

WHPC Meeting 3rd September 2024

Agenda Item 24/279

Title: Village Hall Footpath Update

Purpose:

1. To receive an update on the DCC Highways fee to be paid by the Parish Council for a Traffic Regulation Order.
2. To receive an update on progress of the project and matters to be considered at future meetings.

Background:

The Council has previously discussed and agreed the selection and appointment of contractors, specialist advisors and engineers subject to agreement of the lease terms with the Village Hall Trustees. The lease terms were agreed at an extraordinary meeting of the Council on 5th August and the final details of the Highways works were being discussed between the Highways Department and our consulting Engineers JRC.

A requirement to paint Zig Zag "School Clear" warning markings on West Hill Road adjacent to the entry/exit of the footpath is subject to obtaining a Traffic Regulation Order (TRO). There is an application fee of £5,000 for a TRO and the approvals process may take up to 12 months. Our Ward Councillor undertook to meet with the Highways Department to see whether there was any way to reduce the size of the application fee and to speed up the approvals process. Highways have agreed to waive their inspection fees however we await their decision on whether the application fee can be waived or reduced.

It was further agreed at the extraordinary meeting that the construction work would start so we can demonstrate that "material work" had commenced before the expiry of the planning permission in January 2025.

Since the August Council meeting, minor amendments to the draft lease proposed by the Solicitors for the Village Hall Trustees were accepted as they were considered to be straightforward and uncontentious by the Council's Solicitor.

For Consideration and Decision:

1. The August 2024 meeting of the Council resolved to submit an application for a Traffic Regulation Order (TRO) and to pay the associated fee, £5,000, subject to any reduction secured by DCC Cllr Jess Bailey (ref Min 24/253).

The Council is asked to consider an update from DCC Cllr Bailey, if available.

Next Steps:

The following issues will be considered future meetings:

- a. One of the safety recommendations arising from the Road Safety Audit is to move the flashing warning light on West Hill Road near the entry/exit point of the footpath. Our consulting

engineers JRC are liaising with Highways to agree the details of this work and will draw revised plans to accommodate this change. (The Council has previously approved JRC costs 24/200).

The Council will need to confirm acceptance of the revised plan and approve revised construction costs at a future meeting.

- b. There is a DCC Highways requirement to deposit a refundable bond equivalent to 100% of the cost of all the highway works. The size of the bond will be determined by the point (a) above. The bond is to protect the Highways Department in the event of the developer failing to complete the agreed works for any reason. The bond is refundable with 85% refunded on completion of the agreed works and 25% refunded 12 months after completion.

The Council will need to approve the bond.

- c. To protect the expiry date of the planning approval, we will write to East Devon District Council to establish that proposed “material construction works” on the Village Hall site comply with the terms of the planning approval.

The Council will need to agree the initial construction works.

- d. We will confirm with our contractors Devon Tarmasters the work to be started on the footpath to demonstrate “material work” to protect the expiry date of the planning approval.

Village Hall Pedestrian Path WG