



**OFFICER REPORT TO LOCAL COMMITTEE
(ELMBRIDGE)**

PETITION – WINDMILL LANE, LONG DITTON

8 DECEMBER 2008

KEY ISSUE

To update members on the investigations carried out, the results obtained, the conclusions and recommendations made, following the petition to the September meeting of this Committee.

To seek approval to include a scheme on the 2009/10 LTP programme, to introduce local waiting restrictions in Windmill Lane, and other roads leading off of it.

SUMMARY

This report updates members following the petition received at the September meeting, accompanied by a verbal representation by the lead petitioner, requesting the introduction of waiting restrictions on Windmill Lane and residential streets leading off from it. This report presents the results of those findings.

OFFICER RECOMMENDATIONS

The Local Committee (Elmbridge) is asked to:

- (i) Include a scheme on next year's programme to investigate and seek to introduce local waiting restrictions in Windmill Lane, and other public highway roads leading off of it.
- (ii) Authorise the advertising of a Traffic Regulation Order to introduce any necessary waiting restrictions proposed from the investigation, following agreement with the DPE task group and the Divisional Member.
- (iii) Approve, subject to statutory procedure, that the agreed waiting restriction scheme for the area be introduced following agreement with the DPE task group and the Divisional Member.
- (iv) Approve that consideration and resolution of any objections received be delegated to the East Area Group Manager in consultation with the Chairman, Vice Chairman, and Divisional Member.

1 INTRODUCTION AND BACKGROUND

- 1.1 Members are reminded that a petition was submitted to the September 2008, meeting of the Local Committee, requesting the introduction of parking controls along Windmill Lane and residential streets leading off from it.
- 1.2 The petition also requested consideration for parking charges to be applied in the Long Ditton recreation car park, in order to assist the Marlborough nursery.
- 1.3 Only a short section of Windmill Lane is public highway, maintainable at public expense from its junction with the A307 Portsmouth Road, to the southern boundary of number 40.
- 1.4 The remainder of the Lane from the boundary of number 40 to Effingham Road is an unadopted vehicular highway i.e. it is not maintainable at public expense to vehicular standards but is a designated right of way (bridleway number 20)
- 1.5 The Holiday Inn site, formally the Dairy Crest office building, is located within the Kingston House Estate. The estate has three means of access, the two main ones adjacent to the site onto the Portsmouth Road (A307), and one to the rear of the estate onto Windmill Lane.
- 1.6 A planning application (2004/0793 later withdrawn) to change the use of the former Dairy Crest office building to a hotel was first submitted in 2004. At this time the waiting restrictions on the Portsmouth Road had not been implemented. It is considered that the accesses onto the Portsmouth Road have been significantly improved since these restrictions have been implemented. Planning permission 2005/0282 was granted for a 92-bedroom hotel and the latest permission 2007/3245 was granted for a 116-bedroom hotel. This latest permission now nearing completion will have 100 parking spaces, which is in accordance with the Surrey Parking Strategy and should meet the parking demand for the hotel.

2 ANALYSIS

- 2.1 The petition requested parking controls be introduced in the Long Ditton recreation car park. This is not in Surrey County Council ownership or adopted public highway, so is not within the County Council's remit but that of Elmbridge Borough Council, as the landowner.
- 2.2 The southern section of Windmill Lane is not a publicly maintainable vehicular highway but is a right of way (a publicly maintainable bridleway). This somewhat complicates the issue, as legally there are no public vehicular rights on a bridleway. As vehicles are not permitted to use a bridleway (without lawful authority) then the placement of restrictions to prevent vehicles from parking, would somewhat appear to condone this illegal activity.
- 2.3 Having taken legal advice it would appear however that Section 142 of the Traffic Regulation Act 1984 does appear to allow a highway authority to apply restrictions not only to any length of highway but also any other road to which the public has access to prevent danger arising.
- 2.4 This issue would need to be investigated further by the legal team to ensure that waiting restrictions can be applied along this section, but may also mean some form of upgrade is required to its current status. A land registry search would also be required to ascertain ownership to enable consultation to take place.
- 2.5 A contribution towards cycling and passenger transport improvement works in the vicinity of the hotel, has been secured by officers of Surrey County Council Transportation Development Control Team, from the developers of the hotel, Sun TV (UK).
- 2.6 This could loosely be used to fund some of the works required to introduce the requested restrictions in the area, if it were deemed to complying with the terms of the agreement.

3 OPTIONS

- 3.1 Waiting restrictions would appear to provide the most appropriate solution to the issues being raised.
- 3.2 Access and junctions could be kept clear to provide sight line visibility whilst dedicated areas would enable some parking to be established on the carriageway, which would effectively create chicanes to reduce vehicular speeds.
- 3.3 This would also ensure that commuters could be prevented from parking between certain hours, whilst affording and their visitors the ability to park.

4 CONSULTATION

- 4.1 Initial consultation will need to be carried out with residents of the local area in the first instance, to ascertain the most appropriate solution. Once a proposal has been derived which would appear to resolve many of the issues raised by the petition, the statutory consultation will need to be carried out prior to any traffic order being made.
- 4.2 Surrey Police together with other interested parties will also be consulted as part of the statutory process.

5 FINANCIAL AND VALUE FOR MONEY IMPLICATIONS

- 5.1 The exact cost of the consultation, design, making of the Traffic Regulation Order and installation of the required signs and lines is unknown at this stage and will need to be carried out once a proposal to include a scheme on the Local Transportation Plan list has been approved by the Committee. The cost for this is likely to be in the region of £25,000.
- 5.2 The funding for this scheme would have to be met from the 2009/10 Local Transport Plan funding but also utilising any available Section 106 or Property Infrastructure Charge (PIC) funds.

6 EQUALITIES AND DIVERSITY IMPLICATIONS

- 6.1 None.

7 CRIME AND DISORDER IMPLICATIONS

- 7.1 None.

8 CONCLUSION AND RECOMMENDATIONS

- 8.1 It is proposed to include a scheme on next year's programme to investigate and seek to introduce local waiting restrictions in Windmill Lane, and other public highway roads leading off of it.

9 REASONS FOR RECOMMENDATIONS

- 9.1 To improve the parking situation in the roads affected by inconsiderate and dangerous parking.

10 WHAT HAPPENS NEXT

- 10.1 If the Local Committee approves the recommendations of this report then a scheme will be included on the programme for 2009/10. Once funding is available, Surrey County Council's Legal Department and Traffic team will be instructed to progress the consultations and other

investigations necessary to progress the Traffic Regulation Order. This will include a full consultation with the Emergency Services.

10.2 If no objections are received when the Traffic Regulation Order is advertised then the traffic order will be made and the relevant signs erected on site

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BACKGROUND PAPERS: None

Version No. 01 Date: 18/11/2008 Time: 12:20 Initials: FRA No of annexes:1