



Public Document Pack

North Devon Council
Brynsworthy Environment Centre
Barnstaple
North Devon EX31 3NP

K. Miles
Chief Executive.

STRATEGY AND RESOURCES COMMITTEE

A meeting of the Strategy and Resources Committee will be held in the Barum Room - Brynsworthy on **MONDAY, 2ND SEPTEMBER, 2019 at 10.00 am.**

(NOTE: A location plan for the Brynsworthy Environment Centre is attached to the agenda front pages. There are limited car parking spaces in the Visitors parking area. If no spaces are available, please find an alternative space. Please ensure that you enter your name and car registration details in the book in front of the entrance door)

Members of the Strategy and Resources Councillor Worden (Chairman)
Committee

Councillors Barker, Lane, Leaver, Lofthouse, Patrinos, Pearson, Prowse, L. Spear, Wilkinson and Yabsley

AGENDA

1. Apologies for absence
2. To approve as a correct record the minutes of the meeting held on 5th August (attached). (Pages 5 - 14)
3. Items brought forward which in the opinion of the Chairman should be considered by the meeting as a matter of urgency.
4. Declarations of Interests.
(Please telephone the Corporate and Community Services team to prepare a form for your signature before the meeting. Interests must be re-declared when the item is called, and Councillors must leave the room if necessary).
5. To agree the agenda between Part 'A' and Part 'B' (Confidential Restricted Information).

PART 'A'

6. **Approval and Release of Section 106 Public Open Space Funds - Chulmleigh and Ilfracombe** (Pages 15 - 18)
Report by Project, Procurement and Open Space Officer (attached).

7. **Consultation Response - Bishops Tawton Roundabout Improvements**
(Pages 19 - 34)

Joint report by the Chief Executive and Head of Place (attached).

8. **Exclusion of Public and Press and Restriction of Documents**

RECOMMENDED:

(a) That, under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item as it involves the likely disclosure of exempt information as defined by Paragraph 7 of Part 1 of Schedule 12A of the Act (as amended from time to time), namely information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

(b) That all documents and reports relating to the item be confirmed as "Not for Publication".

PART 'B' (CONFIDENTIAL RESTRICTED INFORMATION)

9. **CCTV Service** (Pages 35 - 58)

Report by Barnstaple Town Centre, Pannier Market and CCTV Manager (attached).

If you have any enquiries about this agenda, please contact Corporate and Community Services, telephone 01271 388253

23.08.19



North Devon Council protocol on recording/filming at Council meetings

The Council is committed to openness and transparency in its decision-making. Recording is permitted at Council meetings that are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will make sure any request not to be recorded is respected.

The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

Notes for guidance:

Please contact either our Corporate and Community Services team or our Communications team in advance of the meeting you wish to record at so we can make all the necessary arrangements for you on the day.

For more information contact the Corporate and Community Services team on **01271 388253** or email **memberservices@northdevon.gov.uk** or the Communications Team on **01271 388278**, email **communications@northdevon.gov.uk**.

North Devon Council offices at Brynsworthy, the full address is:
Brynsworthy Environment Centre (BEC), Roundswell,
Barnstaple, Devon, EX31 3NP.

Sat Nav postcode is EX31 3NS.

At the Roundswell roundabout take the exit onto the B3232, after about ½ mile take the first right, BEC is about ½ a mile on the right.

Drive into the site, visitors parking is in front of the main building on the left hand side.

On arrival at the main entrance, please dial 8253 for Corporate and Community Services.



NORTH DEVON COUNCIL

Minutes of a meeting of Strategy and Resources Committee held at Barum Room - Brynsworthy on Monday, 5th August, 2019 at 10.00 am

PRESENT: Members:

Councillor

Councillors Barker, Lane, Leaver, Lofthouse, Patrinos, Pearson, Prowse, L. Spear, Wilkinson and Yabsley

Officers:

Chief Executive, Head of Resources, Senior Solicitor/Monitoring Officer, Acting Regeneration Manager, Regeneration Manager, Head of Place, Project and Procurement Officer and Public Protection Manager

Also Present:

Councillors Jenkins, Mack and D. Spear

22. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Worden.

23. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 1ST JULY 2019 (ATTACHED).

RESOLVED that the minutes of the meeting held on 1st July 2019 (circulated previously) be approved as a correct record and signed by the Chairman.

Further to minute 13 of the meeting held on 1st July 2019, Councillor Prowse reported the receipt of a letter from residents in relation to Batsworthy Cross windfarm. He requested that the residents be advised of the outcome of the last meeting of the Strategy and Resources Committee and that the next update would be provided at the meeting on 7th October 2019.

The Chief Executive advised that all correspondence received to date from the residents had been responded to and that this letter would be responded to.

24. ITEMS BROUGHT FORWARD WHICH IN THE OPINION OF THE CHAIRMAN SHOULD BE CONSIDERED BY THE MEETING AS A MATTER OF URGENCY.

(a) Monitoring Officer

The Chair welcomed Trevor Blatchford who had been recently appointed as the Council's Monitoring Officer to the meeting.

(b) Councillor Ray Jenkins

The Chair welcomed Councillor Jenkins to the meeting.

(c) Memorial for former Councillor David Butt

The Chair advised that a memorial for former Councillor David Butt would be taking place on Wednesday 14th August 2019 at 11.00 am at Pilton's Rotary Gardens whereby a cherry tree would be planted by his family and a seat dedicated in his memory and that all were welcome to attend.

25. DECLARATIONS OF INTERESTS.

There were no declarations of interest announced.

26. CORPORATE PLAN

The Committee considered a report by the Chief Executive (circulated previously) regarding the draft Corporate Plan. A copy of the draft Corporate Plan and Delivery Plan was tabled.

The Chief Executive outlined the draft corporate priorities and delivery plan. He advised that the draft corporate priorities and delivery plan had been formulated by the Corporate Plan Working Group. The delivery plan would be kept under continual review by the Senior Management Team and Councillors and updated regularly. Public consultation commenced on 31st July 2019. Following public consultation, the Working Group would reconsider the Corporate Plan prior to adoption by Council in the autumn.

In response to questions in relation to timescales, the Chief Executive advised that work on some aspects of the delivery plan such as the commercialisation strategy and cross cutting environmental strategy would commence immediately. The carbon reduction plan needed to be in place within six months. Discussions had taken place with other Local Authorities regarding jointly commissioning Exeter University to assist with the carbon reduction plan. The Council was starting to take into account environmental issues such as a review of the Grounds Maintenance Contract. The Corporate Plan would be fed into service planning which would commence in the autumn. Senior Management Team would be considering options for setting up a housing building company, which would be reported to the Committee in due course. The Council would continue to maintain its working relationship with North Devon Homes.

In response to questions, the Head of Resources advised that the revenue budget included provision for temporary accommodation and any savings achieved would be identified. The Head of Environmental Health and Housing would provide an update at a future meeting of the Committee. £1.2m had been originally included within the capital programme for the provision of temporary accommodation. The underspend from 2018/19 was rolled forward to 2019/20. Two two bedroom houses and two three bedroom houses had been procured and it was planned that more houses would be procured. Two of the properties were ready for occupation and two required works and would be ready for occupation shortly.

Councillor Yabsley advised that a reporting mechanism needed to be in place to report any significant issues such as significant changes in building regulations from the Building Control Joint Committee to the Strategy and Resources Committee.

RESOLVED:

- (a) That the content of the report and of the draft Corporate Plan be noted;

RECOMMENDED:

- (b) That the Corporate Plan be approved.

27. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 1 OF 2019/20

The Committee considered a report by the Head of Resources (circulated previously) regarding the Performance and Financial Management report for Quarter 1 of 2019/20.

The Head of Resources highlighted the following:

- As at 30 June 2019, the latest forecast net budget is £12.546m, which produced a forecast budget deficit of £0.028m. A small forecast deficit normally occurred during the first quarter as budget holders anticipate spending the whole of their budgets at the commencement of the year and it was anticipated that the deficit would be reduced as we worked through the financial year.
- Appendix A detailed variations in the revenue budget. £20,000 savings had been forecast for temporary accommodation. The Head of Operational Services was currently seeking to reduce the inefficiencies within the service to reduce overheads and costs. The overspend for the Operational Services had been offset by £82,000 savings which had been achieved through Devon County Council as less waste was going to landfill. Planning fee income had reduced which was in line with other Local Authorities.
- At the 30 June 2019 total external borrowing was £1.250m. It was anticipated that this level would remain the same for the foreseeable future.

- Appendix B “Movement in reserves and balances” detailed the movements to and from earmarked reserves in 2019/20. The Council had a strong general fund reserve.
- Appendix C detailed the Strategic Contingency Reserve movements and commitments.
- Appendix D detailed the Capital Programme for 2019/20 to 2021/22. The Leisure Provision at Seven Brethren spend had been re-profiled to 2020/21 and 2021/22 and the Water Sports Centre spend had been re-profiled to 2020/21. The Programme of £29.969m was funded by Capital Receipts / Borrowing (£14.064m), External Grants and Contributions (£13.530m) and Reserves (£2.375m).
- Treasury Management as detailed in paragraph 4.5 of the report. The return earned on the Council's investments was 0.65% which was higher than the previous year of 0.44%.
- Debt Management as detailed in paragraph 4.6 and General Debtors as detailed in paragraph 4.7 of the report.
- Appendix E detailed performance information.

In response to questions, the Head of Resources advised:

- The forecast for the reduction in planning fee income was for the whole of the financial year.
- There was additional employee costs within Operational Services due to missed collections and the payment of overtime and agency staff.
- In relation to Unit 1b at Seven Brethren, it was anticipated that the completion would take place very shortly.
- The level of Council Tax and Business Rates collected were low in Quarter 1 as payments were made over a 10-12 month period. This level would increase throughout the remainder of the year.
- The Council's budget was based on the assumption that eventually 97.5% of Council Tax sums due would be collected which was in line with other Local Authorities. The Council actively pursued the outstanding debts and write offs were always less than 1%.
- The figures for the collection of recycling had been sent to Devon County Council. The final collection rate for 2018/19 would be confirmed shortly once the figures had been audited by Devon County Council.
- The vacant posts within the Planning service were currently being filled.

The Head of Place confirmed that there had been a number of vacancies within the team for a sustained period. All posts had now been filled and the team would be fully staffed within the next couple of months.

In response to questions, the Chief Executive advised:

- It had been identified that there was a high level of missed waste and recycling collections which was not acceptable. This had a financial impact and had resulted in the receipt of more complaints. A review of the missed collections would commence in September 2019 to identify the reasons why collections were being missed and address them.

- If the three weekly collection of residual waste was rolled out, then additional resources would be put in place to work with communities.
- A report would be presented to the Committee in the autumn regarding the options for the waste and recycling service. Works on the replacement of the process hall infrastructure had been slightly delayed due to the two fires which had occurred recently. As a result of the fires, an emergency meeting of the Senior Management Team had been convened and a number of actions had been agreed. As a result all recyclable plastics would temporarily be stored outside and not in the processing hall, the collection of batteries had been stopped, rubberised buckets were now used and a new alarm system would be installed. The fires had also exposed old infrastructure from the previous meat factory located on the site. Once works had been completed, the process hall would be back in operation.
- Citizens were required to set up accounts when paying online, so that the Council could collect money through the website.

RESOLVED:

- (a) That the actions being taken to ensure that performance is at the desired level be noted;
- (b) That the contributions to/from earmarked reserves be approved as detailed in paragraph 4.2 of the report;
- (c) That the movements on the Strategic Contingency Reserve as detailed in paragraph 4.3 be noted;
- (d) That funds be released for the capital schemes listed in paragraph 4.4.11 of the report;
- (e) That the sections dealing with Treasury Management (paragraph 4.5), and Debt Management (paragraph 4.6 and 4.7) be noted.

RECOMMENDED:

- (f) That Council approve the variations to the Capital Programme 2019/20 to 2021/22 (paragraphs 4.4.3)

28. **LAND RELEASE FUND PROJECT UPDATE: SEVEN BRETHREN REGENERATION**

The Committee considered a report by the Head of Place (circulated previously) regarding the Land Release Fund Project update on Seven Brethren Regeneration.

The Regeneration Manager highlighted the following:

- In November 2017 North Devon Council were awarded £2.2 million of Land Release Fund to bring forward 245 residential units at Seven Brethren, Barnstaple. £1 million was secured towards junction improvements and £1.2 million towards delivering flood defences/raising of site levels. £1,200,000 had

been received and the remaining monies would be paid in a further tranche over the next 12 months providing the project is progressing as set out in the original bid (or amended as agreed).

- The Land Release Fund was a Government initiative to assist in unlocking sites and accelerating the delivery of housing. The Fund expects this land to be released for housing no later than March 2020. It had since been acknowledged by the Local Government Association (LGA) that this could be extended until December 2020.
- The Land Release Fund was provided on the basis of the release of 3.6 hectares of land for housing; namely the site of the existing leisure centre, the short stay car park, long stay car park, any events area not within the required land for the new leisure centre and the current toleration site, to provide 245 homes.
- A member briefing and public consultation event was held on Thursday 11th July 2019. The information has been made available online and the consultation ended on 26th July 2019. A briefing had also been provided to Barnstaple Town Council. A high level report from the consultation findings had now been received and would be circulated separately.
- The Environmental Impact Assessment was near completion.
- The planning application would be submitted in September 2019 which would be a hybrid planning application where the scheme will be in outline save the provision of the new long stay car park, which would be a detailed part of the application.
- Land had to be released for development by December 2020, although the LGA were aware that the site of the current leisure centre and associated short stay car park could not be released until the new leisure centre was open, and have indicated that a phased approach is acceptable.
- Two meetings had been held with both Barnstaple Town Council and the Showman's Guild and they have taken options away to discuss with their membership. Work was being undertaken with the ecologist to establish the maximum size of the site.
- The public consultation panels showed a temporary toleration site to the rear of the proposed new long stay car park. The Head of Place had set up a project team to start looking at a long term solution for travellers and they have had their first meeting.
- Hydrock consultants were preparing a Transport assessment for this project. The Council was working with them, DCC, Highways and LHC urban designers to understand what highway improvements were necessary for this project and what place making opportunities there were, particularly at the junction of the Long Bridge which would link the new riverside walk/cycleway with that within the Anchorwood Bank site.
- Working continues with consultants and internal officers to understand the effects of this scheme on flooding, ecology, trees, drainage, heritage and contamination and any required mitigation.

In response to questions, the Regeneration Manager confirmed that there would be no reduction in the level of car parking during the replacement of the long stay car parking. The next key milestone was the deadline for the receipt of formal tenders at the end of October 2019.

RESOLVED that the content of the report be noted.

29. BARNSTAPLE VISION

The Committee considered a report by the Head of Place (circulated previously) regarding Barnstaple Vision.

The Economic Growth Manager highlighted the following:

- Lavigne Lonsdale had been appointed to prepare a Vision for Barnstaple, and have completed Phase 1 of the work, involving a benchmarking exercise pulling together the existing work within the town and their immediate thoughts.
- This initial piece of work was appended to the report and was a working document which would be finalised following consultation and engagement with stakeholders and the wider community.
- Procurement of Phase 2/3 would now start, to cover consultation and engagement with stakeholders and with the wider community.
- Discussions were taking place with Barnstaple Town Council to include consultation on their proposed Neighbourhood Plan within Phase 3 of the project.
- A Strategic Programme Board would be set up to manage the project working with partner organisations.

In response to questions, the Economic Growth Manager confirmed that Barnstaple Town Centre Management were engaged in the project and that she would be attending a meeting tonight to provide an update. The Clerk to Barnstaple Town Council and Barnstaple Town Centre Manager were part of the Programme Board. Existing reports had been taken in to consideration and the budget of £40,000 was realistic for phases 2/3 of the project.

In response to a question, the Head of Place advised that Neighbourhood Plans would be subject to the same statutory processes as the Local Plan and would have the same status.

In response to a question, the Economic Regeneration Manager advised that an update would be provided to the Committee in relation to the Hydrock car parking strategy report.

RESOLVED:

- (a) That the progress on the preparation of a future Vision for Barnstaple be noted;
- (b) That a budget of up to £40,000 to be funded from the Economic Development earmarked reserve be approved.

30. PROPOSED AMENDMENTS TO DANGEROUS WILD ANIMAL AND ZOO LICENSING FEES

The Committee considered a report by the Public Protection Manager (circulated previously) regarding proposed amendments to Dangerous Wild Animal and Zoo Licensing fees.

The Public Protection Manager highlighted the following:

- Recent legislative changes surrounding animal welfare licensing had created a position whereby there was a lack of consistency surrounding the way the Council's animal licensing fees were calculated, and in respect of the level of fee income recovered.
- Fees approved under The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 were now comparatively high compared to the fees set under the Zoo Licensing Act 1981 and Dangerous Wild Animals Act 1976, which were part of the regime imposed by the 2018 regulations.
- The Council was not in a position to achieve a satisfactory level of cost recovery for licences issued under the Zoo Licensing Act 1981 and the Dangerous Wild Animals Act 1976, to the point where the tax payer was currently subsidising this regime.
- The Council currently licensed three zoos. There were no licences in relation to the keeping of dangerous wild animals.
- Calculations in respect of keeping dangerous wild animals were detailed in Appendix B.
- Appendix A detailed the fees proposed.
- The structure of the fees currently in place did not reflect the recent case of *Hemmings v Westminster City Council*. It was recommended that there was a new Part A and B fee breakdown.
- Despite consultation being undertaken by way of the Council's Consultation Finder on its website, and additionally through written correspondence to the three zoos within the district no representations have been made.

RECOMMENDED that following the recommendation made by Licensing and Community Safety Committee during their meeting of the 18 June 2019 *"that following the consideration of the draft fees for zoo licences and licences for keeping dangerous wild animals, which had undergone a period of consultation and for which no representations had been received, the Strategy and Resources Committee amend the fees in line with the proposals set out in appendix A of the report"* that the fees identified in appendix A be approved with immediate effect.

31. APPROVAL AND RELEASE OF SECTION 106 FUNDS - BRAUNTON BMX TRACK, BRAUNTON

The Committee considered a report by the Project, Procurement and Open Space Officer (circulated previously) regarding an update on the Branton BMX track and request for approval and release of section 106 funds.

The Project, Procurement and Open Space Officer highlighted the following:

- In March 2019, the former Executive resolved to accept the freehold transfer of land at Velator, to the Council, at nil value, to create a BMX track.
- Since March, Officers have prepared a specification and tendered the design and construction of the BMX track, with tenders being returned in June. The contractor was now in place and ready to commence works.
- Simultaneously, Legal Services had been instructed to undertake the legal transfer. During this process, a restriction on title was found, which states no transfer or assent can be registered without the consent of the former landowner (the owner prior to the BMX Trustees). A meeting had now been held with the former landowner to try to resolve the issue. If the previous owner did not provide consent for the freehold transfer, then it was recommended taking a 999 year lease of the land at Velator from the Trustees of Branton BMX club.

RESOLVED:

- (a) That a further £17,648.49 be allocated towards creation of Branton BMX track, landscaping, fencing and any further ancillary works;
- (b) That taking a 999 year lease of the land at Velator from the Trustees of Branton BMX be approved, in the event the former owner does not provide consent for the freehold transfer;

RECOMMENDED:

- (c) That the capital programme be varied by £17,648.49 and that funds be released.

Chairman

The meeting ended at 11.32 am

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Committee.

This page is intentionally left blank



NORTH DEVON COUNCIL

Open

REPORT TO: STRATEGY & RESOURCES

Date: 2 September 2019

TOPIC: APPROVAL & RELEASE OF S106 PUBLIC OPEN SPACE FUNDS – CHULMLEIGH & ILFRACOMBE

REPORT BY: PROJECT, PROCUREMENT & OPEN SPACE OFFICER

1 INTRODUCTION

1.1 This report seeks to allocate S106 public open space funds towards a project in Chulmleigh and one in Ilfracombe.

2 RECOMMENDATIONS

2.1 That Strategy & Resources allocates:

2.1.1 £26,183 to Chulmleigh Parish Council towards Chulmleigh adventure play ground

2.1.2 £17,525 towards Southern Slopes open space illumination scheme (NDC led project).

2.1.3 Subject to approval of £2.1 above, that Strategy & Resources Committee recommends Council vary the capital programme by £43,708 and that funds be released, subject to a Funding Agreement upon such terms and conditions as may be agreed by the Senior Solicitor, for external projects.

3 REASONS FOR RECOMMENDATIONS

3.1 To allocate funds in line with the requirement of S106 agreements.

3.2 To protect and enhance public open space, including land and buildings.

4 REPORT

4.1 Chulmleigh Parish Council – Adventure Play Ground

Chulmleigh Parish Council own the adventure play area, and work alongside Chulmleigh Playing Field Association to support and maintain the play provision in the town.

Pursuant to a report presented to the former Executive on 5 November 2018, the playing field equipment at the adventure playground was recently decommissioned owing to the age and deteriorating quality of the adventure playground.

When the initial request for S106 POS funding was presented the total project cost was £90,000. Since November 2018, additional funding of £19,710 has been secured by the parish council and playing field association. This brings the total secured project funding to £49,710, including the £30,000 of S106 funding previously allocated.

Since the previous award of open space funds, The Council has received a further S106 POS payment, which has led to a further request of funds for this scheme. The Parish Council and Playing field association have revisited the specification and quotation to secure an affordable scheme. The project costs and match funding are noted in 5.1 of this report.

This further request for £26,183 would enable the project to move forward with works being completed by December 2019.

4.2 Southern Slopes open space illuminations (NDC)

Southern slopes and the sea front in Ilfracombe is a popular location for residents and visitors to the area. The public realm in this area has been identified for improvement. As part of this regeneration the improvements to the illuminations will create a wider viewpoint of the illuminated gardens and surrounding features and open space.

The works will focus on key features within the southern Slopes and Seafront area, to include installation of new lamps and LED colour change lighting, wiring and anti-vandalism caging. The improvement will encourage more visitors to use the open space and be more attractive.

This will also improve efficiency of the illuminations and improve health and safety. The project will be delivered by property services.

5 RESOURCE IMPLICATIONS

5.1 Chulmleigh Parish Council – Adventure Play Area

The revised total project cost is £75,893, funded from the following sources:

Source	Amount
S106 Public Open Space funds approved at Executive on 5/11/18	£30,000
Big Lottery Funds Awards for all	£10,000
Councillor Grants	£5,100
Community donations appeal	£4,610
Total	£49,710

The shortfall be funded from the S106 POS source noted below.

Development Description	Application Number	Amount
Land off Leigh Road, Chulmleigh	56158	£26,183
	Total	£26,183

Any overspend will be met by the Parish Council.

5.2 Southern Slopes, Ilfracombe

The total project cost is £17,525. £5,255.18 will be funded from Ilfracombe Illuminations budget with the remainder being funded from the S106 contribution noted below.

Development Description	Application Number	Amount
Higher Lincombe Farm, Ilfracombe	62465	£2,583.12
Former Waterworks, Higher Slade, Ilfracombe	61085	£9,686.70
	Total	£12,269.82

Any overspend will be met within existing NDC budget.

6 EQUALITIES ASSESSMENT

6.1 This report is allocation of funds

7 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3. Annexe 1. 1 (d)	Delegated

8 STATEMENT OF CONFIDENTIALITY

8.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

9 BACKGROUND PAPERS

9.1 The background papers are available for inspection and kept by the author of the report.

10 STATEMENT OF INTERNAL ADVICE

10.1 The author (below) confirms that advice has been taken from all appropriate Councillors and Officers.

Author: L. Wheeler

Date: 7 August 2019

Reference: I:\Projects\Open Space & S106\Reports\Strategy & Resources\190902 S&R report.docx

REPORT TO: STRATEGY AND RESOURCES

Date: 2ND SEPTEMBER 2019

**TOPIC: CONSULTATION RESPONSE - BISHOPS TAWTON
ROUNABOUT IMPROVEMENTS**

REPORT BY: CHIEF EXECUTIVE/HEAD OF PLACE

1 INTRODUCTION

- 1.1 Devon County Council, as highway authority, has applied for permission for the alteration of the roundabout at Bishops Tawton including the construction of an underpass under the A361. The County Council will determine the application but North Devon Council has been asked to give its views as consultee.
- 1.2 This report enables Members to debate this issue and give a view on the proposals.

2 RECOMMENDATIONS

- 1.1 That Committee note the content of this report and determine what consultation response to provide.

3 REASONS FOR RECOMMENDATIONS

- 3.2 To ensure that, as a key partner to DCC, the Council has the opportunity to show its support, or otherwise, for the proposals.

4 REPORT

- 4.1 Members will be aware of the proposals to carry out a range of improvements to the North Devon Link Road from the Heywood Road roundabout in Bideford through to South Molton. Funding of £83 million has been obtained from the Local Majors Fund in order to carry out the first phase of these improvements. That funding would not be available for other improvements.
- 4.2 Public consultation on the need to make improvements has been carried out and this showed substantial public support.
- 4.3 Some of the improvements have already gained consent but the current application relates to improvements to the Bishops Tawton roundabout and specifically to widen the approaches to provide an additional lane and construct an underpass to allow pedestrians to cross the busy junction safely.

- 4.4 The reference number for the proposals is DCC/4142/2019 and the proposals can be viewed in full on the DCC website. The Design and Access Statement is attached to this report as Appendix 1.
- 4.5 A public consultation was carried out on the proposals and the results can be found on the North Devon Link Road pages on the DCC website.
- 4.6 It is understood that the scheme now submitted does address a number of the issues raised as part of that consultation although it is acknowledged that there will no doubt still be a level of opposition to the scheme.
- 4.7 The District Council has long acknowledged that if the District is to attract investment into the area, its connections to other parts of the country have to be improved. That includes physical connections such as road and rail links.
- 4.8 The District Council has supported DCC in its funding applications and in its ambition to make improvements to the Link Road and it is suggested that any consultation response to the current application should reflect that ongoing support.
- 4.9 Supporting improvements to the Link Road also fits in with the draft Corporate Plan currently under consideration.

5 RESOURCE IMPLICATIONS

- 5.1 There are none.

6 EQUALITY AND HUMAN RIGHTS

- 6.1 No issues arise from simply considering this report.

7 CONSTITUTIONAL CONTEXT

Article and paragraph	Appendix and paragraph	Referred or delegated power?	A key decision?
		Delegated	

8 BACKGROUND PAPERS

- 8.1 List of background papers (but not including published works or those that disclose exempt or confidential information (as defined in rule 10 of appendix 15 (Access to Information Procedural Rules) and the advice of a Political Advisor/Assistant):
- 8.2 DCC website and planning application. The Design and Access Statement is included as Appendix 1.
- 8.3 Background papers will be available for inspection and will be kept by the author of the report.

9 STATEMENT OF INTERNAL ADVICE

9.3 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

Author: Ken Miles

Date:

Reference: Document1

This page is intentionally left blank



Bishop's Tawton Roundabout Improvement

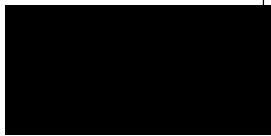
Design and Access Statement

July 2019

Product Sign Off Sheet

Product Title	Planning Statement	
Produced By (who is the author of the document)	Name	Role, Qualification or Expertise
	Stephen Boundy	Planner, BA (Hons), MSc Urban and Rural Planning
Document Status	Final	

Final sign off by individual named under 'Accountable and signed off by'

Name	Signature	Title	Date
David Black		Head of Planning, Transportation & Environment	16 July 2019

Contents

1.0 - Introduction.....	3
2.0 - Design	5
3.0 - Access.....	9

1.0 - Introduction

The North Devon Link Road (NDLR) is the key strategic link connecting northern Devon to the rest of the country via Junction 27 the M5. The route is 70km long and comprises of the A361 from the M5 to Barnstaple which splits into the A39 'Atlantic Highway' to Bideford and northern Cornwall and the A361 to the northern Devon Coast.

The northern Devon area has one of the lowest levels of economic performance in the country and there has been a long-term local concern that the poor strategic transport connections are a key limitation to unlocking growth and do not match the expectations of the public and local businesses. This has been linked to the very low level of Gross Domestic Product in the area and has resulted in considerable pressure from the local public, businesses and politicians for improvements to the road network.

Improvements to the NDLR would facilitate Devon County Council's Strategic aims, which are to:

- Enhance the economic prosperity and competitiveness of northern Devon, both nationally and in line with other areas of Devon; and
- Support housing and employment development opportunities in northern Devon.

Devon County Council have developed a scheme of improvements and have subsequently been awarded funding to deliver these improvements to this strategic link. The scheme is split into the following two packages, the first of which has already been granted planning permission in early 2019:

- The widening (7.5km) of the carriageway between Portmore Roundabout (Barnstaple) and Filleigh Cutting (Nr. South Molton), including junction improvements at Landkey and West Buckland; provision of a footbridge; and associated works' and the junctions.
- The improvement of various junctions along the route (Buckleigh Road, Heywood Road, Westleigh, **Bishop's Tawton**, Hacche Lane and Borner's Bridge).

The Objectives of the scheme are:

- Reducing journey times for commercial and non-commercial journey purposes between:
 - Barnstaple and Bideford, (Significant congestion occurs at the key junctions on the corridor particularly at peak times.)
 - M5 and Barnstaple, (To improve connectivity between Bideford, Barnstaple and the wider transport network, including key access points to the national transport network (mainline stations at Tiverton Parkway, and Junction 27 of the M5), particularly in peak season)
- Improving highway safety through reducing the rate of fatal and serious accidents on the NDLR. (Accidents occur at various locations due to overtaking and junctions.)
- Improving network resilience through reducing the effects of accidents and incidents on the NDLR. (The nature of the road at 9.3 meters wide means any even small scale works or incident can mean a road closure.)
- These objectives are to be achieved while minimising adverse social and environmental impacts and, where possible, achieving net environmental benefits contributes towards those objectives.

In terms of improving the safety of the North Devon Link there are numerous strands as set out in Section 2.15.39 of the Outline Business Case¹. With regards to the current application the relevant strand is to “Improve Pedestrian and cycle Facilities at Junctions”. The objective of this is reduce the severance effect of the road and encourage greater use of pedestrian and cycling by providing segregated facilities in areas where traffic flows are the highest, the recent construction of a new bridge at Roundswell was the first element of this initiative, a new bridge is also proposed to connect Larkbear to Seven Brethren. The NDLR scheme includes further improvements to provide segregated facilities and reduce severance at:

- Borner’s Bridge
- West Buckland
- Landkey
- Bishop’s Tawton

This planning application has been produced and submitted in pursuance of the proposed improvements to the existing roundabout at Bishop’s Tawton (on the A361) between Barnstaple and Bideford. The proposed development at this location is described in section 3.0 of this document. The proposed development in the context of the wider scheme is shown in Figure 1-1 below.

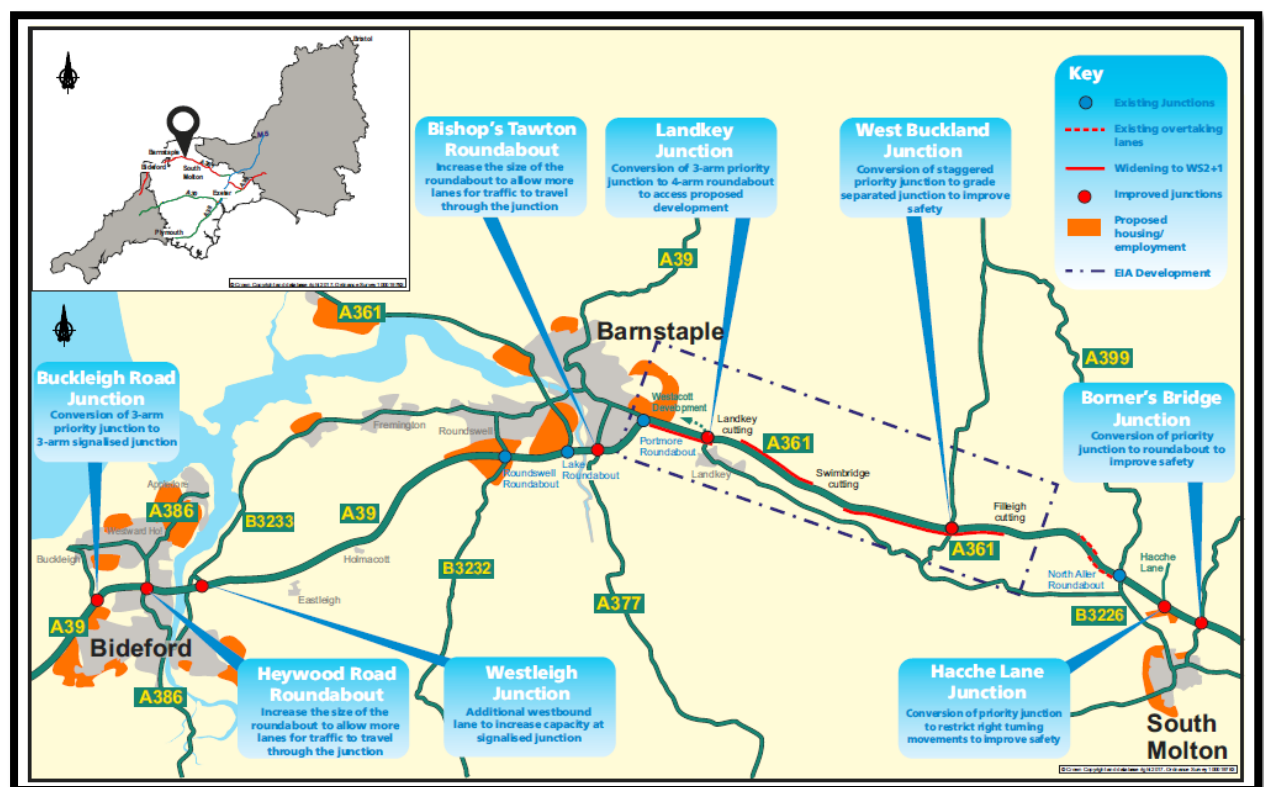


Figure 1-1: The wider scheme, including the proposed development

¹ <https://www.devon.gov.uk/ndlr/project-documents>

2.0 - Design

2.1 Site Appraisal

The site is located at the existing Bishop's Tawton Junction where the A377 and B3138 join the A361 Barnstaple Bypass. The existing roundabout was constructed in 1988 with some minor lane widening on the Western approach undertaken approximately 10 years later. The site is surrounded by a mixture of agricultural and residential land as well as an established landscaping corridor that falls within the existing highway boundary. (Fig i) The site is constrained by the two private dwellings to the North East and South West corners of the existing roundabout.



Figure 2-1: Aerial Mapping

2.2 Use

The use of much of the land (as highway land) will remain the same, however a very small amount of agricultural land will be required to implement the proposed junction improvements.

2.3 Layout, Scale and Appearance

The enlargement and improvement of the existing roundabout

Bishop's Tawton roundabout currently has only one straight ahead lane which severely limits the capacity, particularly in peak periods when the ahead movement is dominant. This currently leads to unbalanced lane usage and large queues and delays. The situation will only be made worse in future with the 17,000 dwellings and 85Ha of employment proposed in the North Devon and Torridge Joint Local Plan.

The existing roundabout is to be enlarged to provide an additional lane on the A361 through the roundabout, facilitating greater capacity at this junction. In addition, the A377 southern approach will also be widened to incorporate a longer lane, also improving capacity.

The implications of this for pedestrians and cyclists wishing to cross from Bishop's Tawton to Barnstaple or vice-versa is that there will be a wider carriageway to cross and with high volumes of traffic on a 60-mph road. Crossing two entry lanes is currently possible because the pedestrians can clearly see the approaching traffic and cross when traffic is queuing. However, the improvements will reduce queuing for traffic and pedestrians will have to cross two lanes on the exit. This can be difficult as it is not always clear which vehicles are carrying around the roundabout and which are turning off and is likely to be a safety issue.

It is therefore necessary to incorporate improved facilities for these non-motorised users in the proposed development

The provision of a new underpass to the west of the roundabout

A pedestrian/cycle subway is to be provided to enable safe passage across the A361 and has been designed to be an open and direct route to encourage additional usage (see Figure 2-2). The proposed underpass will be located to the west of the existing roundabout (crossing the A361 under the roundabouts western arm) and will be suitable for all potential user groups. To the south of the road access to the underpass will be provided by both steps and a Disability Discrimination Act (DDA) compliant ramp. To the north, access is provided solely by a shallow straight ramp (again DDA compliant), which allows visibility through the subway. To both the north and south, the underpass will tie in with existing footways. It is proposed that pedestrians using the eastern approaches on the north and south will be directed to cross safely to the west, ensuring that they use the underpass. The structure will be short in length and, due to topography on the west of the roundabout, will be largely open at either end, allowing high visibility and natural light into the underpass. Deterrents to antisocial behaviour such as anti-graffiti paint and good lighting will be implemented. Additional lighting has been designed (see Design and Access Statement) and will be incorporated into the ceiling, making the underpass attractive and aesthetically interesting. There is also the option for the local secondary school to create murals on the inside walls, should they choose to do so.

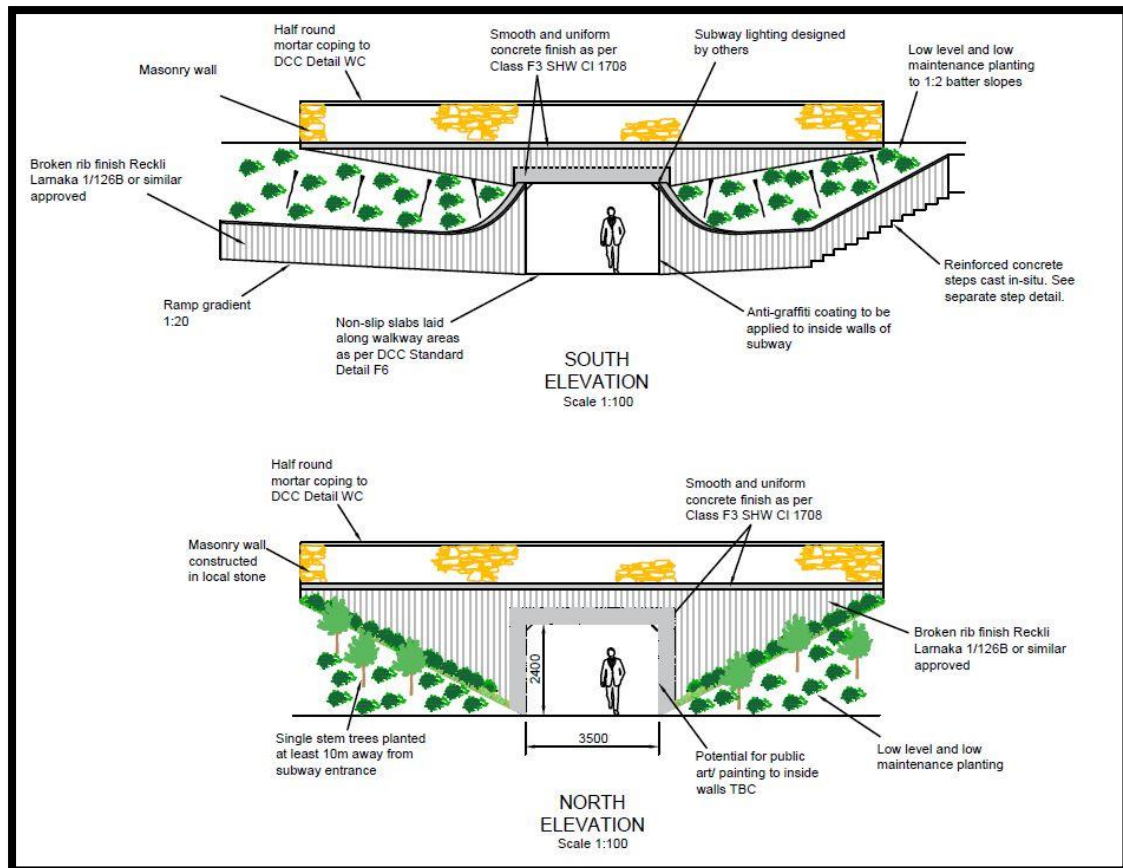


Figure 2-2: Proposed Underpass

Associated works (such as drainage and landscaping)

Some vegetation removal is proposed, the majority of which is located between the western arm of the roundabout and the rear of residential properties on Oatlands Avenue. In this location, a buffer of up to 10 metres of vegetation will remain to maintain visual screening to the adjacent residential properties. Wherever possible, the remaining vegetation will be reinforced with additional planting (see Figure 2-3). To the north of the western arm of the roundabout, an existing *Leylandii* hedge is proposed to be removed and replaced with native hedgerow. In the north western corner of the roundabout vegetation will need to be removed in order to construct the northern access to the underpass and maintain field access for the landowner. In this area, replacement woodland planting is proposed, along with wildflower grass seeding on both sides of the proposed footway. To the south of the western arm of the roundabout, vegetation removal is required to allow working space to install new water attenuation features and clearance of an existing ditch.

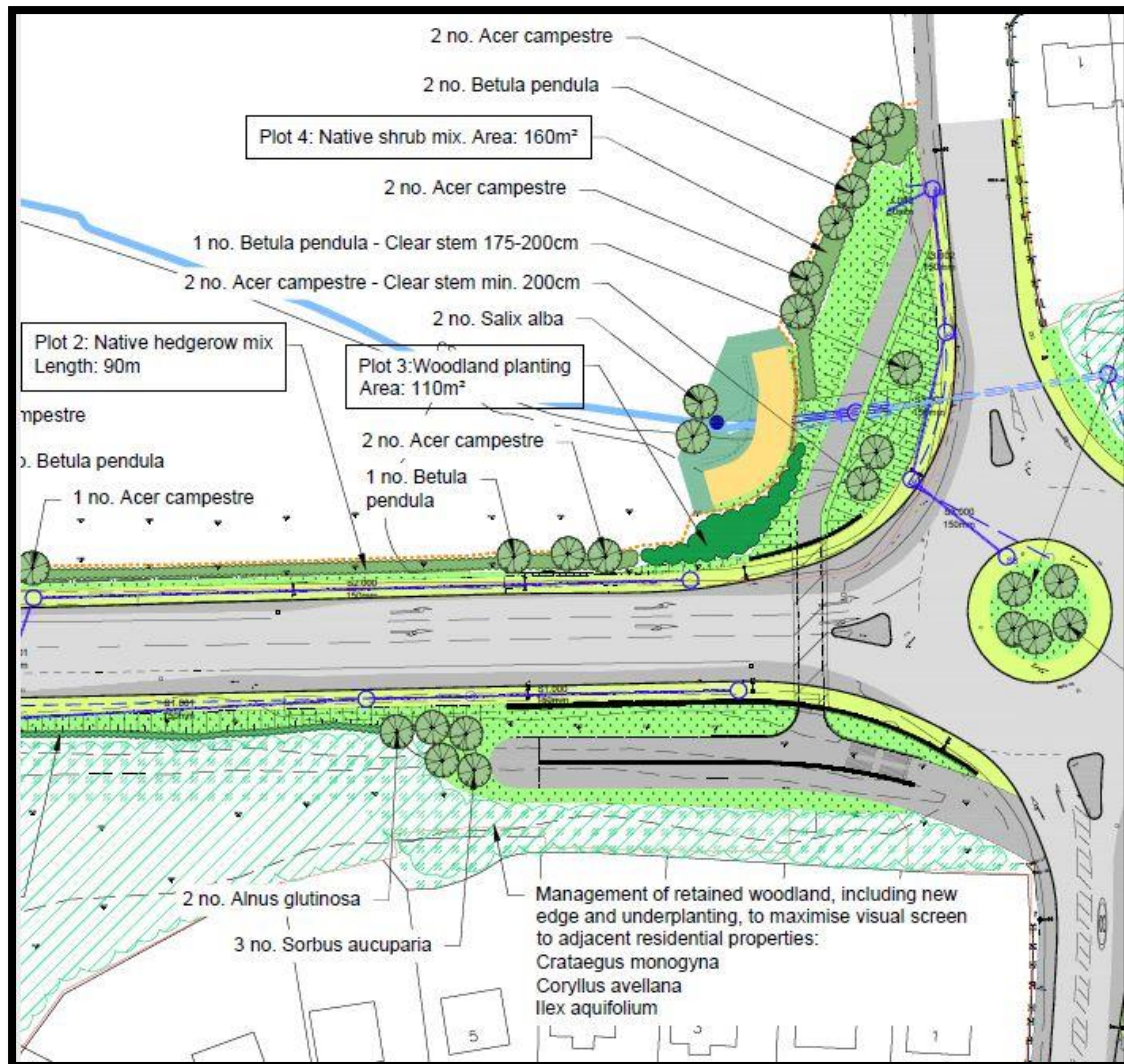


Figure 2-3: Proposed Planting around underpass (full plan reference: B23006DP/LAND/001 rev1)

The proposed highway drainage system has been designed to match or provide betterment on the current discharge rates inclusive of a 40% allowance for climate change. Incorporated into the proposals are new vegetated swales and ditches that utilise check dams to provide both storage and water quality improvements.

These same improvements are to be made to some of the existing ditches with the proposed landscaping providing further enhancement.

2.4 Sustainability

The North Devon and Torridge Local Plan 2011-2031 highlights the importance of both mitigating and adapting to climate change. Policy ST02 (Mitigating Climate Change) states that Development will be expected to make a positive contribution towards the social, economic and environmental sustainability of northern Devon and its communities while minimising its environmental footprint. The proposed development will facilitate safe crossing of the NDLR, encouraging sustainable travel to Barnstaple and The Park School for those living in Bishop's Tawton.

In accordance with policy ST03 (Adapting to Climate Change and Strengthening Resilience), the proposed development incorporates a drainage scheme that has been designed to match or provide betterment on the current discharge rates inclusive of a

40% allowance for climate change. Incorporated into the proposals are new vegetated swales and ditches that utilise check dams to provide both storage and water quality improvements. Additionally, it should be noted that green infrastructure links/ habitat connectivity is maintained through the scheme.

Good design is an important part of achieving sustainability in new developments. Sustainable design measures have been incorporated into the proposed development wherever possible. This includes:

- Sustainable Drainage – Incorporated into the proposals are Swales and Vegetated Ditches that utilise check dams to provide both storage and water quality improvements.
- Capping Material – Specification allows for the use of recycled materials.
- Surfacing Materials – Specification allows for the use of recycled materials.
- Street Lighting, Signing and Illuminated Bollards – All lighting will be specified as LEDs and bollards solar powered.

3.0 - Access

3.1 Policy Approach

The Development Plan comprises of the policies from North Devon and Torridge Local Plan 2011-2031 (Adopted 29 October 2018). Policy BAR (Barnstaple Spatial Vision and Development Strategy) supports provision of improvements to capacity at existing road junctions along the A39 and A361. This includes the Bishop's Tawton Roundabout. Whilst the Local Plan has a policy (BTA) relating to the spatial strategy for Bishop's Tawton, this policy does not generally relate to the development proposed. It does however support development that will not exacerbate the risk of flooding in the village. In this regard it is considered that the proposed development will not exacerbate flood risk.

Regard has been given to all other relevant policies in the development of the proposals, as outlined in Section 5 of the Planning Statement.

3.2 Consultation

Devon County Council has undertaken extensive community consultation in the development of the proposed scheme. This included a route-wide consultation in 2017² that identified an improvement around Barnstaple widening the existing carriageway to 4 lanes and enlarging the Bishop's Tawton junction. The consultation responses, as set out in the Report on Public Consultation September 2017, identified concern over the widening elements of the scheme.

Following submission of the Outline Business Case the widening of the road to 4 lanes around Barnstaple has not been included in the current Phase of improvements. However, improvements are to be made to the roundabout and the approaches to enable it to accommodate additional capacity for motorised vehicles. As part of the scheme it is recognised that it is necessary to incorporate a segregated crossing facility for pedestrians and cyclists.

² <https://www.devon.gov.uk/ndlr/project-documents>

Recognising this change a further consultation was carried out in 2018³ focussing on the options for the segregated pedestrian/cycle crossing facility. The summary of this consultation is included in Section 6.0 of the Planning Statement.

3.3 Pedestrian and Cycle Access

Existing Non – Motorised User (NMU) Routes.

The existing pedestrian and cycle routes can be seen on drawing P_08_PP_4A.

The current Pedestrian routes across the A361 consist of two uncontrolled crossing points immediately to the East and West of the existing roundabout. Pedestrians are required to cross a two-lane approach and single lane exit. Further crossing points are available across the A377 and Rumsam Road although visibility is limited in places and there is no facilities for cyclists.

An additional route exists for pedestrians and cyclists which uses the old access lane from the A377 which then diverts under the A361 Rumsam Bridge and subsequently follows along the top of the flood defence bank. Cyclists and pedestrians are directed to use the surfaced track which joins the end of Ladies Mile. Alternatively, pedestrians can continue along the flood bank by means of a stoned track to the old railway bridge. This route is isolated with some lengths enclosed between hedgebanks or overhanging tree canopies as well as being prone to flooding from adjacent fields.

Proposed Non – Motorised User (NMU) Routes

Following the North Devon Link Road Improvements Public Consultation undertaken 2017 it became apparent that pedestrian and cycle access across the A361 was a concern an enhancement to the crossing facilities would be needed in light of the planned alterations to the existing roundabout.

A further public consultation specifically for Bishop's Tawton was undertaken which introduced the inclusion of a pedestrian / cycle subway to the western side of the roundabout following an Options Appraisal Report. The full consultation can be accessed through this link <https://www.devon.gov.uk/ndlr/project-progress/consultation> .

The Options Appraisal and Consultation report⁴ is summarised within Section 6 of the Planning Statement.

Subsequently a layout has been produced that provides a direct, safe and assessable crossing point below the A361 which has been specifically designed to present an open and welcoming route. This has been achieved by avoiding the use of tall retaining walls as much as possible to reduce the well effect and careful landscaping to remove the perception of being hemmed in. The route complies with Part III of the Disability Discrimination Act (DDA) with ramps to the South and an at grade access to the North. Steps are also available to the South providing a more direct route for those able to use them.

There will be a comprehensive lighting scheme for the subway to provide a safe and attractive evening environment which will utilise LEDs throughout.

³ <https://www.devon.gov.uk/ndlr/project-documents>

⁴ <https://www.devon.gov.uk/ndlr/project-documents>

Further improvements involving widening of existing footways and the introduction of pedestrian refuges on the A377 and Rumsam Road will increase connectivity with existing pedestrian and cycle routes (See Figure 3-1).

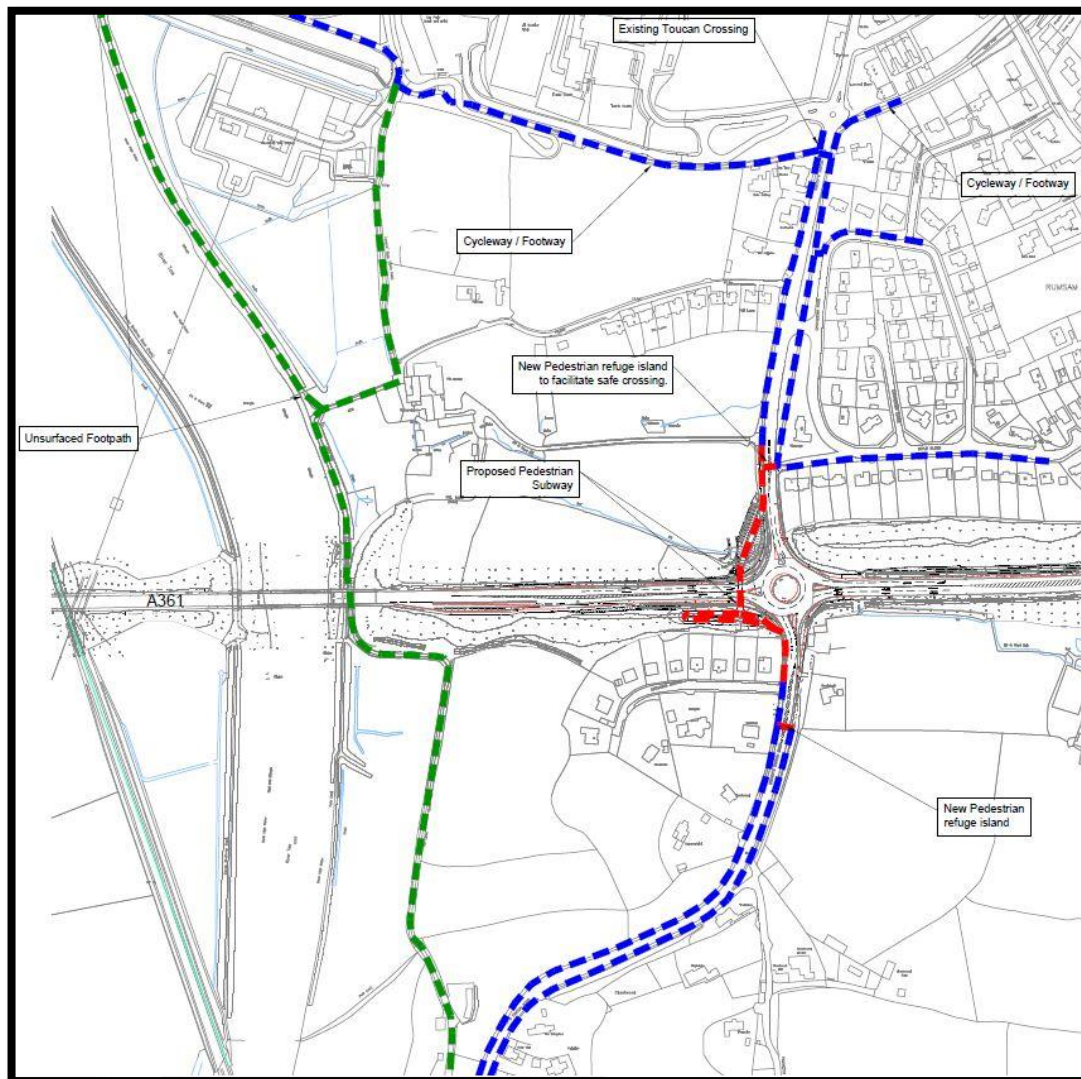


Figure 3-1: Cycle/Pedestrian Links

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank