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5 February 2019

Dear Member

Cabinet – 7 February 2019

I am now able to enclose, for consideration at the next meeting of the **Cabinet**, the following reports that were unavailable when the agenda was printed.

4. **Minutes of the Previous Meeting** *(Pages 3 - 10)*

Members to consider whether to approve the minutes as a correct record of the special meeting held on 31 January 2019 – to follow.

Yours sincerely

Sally Gabriel
Member Services Manager

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 31 January 2019 at 10.00 am

Present

Councillors

C J Eginton (Leader)
R J Chesterton, C R Slade, Mrs M E Squires
and R L Stanley

Apologies

Councillor(s)

P H D Hare-Scott

Also Present

Councillor(s)

Mrs E M Andrews, F J Rosamond, T W Snow and
Mrs N Woollatt

Also Present

Officer(s):

Stephen Walford (Chief Executive), Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Jenny Clifford (Head of Planning, Economy and Regeneration), Jill May (Director of Corporate Affairs and Business Transformation) and Sally Gabriel (Member Services Manager)

Also Present:

Ian Sorenson and Stuart Jarvis, Devon County Council and
Tim Obee, WSP

127. **APOLOGIES**

Apologies were received from Cllr P H D Hare-Scott.

128. **PUBLIC QUESTION TIME (00-01-00)**

All questions referred to item 5 Cullompton Relief Road

Sarah Cagney stated that bearing in mind that the HIF funding was originally to be used to improve Junction 28, can you please explain how the relief road is going to do this and why that funding should therefore go to that because the relief road is not going to make any difference to the junction of the motorway and the traffic build up.

Catherine Penharris stated, first of all I am going to ask what is best because we keep hearing what is best for Cullompton. In one of your reports it says I think by one of the inspectors that Cullompton doesn't have a bad queuing issue. It also says in the 2018 air quality stat report that where Tiverton Road meets Fore Street within Cullompton it recorded the largest decrease in the NO2 annual concentration. You have also used £132,000 for progress of the fund and you've allowed another £250,000 from S106 money, but this is currently considered at risk in an absence of a final decision on the HIF. If route A and B is flooded, the road will be closed and the traffic will go through the town centre, so I am assuming that this is a short term fix because in your report it also says 'a failure to deliver the relief road will be an ongoing obstacle to the timely deliverance of housing allocated in the current and the emerging local plan beyond the numbers discussed'. So you have got 40% less

traffic in the High Street with option B and option A, but with option C it would be better for the congestion at Junction 28. You have already stated that Junction 28 is the one that is causing the problem and later on when the Garden Village comes along you will do more road infrastructure and do more work on Junction 28. Can you explain to me why option C is not a viable option? You've said you've chosen option B on the public consultation but when the Town Council gives you recommendations you don't take any notice of those and when there are other recommendations coming through you don't take any notice of those, but when a recommendation has come through for you to build a short term fix for a long term problem you take notice of it. I think a lot of it is because it's going to make things easier for you to do the Garden Village. So can you explain to me the reasoning behind where you've got all these reports that you have still chosen option B which granted for the CCA is better than option A but option C is better for your long term plan?

Ashley Wilce – Resident - No doubt this Cabinet is patting itself on the back for a job well done. The truth, however, is that the consultation is nothing more than lies and spin. How could there have been anything other than 'overwhelming support' for a relief road, when there was no other option on the table? The only overwhelming thing to come out of the consultation is that over 8000 residents did not vote for a relief road – because they could not. How can it be called a consultation, when in reality it was Hobson's choice?

As it stands, Cullompton has less green infrastructure than any other Mid Devon Town – the Council has even included land outside the parish in its calculations for Cullompton, to make it look better than it really is. This road will reduce even further the limited amount of green infrastructure that is accessible on foot, in a town with a considerable obesity problem. How can that be a good thing?

The Council has said that its application for funding is supported by the Town Council, yet the Town Council has not yet endorsed it, to my knowledge. The Council has refused to disclose details of its application for public money to fund a relief road, in particular, how the relief road will open up development for even more housing. How will making the funding application public harm the bid for public money, as the Council claims? What does the Council not want the public to know?

That this road is being proposed to relieve congestion or to improve air quality is a complete fantasy, when the Council itself says that it will only achieve a 30% decrease, at most. Is it really worth spending £10m when all the relief road can hope to achieve is a temporary respite, until such time as thousands more houses are built and the problems are then worse than ever.

Mike Phillips – Cullompton Football Club - stated that in answer to your question 51 you say that the football club facilities would be affected to a lesser degree, in actual fact it is our belief that a whole senior side football pitch will be lost by the alignment which has been chosen. Your own playing fields strategy for MDDC acknowledges that there is pressure within the town for football facilities, football pitch facilities specifically, as the town is expanding in size. We would like to know how you are going to replicate our loss of a pitch as well as rendering the club house inaccessible from the new road.

Cllr John Berry – DCC Councillor - This road has been talked about for years and years and we haven't got anywhere. I think the time has now come to look forward to the next generation after we're gone. No road is perfect, no road is the answer to everything and this road perhaps is not 100% perfect, I'll admit that, but we've got to

look forward to taking some traffic away from Cullompton town centre. And in doing so we have also got to look forward what if we do that? What are the possibilities for future development? We all know the problems of traffic coming down Tiverton Road, I know I am deviating on the proposed road but it does all tie in. Both DCC and MDDC and Cullompton Town Council and the people of Cullompton are concerned with the traffic coming down Tiverton road. There is going to be a development North West and North East of Cullompton. I think it's about time and I have made my voice known on this subject for several years and I know that people and shop owners are aware that due to the developments that are coming and if we consider the need for this road, Cullompton town centre and Fore Street could become a one-way system. I think this is something that we have all got to look at very seriously. We could have herringbone parking which would be advantageous to shops in Cullompton with a one way system. We've also got to look at air quality and town centre enhancement, we all want Cullompton to look better. The money which can come into Cullompton town centre is there but at the moment there is far too much traffic going through the centre. Economic development, not only for Cullompton, but for the whole area is needed. We've got to take all these points into consideration, not just say well all these objections against a relief road which I accept people have a total right to put their point forward as have the other side. I think Mr Chairman I have covered the important things that you have got to look at this morning at this Committee, economic development, air quality, town centre development and look forward to a one way system for Cullompton in the future when the developments take place and to get a lot of the traffic away from the centre of Cullompton.

Ruth Jones stated, I live on the site next to the road and when you do cut through it will cut my garden off, which I don't mind, I can understand it but I am worried about the extra pollution that we will get, the air pollution and also the traffic noise. I appreciate you want to take the vehicles off the main street but don't forget you've got residents down there that have been there donkeys years, they haven't just arrived on the scene, they have been there a long time. I wanted to make the points as that road will go right beside the land there.

Sally Graham stated, we want better air quality in this town and I would ask everybody here how another road less than half a mile away, on the edge of a green facility, will do anything to improve that? The quality of life that these roads are affecting are very great, there's a football club, a cricket club, all the things that Cullompton needs. Spending extra money relocating them is not going to help anyone. We have green spaces very minimally and those CCA fields are one of the few things we have. You talk about economic development and the need for more housing, I would ask everybody here how much the new developments are meeting local housing need? What you are doing is bringing outcomers into the area and creating more traffic problems. I would argue that your whole economic and development strategy is not based on meeting local need.

Richard Stephenson – Cullompton Cricket Club stated, firstly we have been well consulted with and I would like to thank everybody who has helped us on that as part of the potential road routes. We as a club would embrace the changes which are potentially proposed. As a club we are desperately short of space and we are aware the town continues to grow population wise; we desperately need a bigger facility. My question to you is, we have obviously had some really good consultation, we really need to understand timescale as a potentially affected club, the implications of a move for us are quite significant in that if we are moved, the ground has to be in a fit state to allow us to continue the level of cricket that we are now playing and there are

rules and regulations relating to that so we need some comfort from the panel with regards to that. We also need a little bit more detail in terms of if we do get moved where are going because we really need to understand that. I fully understand everyone's concerns about the road, the route that it could potentially take, our view as a club is that we recognise we are part of a much bigger project with the Garden Village as well. The second point I would like to make is we want to ensure that actually the decision of relocation is not just taken in isolation with regards to the current road route that we are looking at and debating. We would really like for consideration to be made of a wider project that the town faces because we appreciate that the location of us is absolutely critical to our future success and viability. We are really lucky we have a successfully growing club and we want that to continue not only for us but for the inhabitants of Cullompton now and going forward. So those are the two points we want to raise and get out on the table as early as we can because we don't just want to move to a similar facility that we have, the only way that we can progress and make it better for everybody is that we have to have enhanced facilities. We need a two pitch facility and we need clubhouse design which allows us to be financially viable. I am putting that in the public domain as I need it to be on record.

Mark Hiscock stated, I live on the East side of the motorway, from the clapping it would appear that a majority of the people in the audience are against the bypass. However, living on the East side of the motorway it would be an enormous benefit for us. In the evening traffic, it can take us anything up to 25 minutes to travel half a mile to get to Junction 28 and the reason we get stopped at Junction 28 is all the traffic waiting to go from Cullompton. One car parked in Cullompton can cause half a mile tailback on the main road. The relief road will stop all that, it won't stop the real problem with Junction 28 but it would definitely relieve it. I want that heard as well rather than all the anti-comments by people.

Ashely Hellier stated, I think the gentlemen before me made the point that a car parked in Cullompton can cause a half hour delay. Why can't someone do something about it? People don't know the Highway Code and don't know the dangers of parking on blind corners and even double parking on the crossing which is common place in Cullompton. Nobody is interested and when will somebody do something about that?

The Chairman indicated that answers to questions would be received when the item was debated.

129. **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-22-50)**

The following interests were declared:

Councillor	Interest	Reason
Mrs M E Squires	Personal	Minute 131 - As she had family living in Cullompton
Mrs E M Andrews	Personal	Minute 131 – as Vice Chairman of the CCA and Garden Village representative
Mrs N Woollatt	Personal	Minute 131 – as she

		lived nearby to 2 of the proposed routes and close to Station Road
T W Snow	Personal	Minute 131 – as he had relatives who would live near the proposed new road.

130. MINUTES OF THE PREVIOUS MEETING (00-23-54)

The minutes of the previous meeting were approved as a correct record and signed by the Chairman.

131. CULLOMPTON TOWN CENTRE RELIEF ROAD ROUTE (00-25-01)

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration considering the outcomes of the recent public consultation over route options for a town centre relief road for Cullompton and to update Members on the status and outcomes of further technical work undertaken or in the process of taking place.

The Cabinet Member for Planning and Regeneration outlined the contents of the report stating that there had been a long held aspiration for a relief road for Cullompton to combat poor air quality in the town centre by providing traffic relief and to support the town's enhancement and future regeneration. He highlighted policy AL/CU/14 within the adopted Local Plan which referred to the provision of a relief road linking Station Road to Meadow Lane and that the policy had been assessed by an independent planning inspector who found the policy and the route to be appropriate. He explained the funding opportunity that was available through the Housing Infrastructure Fund and the technical work that had taken place and that a relief road would reduce traffic flowing through the town centre and improve the capacity of J28 of the M5. The proposed relief road was seen as a first phase for wider highway works for Cullompton and the announcement of the funding following a process of due diligence was expected soon.

He continued by explaining the technical work that had taken place to explore the potential routes for the relief road, the consultation process that had taken place and that further technical work would be required. The recommendation within the report stated that Option B was the preferred option subject to further technical work and that a possible modification to the route towards the southern end in Duke Street be further investigated. He then explained the process that would follow any decision of the District Council.

The Head of Planning, Economy and Regeneration explained by way of presentation the detail of the various route options A-C which were initially available and how each option would work potentially with an upgrade to J28. She indicated the dismissal of Option D based upon Environment Agency advice. The work on the relief road had not taken place in isolation and that a second phase of highway works would see significant improvements either to the existing junction or to a new junction to the

south. She explained the consultation process that had taken place, the questions that had been asked as part of the consultation and consultation outcomes. Flood risk assessments were being undertaken for each available option and further technical work would be required which would include further flood risk mitigation. She explained that all options had a low heritage impact and that the least overall impact on the heritage assets was Option B. She informed the meeting of the detail of traffic assessment report which indicated that a relief road would reduce the queuing in the High Street and also at J28. The modelling that had taken place indicated that Options A and B would reduce queuing in the High Street the most, with Option C offering greatest capacity at the motorway junction.

She continued, explaining the alternative route suggestions that had come forward as part of the consultation:

- A new motorway junction to the south of the existing junction via the Duke Street bridge, this had been discounted due to the proximity to the original junction and lack of space between the railway line and the motorway hindering the provision of slips.
- A sweeping route north-south from the Honiton side of the motorway, it was considered that there was not enough elevated ground at this point and that there would be flood implications and the impact upon the River Culm.
- Option B could be continued south with a loop towards Duke Street, there were some advantages to this as it could reduce land ownerships involved and the impact on the CCA fields, this variation would be looked at in more detail.

The delivery of the relief road was then explained, with regard to the process for acquiring land, a planning application from the Highway Authority, the estimated cost of the options and the proposed timescales.

With regard to questions posed in public question time, she provided the following answers:

- How would the relief road reduce traffic at J28? The traffic assessments indicated that the traffic would be approaching the junction from different directions and this would therefore reduce queuing, both in the High Street in the morning peak of traffic and would also reduce queuing back onto the motorway at peak times.
- Air quality issues and whether a relief road was a short term fix – results from the monitoring with regard to air quality issues had improved, however they were by no means satisfactory; a relief road would reduce traffic in the town centre and therefore reduce air quality issues. This was not a short term fix but just the first phase of wider highway works proposed.
- Whether the consultation responses were a fair representation of the people of Cullompton, 8000 people did not respond, but many did and those peoples' thoughts had been considered. With regard to the funding bid information, this matter was before the Information Commissioner, it related to a live bid and it was not considered appropriate to release this information.
- Football Club representation, officers had met with representatives and a clear process had been discussed, further technical work with regard to

design optimisation would look at the impact of the proposal on the football club.

- The impact of the proposal on the showman's site, work had been commissioned on noise and air quality which would be further considered.
- The cricket club, there had been consultation with the cricket club and further liaison would continue with sites being investigated. She added that the bigger picture of the garden village was being consulted upon at the current time and she encouraged participation.
- Traffic hold ups and the lack of enforcement – traffic enforcement was important but it would not solve the current problem.

The Ward Members for Cullompton raised the following issues:

- Cars parking illegally in the town centre causing queues
- The problems with leaflet distribution as part of the consultation process
- The history of the CCA fields
- Whether options C and D were fully considered
- The need for long term improvements to the town centre and the need for all parties to work together
- The need for infrastructure prior to further development
- The concerns of the Community College with regard to the traffic alongside the school and the air quality and noise issues that this may cause, the possible expansion of the school and the impact of this alongside the proposal.
- The number of dwellings proposed before consideration of a new junction
- The failure of proper consultation and a request that Motion 552 (with regard to a second consultation by Devon County Council) be supported
- What would happen if the further technical work deemed the proposal to be unacceptable, would the options be reconsidered
- The relocation of the sports facilities impacted by the proposals to be considered urgently so as there was no interruption to the services that they provided.
- The verification of the consultation responses.

Consideration was given to:

- The Devon County Council Cabinet meeting taking place on 13 March
- The liaison that was taking place with the sports facilities and the community college and the further technical work that was proposed
- The original design and build of Meadow Lane
- A possible funding gap and how that gap would be breached
- Possible changes to the design of the High Street via masterplanning options
- If the proposal was not viable following continued technical work, then a further report would need to be considered
- Further possible funding bids

RESOLVED that:

1. Option B be recommended to Devon County Council as the preferred route, subject to further technical verification work, including whether some aspects

of the third alternative route discussed in paragraph 4.6.4 of the report should be incorporated.

2. It also be recommended to Devon County Council that as Highway Authority it:
 - a) undertakes the technical verification work together with the preparation of a planning application for the road with supporting documentation, and
 - b) in line with Motion 552 carried by this Council on 19th December 2018, considers holding a second stage of consultation following completion of the verification work and prior to the submission of the planning application.
3. That a further up to £250,000 of S106 money collected for the relief road project and to undertake air quality mitigation measures in Cullompton be utilised to fund the work included in recommendation 2 above.

(Proposed by Cllr R J Chesterton and seconded by Cllr C R Slade)

Notes:

- i) Cllr Mrs M E Squires declared a personal interest as she had family who lived in Cullompton;
- ii) Cllr Mrs E M Andrews declared a personal interest as she was Vice Chairman of the CCA and a member of one of the Garden Village stakeholder groups
- iii) Cllr Mrs N Woollatt declared a personal interest as she lived nearby 2 of the proposed routes and close to Station Road;
- iv) Cllr T W Snow declared a personal interest as he had relatives who would live near a new road;
- v) *Report previously circulated, copy attached to minutes.

(The meeting ended at 11.50 am)

CHAIRMAN