



Local Government Act 1972 (as amended)  
PUBLIC MEETING re TURBARY ROAD  
Held in the small Room of the Epworth Imperial Hall  
On Tuesday October 15th at 7pm

EPWORTH TOWN COUNCIL

Cemetery Lodge  
Burnham Road  
Epworth  
Doncaster  
North Lincolnshire  
DN9 1BY

**Introduction and fire precautions** (Cllr J Whittaker, Chairman, presiding)  
The Chairman introduced himself and advised on the procedure for fire evacuation, the clerk signed the forms.

**Note:** North Lincolnshire Council abbreviated to NLC within notes.

The following paragraph was read out:

**This Council supports the rights of anyone to record this meeting but advises that anyone so recording cannot disrupt the meeting by means of the recording and expresses hope that the person (or persons) carrying out the recording have obtained the necessary legal advice, for themselves, to ensure they understand the rights of any member of the public who may be present who do not wish to be filmed or recorded.**

Tel: (01427) 872086

**Present:** Thirteen members of the public plus the contractor. The clerk C Maguire was also in attendance.

**Apologies** for absence were received from six members of the public.

**To receive** information and copy letters in relation to the maintenance of Turbary Road (information previously circulated) for discussion and proposal to Epworth Town Council for resolution.

The Chairman introduced the contractor currently under contract to carry out the maintenance of the Turbary Road who was in attendance to answer questions. It was confirmed that all in attendance had received the letter sent out by the clerk. The Chairman stated that Epworth Town Councillors had met with NLC Officers who had stated that the current position regarding maintenance was as stated before; the costs of maintenance would be shared 50/50 for grading and adding stone as required and that this position was a limited option as NLC as the Highways Authority would only agree to maintenance to the level required for a footpath. There were financial constraints. The contractor was willing to continue with the maintenance works.

**Resident:** noted from NLC copy correspondence that contractor would fill potholes and maintain the surface, no problem with this continuing, however he noted Scawcett Lane now has tarmac surface and questioned why Turbary Road could not have similar treatment.

**Resident:** Historical evidence that Epworth TC own the land but responsibility for maintenance lies with NLC who refuse to allow tarmac.

**Resident:** Why did the maintenance stop, what happened?

**Chairman:** No financial contribution was received from NLC, councillors at that time resolved not to pay for additional stone. Payment has now been received so stone can be added and the maintenance programme continued.

**Contractor:** having received negative feedback from residents who questioned the quality of work and as a local person did not want reputation damaged so stopped.

**Resident:** surface currently very muddy, when dry a dust bowl, how can this be addressed? The road does not need to be wider.

**Chairman:** it is a public footpath and like many others muddy in winter and dusty in summer; Epworth TC can do no more, we have a budget of

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£2000.00 (two thousand pounds) annually.

**Resident:** noted NLC responsibility only to fill potholes and maintain as a footpath.

**Resident:** questioned where the stone came from, its quality and possible carcinogenic properties. This was brought to the attention of Epworth TC in an email earlier in the year.

**Chairman:** the same material will be used as always been provided, if you have additional concerns then take them to NLC. The options are; accept the current maintenance programme, challenge NLC or have nothing done.

**Contractor:** when originally contracted to carry out these works only asked to work to junction at far end of road, used to go around corner but newer machine too large to do that but can continue to fill potholes.

**Resident:** raised complaint about the camber, and that maintained as a footpath only and Epworth TC doing what can be done, not wanting contractor to withdraw services, majority of residents are OK with maintenance.

**Resident:** Barristers report said Epworth TC have right to maintain to standard required for current traffic use, but, NLC refuse anything beyond maintenance as a footpath, way forward to go back to Barrister for a further ruling but reality to acceptance as a footpath. Can a question be asked about the quality of the material used?

**Resident:** acknowledging a negative attitude, but, since maintenance stopped the condition of the surface much worse.

**Chairman:** when no stone was available the job was more difficult, the finance has been resolved so stone is now available.

**Resident:** bad area at end of tarmac section at beginning of road, where large farm vehicles turn, how can this be addressed, tarmac breaking up, stones will not work?

**Contractor:** contracted to work from end of that section of tarmac, it could be cut back extending the stoned area.

**Chairman:** NLC responsible for the Highway, could report it as an area needing potholes filling.

**Resident:** asked when maintenance work could re-commence?

**Clerk:** after meeting of Epworth full council on November 5th.

**Resident:** noted on definitive maps Turbary Road now labelled as a footpath, historically, access for wagons, re-classified as footpath by highways.

**Chairman:** not in a position to comment on that.

**Resident:** can Epworth TC challenge NLC on the classification especially as many footpaths in the area have tarmac.

**Chairman:** Epworth TC cannot provide tarmac without the permission of NLC and they will not accept tarmac. NLC will not change this attitude. Need to accept the position we are in and not waste efforts.

**Resident:** further query on the different status of paths v bridleways

**Resident:** properties on Turbary originally “squatted”. In the 1850’s the land was settled and awarded freehold status. Lane was then in existence. Awarded right to pass from the lane to the highway (Turbary Road)

**Resident:** noted that under “Boothferry” in the 1970’s only allowed filling in of potholes NLC same opinion, Epworth TC have worked to get to current position.

**Chairman:** asked for consensus of opinion for contractor to re-commence grading with additional stone as required in line with the NLC agreement of 2015. Resolved. Noted that any problems should be reported to Epworth TC and not to challenge the contractor.

The Chairman thanked residents for attending and recorded the closure of the meeting at 7.50pm.

Signed Chairman..... Dated.....  
cm17.10.19

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