the results of trialled policy changes.

Members noted the revised arrangements for the risk assessment process and also the aim of the revised policy in improving efficiency and grouping works to maximise co-ordination.

* **68** **20 MPH Speed Limit - Marldon (Reference to Cabinet 13 April 2016)**

The Chairman, having exercised his discretion and in the spirit of the County Council's Public Participation rules and with the consent of the Committee, invited Mrs D Sutton (representative of Marldon Speed Reduction Group (MRSG)) to speak on this issue.

The Cabinet had noted that the South Hams HATOC had, at its meeting on 1 April 2016 (Minute 55), considered a further request from the Parish Council and local residents for the introduction of a 20mph speed limit on roads in Marldon Parish; this matter having previously been considered in November 2015 when it had been deferred pending the findings of the interim Department for Transport report on the effectiveness of 20mph speed limits and zones and the subsequent review of the Council's policy on local speed limits. That guidance had been expected to be published in 2016 but was now anticipated in 2017.

The Cabinet Member for Highways Management & Flood Prevention had, at the Cabinet meeting, indicated his intention to visit the area with local councillors and assess the situation for himself prior to consideration of any definitive course of action.

The Cabinet had **RESOLVED** that, *'while sympathising with the concerns of the local community and recognising that taking any action in advance of the publication by the Department for Transport of its Report on the effectiveness of 20mph speed limits and zones and the incorporation of any consequential changes to legislation in the Council's policy may be premature, consideration of this matter be deferred pending the Cabinet Members inspection and a further report, acknowledging also that the matter may in any event be revisited once the Government's Review had been concluded'*.

The Cabinet Member had undertaken the site visit and had reported his findings to Cabinet on 13 July 2016.

The Chairman of the HATOC gave an update on the recommendations made at the Cabinet meeting, which included not approving the request to depart from Council Policy and introduce a blanket 20mph speed limit zone in the Marldon Parish, but following the receipt of Governments' advice on 20mph speed limits, a review of the County Council's policy on local speed limits would be undertaken. Furthermore, the Head of Service and Highway Officers had been asked to work with Marldon Parish Council to conduct a survey of all posted 30mph signage in the Marldon area and to arrange with local landowners the removal of vegetation that was obscuring signs; and also to investigate the potential for putting signs near the entrance of the children's play area on Tor Field, Marldon to warn of the possible presence of children/pedestrians in the road.

Members discussed the various traffic calming measures that were available and also noted the Cabinets intention to make representations to the Department for Transport expressing the Council's disappointment at the continuing delay in publication of the DfT's revised guidance on 20mph limits; and also that they would be urging Devon MPs to exert pressure on the DfT for early publication.

RESOLVED that the Committee note the views of the Cabinet in relation to its consideration of a 20 MPH speed limit for Marldon, as outlined above.

* **69** **Blackawton Speed Limit (Minute 38 17 April 2015)**

The Committee received a verbal report from the Head of Highways, Capital Development and Waste on the issues surrounding speed limits in Blackawton (the Committee had considered this issue previously and had deferred the request for a 20mph speed limit in Blackawton and there had been previous discussions with Blackawton Parish Council).

The Head of Highways, Capital Development and Waste drew attention to a proposed meeting to be arranged with Blackawton Parish Council to develop the Village Gateway

initiative which would include a further review of the 30mph limit that would take into account future development within the village.

* **70** **Beacon Road, Kingswear**

The Committee noted that, in accordance with Standing Order 23, Councillor Hawkins had asked that the Committee consider Beacon Road in Kingswear.

The Committee received a verbal report from the Head of Highways Capital Development and Waste which updated Members on the cliff landslide which had occurred in December 2012 and the ongoing discussions with landowners to stabilise the cliff and also reinstate the footpath.

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

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

* **72** **Actions Taken Under Delegated Authority**

The Committee received and noted the Report of the Head of Highways, Capital Development & Waste (HCW/16/64) setting out action taken under delegated powers on advertised Traffic Regulation Orders since the last meeting.

* **73** **Dates for Future HATOC Meetings**

Members noted the date of the next meeting as 11 November 2016.

Members also wished to place on record their thanks to Mr Brunt for his work in supporting the Committee and Highways work within the Council and wished him well in his retirement.

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

The Meeting started at 10.00 am and finished at 11.17 am