



**SURREY COUNTY COUNCIL'S  
LOCAL COMMITTEE IN  
EPSOM & EWELL**

**ST MARGARET DRIVE,  
ST ELIZABETH DRIVE, EPSOM  
ADOPTION AND INTRODUCTION OF  
WAITING RESTRICTIONS**

**27<sup>th</sup> FEBRUARY 2006**

**KEY ISSUE:**

To consider the formal adoption of these roads as Public Highway and the introduction of yellow line Waiting Restrictions.

**SUMMARY:**

The developers of the former Convent Site have requested that Surrey County Council adopt the estate roads in accordance with the Agreement concluded under section 38 of the Highways Act 1980 and at the same time introduce yellow line Waiting Restrictions.

**OFFICER RECOMMENDATIONS:**

The Committee is asked to agree:

- i) that the introduction of Waiting Restrictions, as detailed in Paragraph 3 below and shown on the Ordnance Survey extract which is attached at **Annexe 1**, be approved;
- ii) that authorisation be given to the making and advertising of the associated Traffic Regulation Order;
- i) that the Local Transportation Manager be authorised to consider any objections received, in consultation with the Chairman; and
- ii) to note that adoption of the estate roads is a matter delegated to the Local Transportation Manager. Adoption will be arranged to coincide with the introduction of Waiting Restrictions, if approved.

## 1. INTRODUCTION AND BACKGROUND

- 1.1 The highway layout, built as part of the residential development on the former Convent Site, was completed about six years ago and is the subject of an agreement in accordance with Section 38 of the Highways Act 1980.
- 1.2 In most cases of such residential developments, adoption of the estate roads is undertaken after completion of the development and following a 12 month maintenance period.
- 1.3 In the case of the former Convent Site, on-street commuter parking became a severe problem almost as soon as the roads were completed. At the time, (which was well before the introduction of Decriminalised Parking Enforcement), the Police were unable to support the introduction of additional Waiting Restrictions, as they had insufficient resources in terms of Traffic Wardens to guarantee effective enforcement, without which motorists, regrettably, have little respect for yellow lines.
- 1.4 In order to better control this parking and with the agreement of residents, the developer did not offer the roads to Surrey County Council for adoption and instead introduced a private wheel clamping scheme on these private roads. This has, to date, been very effective in discouraging commuter parking.
- 1.5 The developer, Persimmon Homes (South East) Ltd, has now requested, by letter dated 3 November 2005, that Surrey County Council adopt the estate roads in accordance with Section 38 of the Highways Act 1980 and, at the same time, introduce Waiting Restrictions to counter the possibility of commuter parking returning.
- 1.6 Following the introduction of Decriminalised Parking Enforcement, Surrey County Council, in association with Epsom and Ewell Borough Council, who undertake on-street enforcement on their behalf, is in a better position to agree to the introduction of additional Waiting Restrictions, as greater resources in terms of Parking Attendants are available.

## 2. ANALYSIS

- 2.1 It is known that for many years, residents of the estate have been investigating the possibility of these roads remaining private. This would mean that the private wheel clamping scheme could continue. However, completion of the Section 38 Agreement and the request for Surrey County Council to adopt the estate roads is a matter solely in the hands of the developer.
- 2.2 The developer is well aware of the views of residents but has decided that they have had ample opportunity, over many years, to finalise this option without success. The developer therefore wishes to conclude his legal right under the S38 Agreement to have the roads adopted, which will remove his liability for maintenance.
- 2.3 Adoption of estate roads on a development which is subject to an agreement in accordance with Section 38 of the Highways Act 1980 is a matter delegated to the Local Transportation Manager. The Local Committee is invited to note that if the introduction of Waiting Restrictions as set out below is agreed, the Local Transportation Manager will ensure that adoption is formally completed at the same time.

## 3. PROPOSED WAITING RESTRICTIONS

- 3.1 Proposed Waiting Restrictions, which mirror both the extent and time that the existing private wheel clamping scheme is in force, are shown in the Ordnance Survey extract which is attached at **Annexe 1**.
- 3.2 It is proposed that “At any time” waiting restrictions be introduced in St Margaret Drive between the junction with Dorking Road up to and including the junction with St Elizabeth Drive. This would help to discourage motorists who are seeking a parking place from entering the estate and also help to counter problems of overflow parking associated with The Haywain Family Pub Restaurant.
- 3.3 It is proposed that waiting restrictions in force on Mon to Sat between 8.30 am and 6.30 pm be introduced in the remaining lengths of both St Margaret Drive and St Elizabeth Drive as shown on the Ordnance Survey extract attached at **Annexe 1**. (Note that the extremities of St Margaret Drive and St Theresa Close and St Edith Close are not subject to the Section 38 Agreement but remain private).

**4. FINANCIAL IMPLICATIONS**

- 4.1 There are no significant costs associated with adoption of the roads. The developer has agreed to meet the costs associated with preparing and advertising the necessary Traffic Regulation Order and, following confirmation, laying yellow lines and installing time plates.

**5 CONCLUSION AND REASONS FOR RECOMMENDATIONS**

- 5.1 At the request of the developer, the estate roads are to be adopted in accordance with Section 38 of the Highways Act 1980.
- 5.2 The introduction of Waiting Restrictions is required to counter the possibility of commuter parking returning.

**Report by: Martyn Williams, Local Transportation Manager**

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**BACKGROUND PAPERS:**