

Minutes of meeting

SURREY COUNTY COUNCIL LOCAL COMMITTEE (ELMBRIDGE)

Date: Monday, 18 July 2005
Time: 4.00pm
Place: Lecture Hall, Weybridge Library

Members present:

Surrey County Council

Mr Michael Bennison (Hinchley Wood, Claygate & Oxshott)
Mr Peter Hickman (The Dittons)
Mrs Margaret Hicks (Hersham)
Mr Ian Lake (Weybridge)
Mr Ernest Mallett (West Molesey)
Mrs Dorothy Mitchell (Cobham) – In the Chair
Mr Timothy Oliver (East Molesey & Esher)
Mr Thomas Phelps-Penry (Walton)
Mr Roy Taylor (Walton South & Oatlands)

Elmbridge Borough Council (for transportation matters)

Mr Hugh Ashton (Claygate)
Mr Gordon Chubb (Walton Central)
Mrs Rosemary Dane (Walton South)
Mr Derek Denyer (Hersham South)
Mr Roy Green (Hersham North)
Mr Peter Heaney (Esher)
Mr Alan Hopkins (Molesey North)
Mrs Janet Turner (Hinchley Wood)

Also present:

Richard Bolton, Principal Engineer
Steve Coxon, Principal Engineer - Design
Hannah Fogell, Local Committee and Partnership Officer
Chris Smith, Local Transportation Director
Sue Todd, Head of Rights of Way and Countryside Access
Chris White, Area Director
Margaret Whitefield, Local Resident

All references to items refer to the agenda for the meeting.

PART A: County and Borough Members

IN PUBLIC

41/05 APOLOGIES FOR ABSENCE AND NOTICES OF SUBSTITUTIONS (Item 1)

Apologies for absence had been received from Borough Councillor Glenn Dearlove and Borough Councillor Torquil Stewart, who was substituted by Borough Councillor Hugh Ashton.

42/05 MINUTES OF LAST MEETING (Item 2)

RESOLVED

That the minutes of the meeting of Surrey County Council's Local Committee (Elmbridge Area) held on 23 March 2005 were approved and signed as a correct record.

43/05 DECLARATIONS OF INTEREST (Item 3)

In accordance with Standing Order 58 Mr Lake declared an interest in view of his role as governor of a maintained educational establishment in Elmbridge.

44/05 APPOINTMENT OF ELMBRIDGE BOROUGH COUNCIL MEMBERS (Item 4)

Following the local elections in May, Members were informed of the appointment of nine Borough Councillors and five substitutes to the Committee.

RESOLVED

That the Committee noted the appointment of:

- i) Councillors Gordon Chubb, Rosemary Dane, Glenn Dearlove, Derek Denyer, Roy Green, Peter Heaney, Alan Hopkins, Torquil Stewart and Janet Turner as members of the Surrey County Council Local Committee (Elmbridge) for the municipal year 2005-06; and
- ii) Councillors David Archer, Hugh Ashton, Nigel Cooper, Simon Dodsworth and Bob Mott as named substitutes.

45/05 PETITIONS (Item 5)

No petitions had been received.

46/05 **PUBLIC QUESTIONS AND LETTERS OF REPRESENTATION (Item 6)**

A public question had been received from Ken Huddart of Claygate Parish Council regarding the review of BOAT 47 Road Closure Order for New Road in Claygate. Mr Huddart addressed the Committee, explaining that the officer's report recommending that the Road Closure Order should remain in force was welcomed, although he felt that the report did not sufficiently address through traffic. If the Order were rescinded, use of the road would greatly increase, which would impact on Surrey County Council's road maintenance budget.

Copies of Mr Huddart's question and officer response were before the Committee and are appended to these minutes in Appendix A.

The Chairman invited Mr White to speak as he had registered a concern about Bowes Road. Mr White informed the committee that eight years ago a traffic-calming scheme had been introduced in Walton, which has led to an increase in traffic along Bowes Road. In particular, the rise in the number of commercial and heavy goods vehicles using Bowes Road as a through route has had a negative impact on the quality of life of residents along the road. Mr White requested that Surrey County Council (SCC) reviews the situation and improves the pressure on Bowes Road.

The Local Transportation Director responded, saying that the traffic-calming measures put in eight years ago were to deal with traffic black spots, for which the measures have been successful. However, SCC will look into the traffic problems affecting Bowes Road and if necessary will bring this issue back to the Local Committee.

A letter of representation had been received by residents of Hare Lane living on the stretch between the Parade and the Railway Bridge. The letter of representation was presented to the committee by Mr Coffey on behalf of residents of Hare Lane. Mr Coffey explained that residents are concerned about the worsening traffic accident record of Hare Lane and the excessive speeds that drivers tend to take along this stretch of the road.

Mr Smith responded by saying that SCC and the Police are aware of the problems and that Hare Lane is continuing to be reviewed by the Accident Working Group.

RESOLVED

That the questions, letter of representation and their responses were noted.

47/05 **MEMBERS' QUESTIONS (Item 7)**

Questions had been submitted by Councillors Heaney and Dane in accordance with Standing Order 45. Copies of the questions and

responses were before the Committee and are appended to these minutes in Appendix B.

RESOLVED

That the questions and responses were noted.

EXECUTIVE FUNCTIONS

PART B: County Members

48/05 ELMBRIDGE LOCAL DEVELOPMENT FRAMEWORK (Item 8)

The Area Director informed the committee that this item is purely for information. The Local Development Framework is an important document setting out future development in the borough until 2016. Mr White drew members' attention to the timetable of consultations, emphasising that these will provide an opportunity for them to pass their comments on future plans.

RESOLVED

That the timetable for the preparation of proposed local development plan documents was noted, in particular the scheduled public consultations in Autumn 2005 and Spring 2006.

49/05 COMMUNITY SAFETY FUNDING (Item 9)

The Area Director informed members that Surrey County Council is one of the statutory members of Elmbridge Crime and Disorder Reduction Partnership. There is a good working relationship between the member agencies of this partnership and it is proving to be very successful in its efforts to tackle crime and disorder in the borough. This item is to seek agreement from the Local Committee on the budget devolved to the Local Committee for community safety and for the reduction of incidences of domestic abuse.

Mrs Hicks declared an interest as Chair of the North Surrey Domestic Abuse Forum.

RESOLVED

That the committee:

- i) Agreed that the budget of £18,000 devolved to the Local Committee for community safety be transferred to the Elmbridge Community Safety Partnership to be spent to further the work of the partnership.
- ii) Agreed that an additional £6,000 devolved to the Local Committee specifically to fund work to reduce the incidence of domestic abuse

locally, be transferred to the Elmbridge Community Safety Partnership for this purpose.

50/05 PROPOSALS FOR EXPENDITURE OF LOCAL REVENUE AND CAPITAL BUDGET (Item 10)

Mrs Mitchell introduced this item. With regard to the capital allocation for the Cobham skatepark project, it was questioned whether the allocation budget should be spent on just one area in the borough. Mrs Mitchell reminded members that collectively they can decide to spend the allocation on one area if they wish. It was also emphasised that the skatepark would in fact benefit young people from a wider catchment area than just Cobham.

RESOLVED

- 1) That the five proposals for expenditure from the Local Revenue Budget were agreed as follows:
 1. Ian Lake to contribute £301.98 towards repairs to the Weybridge Jubilee Feature Clock.
 2. Ian Lake to contribute £1,000.00 towards renovation work of The World Mission Korean Presbyterian Church, Weybridge.
 3. Margaret Hicks to contribute £1,500.00 towards The Geese Theatre Company production at the 1 July North Surrey Domestic Abuse Forum conference on 'Children Who Witness Domestic Abuse'.
 4. Dorothy Mitchell to contribute £2,000.00 towards a Monday night Youth Café at Costa Coffee in Cobham.
 5. Dorothy Mitchell to contribute £1,000.00 to improve the public highway verge area on the northern side of Chilbrook Road, near its junction with Downside Road.

- 2) That the proposal for expenditure from the Local Capital Budget was agreed as follows:

£17,500 towards the Cobham Skatepark project.

PART C: County and Borough Members

51/05 REVIEW OF TRAFFIC REGULATION ORDER – THE BOROUGH OF ELMBRIDGE (BOAT 47, NEW ROAD, CLAYGATE) ROAD CLOSURE ORDER 1996 (Item 11)

Sue Todd introduced this report, which has resulted from an application by the All Wheel Drive Club for the Traffic Regulation Order to be reviewed. Mrs Todd informed members that there has been wide consultation on this Order and the officer's recommendation for the Order to remain in force is based on county policy as it is anticipated that

a rescinding of the Order would produce negative results, by compromising public safety.

Further to a request by Mr Ashton, Mrs Mitchell agreed that his letter of 2 May addressing the grounds for his support of the Order remaining in force could be appended to these minutes (see Appendix C).

RESOLVED

That the Committee agreed that The Borough of Elmbridge (BOAT 47, New Road, Claygate) Road Closure Order 1996 should remain in force.

52/05 VERBAL UPDATE ON WEYBRIDGE STATION RAILWAY BRIDGE (Item 12)

Steve Coxon updated the committee with news on the mitigation measures planned for Weybridge Station Railway Bridge, which has been identified as one of three bridges in the county needing safety measures to prevent any risk of road onto rail incursions. As an interim measure, while the scheme was being prepared, concrete barriers have been installed on the south-west approach. The scheme has been developed with Network Rail and will be joint-funded between the county and Network Rail. As well as putting in place necessary safety measures, pedestrian and traffic safety will also be improved on and around the bridge.

Work on the bridge is due to start mid to late September and is expected to take eight weeks. Some disruption to traffic is expected but advance warning of the work will be put up and the works will be publicised.

Mrs Whitefield expressed her thanks that work was finally due to take place as safety measures have been a long time in coming.

RESOLVED

Members noted the verbal update.

53/05 PLANNING APPLICATION EL/03/2318 – COPSEM HOUSE, COPSEM LODGE & MEREDITH COTTAGE, COPSEM LANE, ESHER (Item 13)

Chris Smith explained that this item refers to a Traffic Regulation Order which is needed to permanently ban right turn movements from a new development site of residential units onto Copsem Lane (A244).

RESOLVED

That the Local Transportation Director was authorised to advertise the necessary Traffic Regulation Order to permanently ban right turn movements from the development site access onto Copsem Lane (A244), Esher and, if possible resolve any objections received, in consultation with the Divisional Member and Chairman.

54/05 **PLANNING APPLICATION EL/04/1551 – WAITROSE LTD, 16 – 18 BETWEEN STREETS, COBHAM (Item 14)**

Mrs Mitchell informed the committee that this item is just to endorse a road safety issue. The cost of all the improvements, the Traffic Regulation Order and all its associated works will be borne by Waitrose Ltd.

RESOLVED

That the decision of the Local Transportation Director to advertise the necessary Traffic Regulation Order to ban vehicular movement on the carriageway fronting 2-6 Anyards Road, Cobham was endorsed and that, if possible, any objections received be resolved in consultation with the Divisional Member and Chairman.

55/05 **ELMBRIDGE ROAD MAINTENANCE ALLOCATIONS AND PROGRAMME 2005/06 (Item 15)**

Richard Bolton introduced this report, requesting that the committee note the major maintenance programme and that, like last year, the Local Transportation Service is operating a tight budget. Any new schemes are therefore adopted according to priority.

RESOLVED

That the Committee:

- i) Approved the proposed split of revenue budgets including the virement from Minor maintenance to Environmental maintenance of £85,000 and the virement of £15,000 from Minor maintenance and £15,000 from Safety maintenance to fund a highway steward;
- ii) Noted the centrally determined major maintenance programme;
- iii) Noted both the centrally determined footway maintenance programme and the localised structural repair programme.

56/05 **ELMBRIDGE CYCLE FORUM (Item 16)**

Chris Smith informed members that this report is for information, to update members on the content and matters discussed at the fourth meeting of the Elmbridge Cycle Forum. Mr Smith drew members' attention in particular to two issues: the on-going conflict regarding South West Train's policy to ban bicycles on trains and the difficulties being experienced in recruiting cycling proficiency instructors.

RESOLVED

That the report was noted.

57/05 **LOCAL TRANSPORTATION SERVICE CAPITAL PROGRAMME
UPDATE (Item 17)**

Chris Smith introduced this item, explaining that the Local Transport Plan budget is devolved to the Local Committee to decide where to spend the money. Mr Smith drew members attention to Appendix A of the report, which detailed the schemes that have already been approved by the committee but not yet completed. Mr Smith then highlighted in more detail a number of these schemes.

RESOLVED

That the progress made was noted.

The meeting closed at 5.35pm

.....(Chairman)

PUBLIC QUESTIONS

**SURREY COUNTY COUNCIL
LOCAL COMMITTEE (ELMBRIDGE)
18 JULY 2005**

One question has been received from a member of the public. The question and response are set out below.

BOAT 47, New Road, Claygate (Ken Huddart, Claygate Parish Council)

Claygate Parish Council regards the use of BOAT 47 as of crucial importance. It welcomes the officers' report, with its robust treatment of the application and its recommendation that the Traffic Regulation Order be kept in place at all times, so that the BOAT remains closed to motor vehicles.

The report has no assessment of the impact of BOAT traffic on Claygate. The Parish Council believes that opening the BOAT to motor vehicles would be disastrous, since the use would develop into a significant through traffic movement through Claygate. Would the officers please confirm that the prevention of environmental damage and danger to Claygate by this through traffic is a valid justification of this Traffic Regulation Order under RTRA 1984 S1 - (1) a) and c) (see Appendix C of the report)?

Officer Response: Officers are unable to comment on the predicted traffic implications of the proposal for Claygate, without first undertaking detailed studies and data analysis. The costs and time that would be involved in carrying out this research are not felt to be justified in this instance.

MEMBERS' QUESTIONS
SURREY COUNTY COUNCIL
LOCAL COMMITTEE (ELMBRIDGE)
18 JULY 2005

The following questions have been received from members in accordance with Standing Order 45. The questions, together with responses, are set out below.

1. Milbourne Lane (Peter Heaney, Esher)

Milbourne Lane houses two primary schools and a tennis club. In addition, it is a prime dropping point for school buses and coaches and is an important route to two other local schools. It is also a cut through route to avoid Esher traffic lights and hold-ups.

The weight, number and speed of vehicles using the lane have vastly increased in recent years as have vehicular accidents and injuries (two on consecutive days in June). It is the view of residents that speed and in some cases lack of visibility are factors.

Can there be a review of the safety of this road with a view to introducing the following safety features:

1. A twenty mile an hour speed limit. At least from the Milbourne/Copsem Lane traffic lights to Hare Lane beyond the dangerous bend by the Swan Pub.
2. The introduction of a Pedestrian Crossing.
3. No entry signs at the Milbourne/Arbrook Lane junction on the long side of the triangular grass island (allowing only access onto and not off Milbourne Lane at this point).

Officer Response:

Milbourne Lane is the C158 route into Claygate. Although it is a busy road there is no evidence of an increase in injury accidents in the road, and indeed there have been only three such accidents in the last four years, and no more than one at any specific location.

Not least because there are two schools in the road, safety is continually under review, and further speed surveys have been promised for September. Our Safe Routes to School work has resulted in traffic calming being introduced at the

Eastern end of Milbourne Lane some years ago, and subsequent work with the schools is set out below. Statistically the road is relatively safe and members of the Committee will be aware that there is an extensive list of Road Safety schemes in our Local Transport Plan (LTP) programme, which are awaiting funding. Many of these have very significant accident histories, which is key to our funding prioritisation.

The Safe Routes to Schools team are working with Milbourne Lodge Junior School and Esher Church of England Primary School. Both submitted school travel plans in 2004, although Esher Primary first produced a plan in 2002. It should be noted that neither school identified the need for a pedestrian crossing on Milbourne Lane in their School Travel Plan.

Significant efforts have been made by Esher Church Primary in particular to reduce the number of cars travelling to the school. Following requests from parents, the public right of way to the rear of the school was resurfaced by Surrey County Council in 2002 and a 'Footpath Patrol' scheme was introduced by parents in May 2003. This comprises a group of volunteer parents who meet children at both ends of the footpath which runs from Claremont Lane to Esher Park Avenue. The children are then supervised into the school premises. This scheme was initiated to encourage parents to "drop and go" in an attempt to ease the congestion on Milbourne Lane; this route also encourages children to walk at least part of their journey into school.

In addition, two walking buses were initiated in February 2004 from Claygate and Esher. Twenty children take part in the walking bus which meets in Claygate every Friday morning and nine children take part in the walking bus from Esher every Wednesday morning. These walking buses have been supported by Dairy Crest, who have provided high visibility tabards for participants, as well as by the landlady at The Wheatsheaf Pub, who allows the walking bus to meet in the pub car park.

Milbourne Lodge Junior took part in Surrey County Council's Golden Boot Challenge in 2004 and 2005. Esher Church Primary has taken part for the last three years. Both schools report a significant reduction in the number of cars travelling to school each time they participate in the challenge.

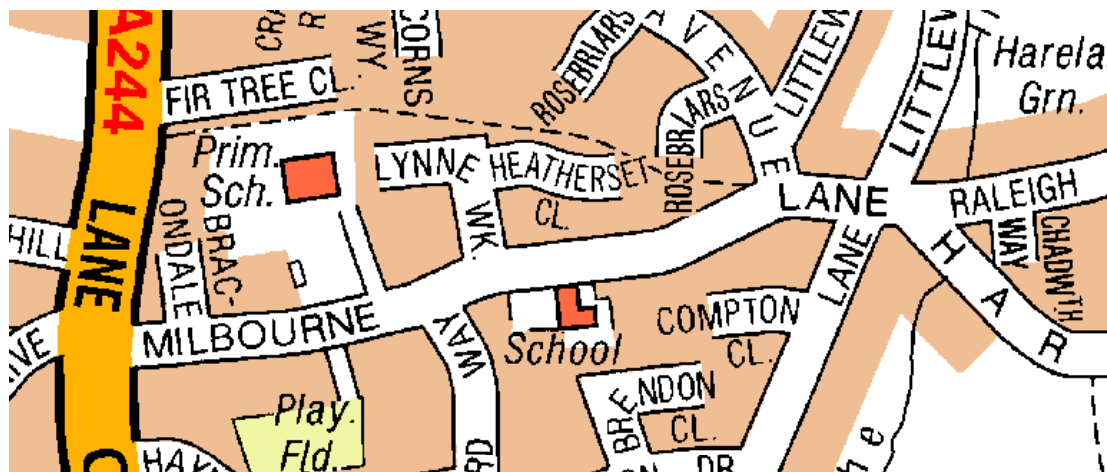
A regular programme of pedestrian and cycle training is carried out by the Road Safety Officer in both schools.

A crossing has not been investigated previously, as it has not been justified on the basis of traffic volumes or accidents. The criteria for formal crossings are now much more relaxed, but again the Council has an extensive five year programme of road safety and accessibility improvements (LTP), and there does not appear to be any overwhelming reason to fast-track Milbourne Lane. Consideration has previously been given to a pedestrian island near Milbourne Lodge Junior School, but that carriageway widths could not accommodate one. The traffic calming scheme outside Esher Primary (installed in the mid 1990s) incorporates kerb build-outs and two pedestrian islands, one intended to

accommodate a School Crossing Patrol. Unfortunately, there has not been one in post for some time – reflecting the difficulty in recruiting across the County.

The regulations for the introduction of 20mph zones are very stringent and Milbourne Lane will NOT qualify. County policy, agreed with Surrey Police, is to apply 20 mph speed limits to roads that have 85 percentile speeds below 24 mph and average speeds below 20 mph. Effectively this means roads which are self-enforced by robust traffic calming.

Department for Transport Circular 1/93 Setting Local Speed Limits (Revised draft guidance) is being updated and a version is out for consultation. It will have little or no impact on our existing policy.



It would appear that most users already access Arbrook Lane via the 'shorter' western access. The members might want to consider promoting a formal 'no entry' as suggested, although it is not clear that this would add much value in terms of road safety. Should an order be promoted successfully, then there would need to be introduced the appropriate signage on or adjacent to the common land.



2. Surrey Tourism Service (Rosemary Dane, Walton South)

On the 6th July, I attended a Surrey and West Sussex Tourism Seminar at Fontwell Race Course. It was evident that the local Surrey Tourism Service has broken down - no budget for this year has yet been set owing to major upheaval and restructuring within Surrey County Council etc. As this situation leaves tourism venues, and small businesses dependent on tourism, in Elmbridge unsupported, I should like to ask that a report be written outlining the problem and addressing future funding as a major issue. Perhaps the Portfolio Holder could attend the Local Committee meeting on the 26th September to give a run down on the situation and to take questions.

Officer Response:

The Economic and Sustainable Resources Service is currently being re-organised to take forward the Sustainable Development agenda in Surrey and the County Council. The reorganisation is also taking account of 2005/6 budget reductions and a 3-year programme of efficiency savings required by Central Government.

Whilst Surrey County Council's support for the tourism sector is continuing in the current year, despite a reduction in staffing levels, it will need to be delivered differently in future years to take account of budget and strategic direction issues. A re-assessment of the nature and character of Tourism in Surrey, and the value of Surrey County Council's contribution to this, would allow for a fresh look at how it can best be managed to encourage a more sustainable approach to the development of the sector and to ensure that the wider linkages with other policy areas are fully maximised. A new sustainable approach therefore needs to be developed to ensure tourism is a 'carrier' for the local multiplier effect, and that its wider social and environmental benefits are optimised.

In the current year, 2 full-time members of staff are delivering the County Council's tourism programme and current activities include:

- Development of Surrey's Destination Management System (DMS) and activities around www.visitsurrey.com. Surrey Tourism is providing a free listing on the website of all inspected accommodation in Surrey, including 40 Elmbridge establishments. As the county has been selected to be one of the first destinations to offer online booking through various websites, tourism businesses will soon be advised on how they can begin taking online bookings. In early September, work will commence on the collation of the annual attractions data and offering free advertising on the website to attractions, including museums, leisure centres and other visitor attractions (3 Elmbridge attractions are currently listed on the website). Events continue to be included, free of charge, through the DMS and Elmbridge Borough Council's leisure department have begun to send their press releases and events diaries through to Surrey Tourism for this purpose.

- Development of a collaborative project incorporating culture, countryside access, heritage and tourism to deliver a multi-functional website for residents and visitors.
- Delivery of Conference Desk Service (3 Elmbridge conference venues are listed in the Conference Choice brochure)
- Working with the River Thames Alliance, Guildford Borough Council and the Surrey Hills Area of Outstanding Natural Beauty regarding off-line promotions such as accommodation and visitor guides, advertising and promotion to groups.
- Review of the County Council's tourism function.



ELMBRIDGE BOROUGH COUNCIL

... bridging the communities ...

Members' Room
Civic Centre
High Street
Esher, Surrey
KT10 9SD

Website: www.elmbridge.gov.uk

Cllr Hugh Ashton
Treleo
17 Langbourne Way
Claygate
Surrey KT10 0DZ
Tel. 01372 463424

Miss Janet Cooke
Area Director
Surrey County Council (Elmbridge)
Civic Centre
High Street
Esher, Surrey, KT10 9SD



2nd May 2004

Dear Janet,

BOAT 47, Claygate, Traffic Regulation Order
Request for Review

I have received a letter dated the 4th April from Christina Smith, the Rights of Way Assistant for Surrey County Council at County Hall, informing me that Surrey County Council has been asked by the All Wheel Drive Club to review the Traffic Regulation Order currently in place on the byway open to all traffic, known as BOAT 47 which runs from the southern end of Coverts Road in Claygate, south over the A3 to reach the B280 Fair oak Lane at Oxshott. I am grateful to Christina Smith for alerting me to the request from the All Wheel Drive Club to review the TRO and I am sending her a copy of this letter by way of response although my letter is addressed to you in order to ensure that it does go in full to all members of the Elmbridge Local Committee who will be asked to decide whether or not the Order should be rescinded.

The Wildlife and Countryside Act of 1981 imposed a duty on Surrey County Council to review public rights of way and reclassify them. The review began in 1990 and by June 1991 Surrey County Council had carried out a review and proposed that:-

"Public right of way number 47 commencing at its junction with Fair oak Lane shown as point "A" on the drawing number 3/1/77/H6 attached hereto (hereinafter referred to as "the drawing") opposite Highgate Cottages, Oxshott and proceeds in a northerly direction for 800 metres along New Road through Milbournehold and Holroyds Plantations before crossing a bridge over the Esher By-Pass (A3) to a point on the northern end of the bridge shown as point "B" on the drawing. The right of way then continues for a further 140 metres terminating at its junction with Coverts Road and Holroyd Road, Claygate shown as point "C" on the drawing. The total distance A-B-C shown on the drawing is 940 metres.

The proposal was to reclassify the route as a Byway Open to All Traffic (BOAT). The reclassification of the public right of way as a "BOAT" was challenged very strongly by the Claygate Community and I gave evidence at the Local Enquiry which took place on the 8th June 1993 with the Inspector appointed by the Secretary of State being Mr. B.M. Evans. The result of the public enquiry was that contrary to very strong evidence against the classification as a BOAT it was nevertheless reclassified as a Byway Open to All Traffic (BOAT).

Almost immediately problems started to arise with motor vehicles being driven onto the BOAT, where they were abandoned and set fire to which then became a hazard to children, other pedestrians and horses using the route and which then had to be removed at public expense. Other problems arose with some traffic using the route causing horses to shy and riders to lose control causing danger to the riders and other pedestrian users of the route with some damage being done to the route by the movement of traffic on it. There is only a very short section of the route which is a challenge for drivers of four wheel drive vehicles and this entails getting off the track onto soft ground, going through the soft ground for about 200 yards before returning to the track, inevitably damage was caused to the track at both points and this had to be repaired, again at public expense.

After a very considerable public outcry at the damage, inconvenience, danger and expenditure that was being caused to BOAT 47, Elmbridge Borough Council decided to close the route to motorised traffic by making a Traffic Regulation Order in exercise of the powers of the County Council under Section 1 of the Road Traffic Regulation Act 1984 and the Order came into operation on the 10th day of March 1997 which, by coincidence, was when I was privileged to be the Mayor of Elmbridge and I signed the Order together with the then Solicitor to the Council.

I attach a copy of the map of the route referred to above, together with a copy of the Traffic Regulation Order made on the 10th day of March 1997. The letter dated the 4th April 2005 from Christina Smith lists the grounds under which the Highway Authority may make a Traffic Regulation Order, there are six grounds which I list below and offer evidence in support of the retention of the Traffic Regulation Order on all six grounds:

- (a) *"For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising or"*

It is clear that if the TRO is removed there will be extreme danger on this very narrow pathway to the horses, cyclists and pedestrians who use it for leisure purposes on a regular basis and it is inevitable that someone, a cyclist, horse rider or pedestrian will be injured.

- (b) *"For preventing damage to the road or to any building on or near the road or"*

When the route was open for a short time before the TRO was placed on the route, damage occurred to the pathway, caused by vehicles, which then had to be repaired at public expense. It is clear that any four wheel drive vehicles using the route will cause excessive damage which will have to be repaired at public expense, the use of four wheel drive vehicles on the route will also drag mud onto the pathway and onto the road at either end of the route making the road slippery and dangerous to ordinary traffic. It is also clear that if the route is improved as a result of the repair of damage, it could attract large amounts of traffic held up on the A243 at Malden Rushett to deviate and use a short cut through the Claygate roads which would become ever more congested and dangerous to other users with the congestion going as far as Claygate, Hinchley Wood, Long Ditton and Hampton Court.

- (c) *"For facilitating the passage on the road or any other road of any class of traffic (including pedestrians) or"*

With a TRO in place the route is safe for pedestrians, cyclists and horses but this would not be so if the route were also to be used by four wheeled drive and other vehicles.

- (d) *"For preventing the use of the road by vehicle traffic of a kind which, or its use by vehicles in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or"*

Whicular traffic is unsuitable having regard to the existing character and construction of the road, the surface of the route would be torn up and rutted, become waterlogged in places and dangerous for pedestrians, cyclists and horses to use. Danger would be caused because the route is very narrow in places and it would be impossible for two vehicles to pass each other in opposite directions with any degree of safety.

- (e) *"Without prejudice to the generality of paragraph (d) above for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or foot, or"*

It would be impossible to preserve the character of the path in its current state where it is specially suitable for persons on horseback or foot, the route is used extensively by many horses from nearby stables together with pedestrians from the Claygate community and the use of the route by four wheeled drive vehicles would seriously damage the route.

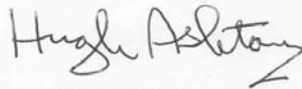
- (f) *"For preserving or improving the amenities of the area through which the road runs."*

Clearly the TRO is necessary to preserve and improve the amenities of the area through which the route runs, the woodland area on either side of the route would suffer environmental damage from traffic using the route and at its northern end it would create a serious disturbance to the houses in Glebelands which back onto a 200 yard stretch at the northern end of the route.

It is clear that the removal of TRO would cause enormous environmental damage and danger to its current users together with considerable public expense to maintain the route. I would be grateful if you would place this letter before all the members of your Local Committee with the request from me, on behalf of the community, that the TRO should remain in place.

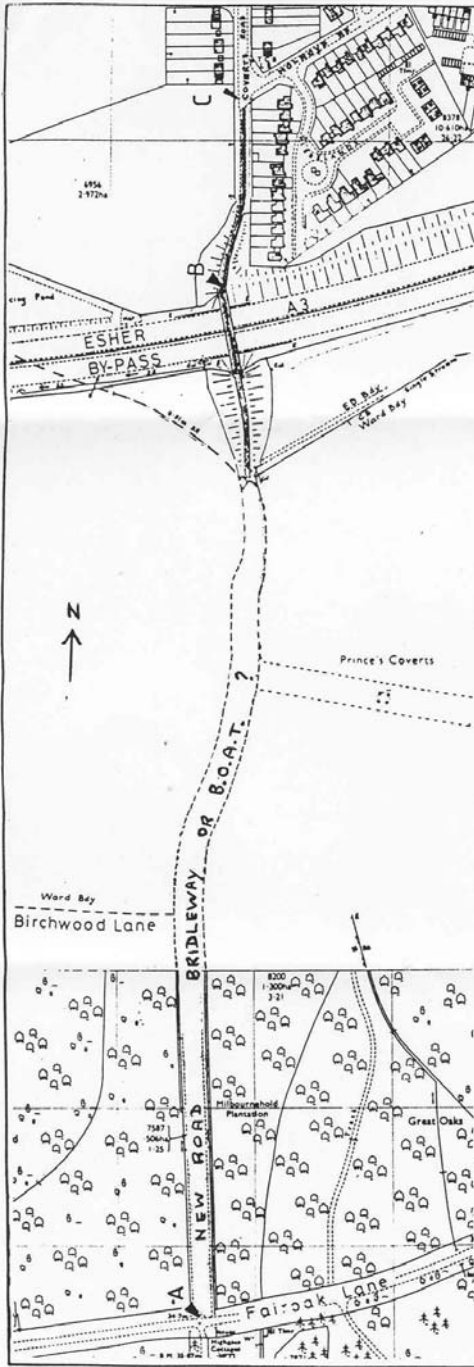
I am passing a copy of this letter to David Wiltshire, a Director of Elmbridge Borough Council for his information.

Best wishes,
Yours sincerely



Cllr HUGH ASHTON

- c.c. Miss Christina Smith, Rights of Way Assistant
Surrey County Council
Sustainable Development
County Hall
Kingston upon Thames
Surrey KT1 2DY
- c.c. Mr. David Wiltshire





Wildlife and Countryside Act 1981 Road used as a public path known
 as C.R.B. no. 47 to be reclassified
 as a B.O.A.T.

11) Based on the Ordnance Survey 1:2500 scale map with the permission of the Controller of Her Majesty's Stationery Office
 12) Crown copyright reserved Licence No. LA 07148X
 13) Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings
 14) Surrey County Council County Hall Kingston upon Thames Surrey

C.S.
 Signed
Appoben

Distance A - B 800 m
 B - C 140 m
 S.A. Ref 52 C3-C4

Grid ref at point 'A' 1577 6175 O.S. sheet nos. TQ 1561 - 2	Scales  1:2500 Drawn AH Date 11/89	Borough of Elmbridge Thames Ditton Esher Reclassification of R/W 47	 SURREY COUNTY COUNCIL County Engineer's Department J.A. BERGG, B.Sc., Ph.D., C.Eng., F.I.C.E.	Drg. No. 3 / 1 / 77 / H6
	0317-114			

EB 1950/2

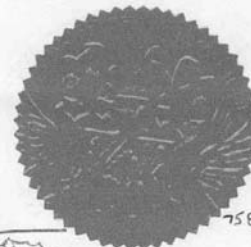
7583

THE BOROUGH OF ELMBRIDGE
(BOAT 47; NEW ROAD, CLAYGATE)
ROAD CLOSURE ORDER 1996

Elmbridge Borough Council pursuant to arrangements made under Section 101 of the Local Government Act 1972 with The County Council of Surrey in exercise of the powers of the County Council under Section 1 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act of 1984) and of all other enabling powers and after the consultations required by the Act of 1984 HEREBY MAKES the following Order:-

1. No vehicular traffic shall proceed in that part of the Byway Open to All ^{Traffic} ~~Public~~ 47 (Esher) known as New Road Claygate from it's junction with the B280 Fair oak Lane northwards for a distance of approximately 890 metres to the southern side of the junction of Holroyd Road with Coverts Road Claygate.
2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. This Order shall come into operation on the 15 day of March 1997 and may be cited as The Borough of Elmbridge (BOAT 47; New Road, Claygate) Road Closure Order 1996.

THE COMMON SEAL of ELMBRIDGE)
BOROUGH COUNCIL was hereunto)
affixed in the presence of:-)



7583

High Ashton
Mayor
T. Chant
Solicitor to the Council

THE BOROUGH OF ELMBRIDGE

(BOAT 47: NEW ROAD, CLAYGATE)

ROAD CLOSURE ORDER 1996

ORDER MADE: 13th February 1997

OPERATIVE DATE: 10th March 1997

U:\traffic\boat47\order
