

**MINUTES TO BE AGREED AT THE MEETING OF THE LOCAL COMMITTEE ON 09
DECEMBER 2009**



Minutes of meeting

SURREY COUNTY COUNCIL LOCAL COMMITTEE (GUILDFORD)

Date: WEDNESDAY 30 September 2009

Time: 7.00 pm

Place: Christ's College, Bellfields, Guildford

Members present:

Surrey County Council

Mr Mike Nevins (Worplesdon) (Chairman)
Mr Bill Barker (Horsleys) (Vice Chairman)
Mr Mark Brett-Warburton (Guildford South-East)
Mr Graham Ellwood (Guildford East)
Mr David Goodwin (Guildford South-West)
Ms Marsha Moseley (Ash)
Mr Tony Rooth (Shalford)
Ms Pauline Searle (Guildford North)
Mr Keith Taylor (Shere)
Ms Fiona White (Guildford West)

Guildford Borough Council (for Transportation matters)

Mr David Carpenter (Merrow)
Mr Matt Furniss (Christchurch)*
Mr Terence Patrick (Send)
Mr Tony Phillips (Onslow)
Ms Jenny Wicks (Clandon & Horsley)
Mr John Garrett (Lovelace)
Mrs Wendy May (Stoughton)*
Mrs Gillian Harwood (Stoughton)*

* substitute

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The following issues were raised during the informal public question session:

- Road safety concerns at Curling Vale (Chris Ward – Councillor for Onslow). This was considered under Item 12.
- The Cabinet decision to end the Pegasus Bus Service (Sandra Morgan – Worplesdon Parish Council and Sue Doughty – Guildford Liberal Democrats).
- Overgrown footpaths and cyclepaths on the A3100 (Michael King).
- Joint working between Highways and schools on cycling improvements (Julia Dickinson).
- The road surface of the A3100 in Guildford compared with the surface in Waverley (Laura King).
- Road safety concerns on the A246. This was considered under Item 13.
- Roughsleeping in Guildford and the use of empty publicly owned buildings to house them, e.g. White Hart Court (Phyl Kirkland).

All references to Items refer to the Agenda for the meeting.

36/09 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from Sarah Di Caprio, Caroline Reeves (substituted by Wendy May), Diana Lockyer-Nibbs (substituted by Matt Furnis), Mary Laker (substituted by Gillian Harwood) and Nigel Manning.

37/09 MINUTES OF THE LAST MEETING (24 June 2009) [Item 2]

Agreed and signed by the Chairman.

38/09 DECLARATIONS OF INTEREST [Item 3]

No declarations of interest were made

39/09 PETITIONS [Item 4]

A petition was presented by Eve Barrett on behalf of 828 signatories requesting action to deal with the dangers of crossing the two main roads in Shalford, Kings Road and The Street. A response to the petition is set out at **Annex 1**. The following also addressed the Committee:

- Tony Rooth explained that a meeting had been held with the petitioners and the Local Highways Manager. He expressed the view that the Kings Road crossing has been on the forward programme of works for a long time. He encouraged the Local Committee to discuss this further and to find a solution.
- The Local Highways Manager explained that the proposed closure of the slip road on Kings Road was considered by the Transportation Task Group and would be discussed under Item 12.

40/09 WRITTEN PUBLIC QUESTIONS [Item 5]

Five written public questions were received. Answers are set out at **Annex 2**.

In relation to question 1, Barbara Winkworth of St Martha's Parish Council questioned why the report on the state of the A248 had not been produced in July as was expected. Keith Taylor expressed his disappointment that the situation had not been fully assessed and undertook to continue to work with Highways to find a resolution. The Local Highways Manager explained that the local highways budgets are set at the start of the year and do not contain a contingency for emergency.

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In relation to question 5, Keith Taylor expressed his concern about the situation and undertook to work with the legal team to find a resolution. The Chairman explained that the Head of Legal Services had sent her response outlining the legal implications. The Local Highways Manager explained that the process of resolving this is complicated. The Council needs to be satisfied that it is worth going to court and that it is likely to be successful. He also raised the question of whether it was worth going to court if the new location of the bus stop is better.

41/09 WRITTEN MEMBERS' QUESTIONS [Item 6]

Three written Member questions were received. Answers are set out at **Annex 3**.

In relation to question 1, Terence Patrick stated that he believes a number of accidents have occurred which have not been recorded and expressed his concern over the dangerous nature of the road.

NON-EXECUTIVE FUNCTIONS

42/09 BYWAY OPEN TO ALL TRAFFIC 515 (SHERE) AND 137 (ABINGER) TRAFFIC REGULATION ORDER [Item 7]

Tim Smith of the Four Wheel Drive Club:

- supported the County Council on taking action to enable reasonable use of the Byway.
- stated that he believes the Traffic Regulation Order goes against the Council's policy, because we are not at the stage where this is a last resort.

The Countryside Legal Officer:

- presented her report and highlighted that the Byway is classified as in condition 3, in need of significant repair. The Council is in the process of spending £100,000 to repair it.

The Landscape and Access Team Manager:

- stated that the Council has a statutory duty to repair Byways and that the current repairs are using one-off funding.
- highlighted that even with goodwill and hardwork by all groups involved, the condition of this Byway is likely to deteriorate very quickly.

Keith Taylor and the Chairman:

- supported the recommendation on the grounds of safety and maintaining the condition of the Byway.

The Committee agreed:

- (i) a Notice of the Intention to make an Order should be published for Byways Open to All Traffic 515 (Shere) and 137 (Abinger) prohibiting motor vehicles exceeding 1500mm (5ft) in width.

Reason for the decision:

The Local Committee is responsible for issuing Notices of Intention to make a Traffic Regulation Order. The proposed TRO will benefit the BOATs surface condition, as well as a range of users.

43/09 BYWAY OPEN TO ALL TRAFFIC 521 (ASH) SEASONAL TRAFFIC REGULATION ORDER [Item 8]

Tony Rooth:

- supported the TRO, but questioned why it was not permanent given the state of the Byway.

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The Landscape and Access Team Manager:

- explained that the clay surface is ok in the summer but not in the winter.

The Committee agreed:

- (i) a Notice of the Intention to make an Order should be published for part of Byway Open to All Traffic 521 (Ash).

Reason for the decision:

The Local Committee is responsible for issuing Notices of Intention to make a Traffic Regulation Order. The proposed seasonal TRO over the winter period will protect the surface from further vehicle damage, allowing the surface to recover during the winter. It should make it more accessible to other user groups.

44/09 PROPOSED TRAFFIC CALMING ON UPPER ST SHERE [Item 9]

The Local Highways Manager explained that three objections had been received and details had been circulated. He also highlighted that the car park and traffic calming measures go hand in hand together.

The Committee agreed:

- (i) the proposed traffic calming works in Upper Street and the alignment alterations to the junction of Upper Street and London Lane, Shere, as shown on the drawing attached as **ANNEXE 1** be approved.

Reason for decision:

The proposed works will facilitate a much needed and long campaigned for, car park extension for the village to ease the pressure that parking and congestion cause.

45/09 REVIEW OF PARKING RESTRICTIONS OUTSIDE GUILDFORD TOWN CENTRE [Item 10]

Members made various comments and asked questions about individual roads; the Local Highways Manager, the Parking Services Manager and On Street Parking Co-ordinator responded.

The Committee agreed:

- (i) the proposals for parking restrictions in areas described in paragraphs 13 to 18 concerning Stoughton, Park Barn and Slyfield be developed and subject to informal consultation.
- (ii) that following this consultation, the proposals are considered by the Local Committee prior to being formally advertised.
- (iii) that as described in paragraphs 19 and 20, the list of requests for parking restrictions detailed in **ANNEXE 2** which are not highlighted, be assessed using the method set out in **ANNEXE 3** and that recommendations be brought to Local Committee on which locations should be actioned and in which order.
- (iv) that, as described in paragraphs 22 to 24, any proposals to amend to the order to accommodate newly created vehicle accesses or disabled bays be formally advertised, regardless of their locality and if there are no unresolved objections that an order is made giving affect to the change.

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Reason for decision:

The proposed controls will ensure easier traffic flow, particularly around junctions and promote a better balance in the use of kerbside space.

46/09 ANNUAL HIGHWAYS MAINTENANCE PLAN [Item 11]

The Local Highways Manager explained that Surrey Highways Partnership contracts with Carillion PLC and Ringway Highway Services Ltd had been revised and that some functions are now overseen by one contractor across Surrey, for example gully cleaning. He also undertook to circulate to Members the guidance on the process for Community Gangs working with Members.

The Area Director for the South West noted that the Leader wants to increase the powers of local committees and that changes will be made to the Constitution at the December meeting of the Council.

The Committee agreed:

- (i) that the annual highway maintenance plan for West Area be noted.
- (ii) that the allocation of the £100,000 Local Committee revenue funds as set out in paragraph 6 and **ANNEXE A** be approved.

Reason for decision:

Highway maintenance of the network is an essential activity and facilitates use by a variety of road users.

The decision will result in delivery of the highway maintenance service in accordance with the requirements of Cabinet and Local Committee.

47/09 MINOR SCHEMES PROGRAMME [Item 12]

Three residents addressed the Local Committee and raised a number of concerns regarding the safety of Curling Vale. The issues raised included the speed of traffic, the volume of traffic because it is used as a thoroughfare to many other destinations, the high curb, the lack of appropriate locations for Community Speedwatch and the number of accidents that have not been recorded. A number of Members reinforced the issues raised by residents.

The Local Highways Manager sympathised with many of the points made, but explained that damage only accidents are not recorded by the Police. Moreover, it is national policy to consider injury only accidents, because people have to report these.

With regards to the York Road / Stoke Road junction, it was suggested that phasing the lights might provide a suitable solution. David Goodwin offered to pay half the costs of hiring a consultant from his Member allocation.

Residents raised a number of concerns regarding the safety of the A248 Kings Road, Shalford. In particular the difficulty for pedestrians to safely cross the road was raised. Members supported these concerns.

The Chairman stated that Local Committee should not add too many schemes to the programme because there are not enough resources to complete them and they will remain on the list awaiting funding. The Local Highways Manager supported this. Against the recommendation of the Transportation Task Group, the Local Committee agreed to add the schemes for Curling Vale and the A248 Kings Road, Shalford.

The Committee agreed:

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- (i) that the progress made in delivering the minor improvements programme since last year be noted, including the completed projects set out in **ANNEXE A**.
- (ii) that the list of schemes remaining in the forward programme as set out in **ANNEXE B** be noted.
- (iii) that the recommendations of the Transportation Task Group regarding new schemes put forward since last year be approved as set out in **ANNEXE C**, supported by the detail in **ANNEXE D**. **In addition, the Local Committee resolved to add the schemes for Curling Vale and the A248 Kings Road, Shalford.**
- (iv) that officers be authorised to proceed with any necessary actions including traffic orders, advertisements and notices of intent in order to deliver these projects as soon as 2010/11 budgets are known.

Reason for decision:

The Local Committee is responsible for approving the Minor Schemes Programme.

John Garrett left the meeting after this Item.

48/09 SPEED LIMITS PROGRAMME [Item 13]

Four residents addressed the Local Committee and raised a number of concerns about the safety of the two sections of the A246. The issues raised included that access to the road from side roads is difficult and dangerous, there are regular accidents that have not been recorded and the task group recommendation goes against the Council policy because they have wrongly classified the road.

The Local Highways Manager stated that each road has to be judged individually as to whether it be classified as urban or rural. He also noted that the County Council is awaiting the publication of the new Government policy on speed limits before it revises its own Speed Management Policy. There are a number of requests for lower speed limits that cannot be implemented until this policy is changed.

Against the recommendation of the Transportation Task Group, the Local Committee agreed to add Green Dene and both sections of the A246 to the list of schemes awaiting a change in Council policy.

The Committee agreed:

- (i) that the updated Speed Limit programme shown in **ANNEXE A and ANNEX B** be approved and Officers be authorised to progress the assessment and implementation of these during the 2010/2011 financial year, subject to the level of funding available and to their meeting the requirements of the County Council's Speed Management Policy. **In addition, the Local Committee resolved to add Green Dene, East Horsley, the A246 Guildford Road, Effingham (From existing 40mph to borough boundary) and A246 Guildford Road, Effingham (From existing 50mph toward East Horsley boundary) to the list of schemes described as 'on hold pending review of the Speed Management Policy'.**
- (ii) that the intention of the County Council to make the necessary speed limit orders be advertised and that if no objections are maintained, the various orders be made.

Reason for decision:

The Local Committee is responsible for approving the Speed Limits Programme.

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49/09 INTEGRATED TRANSPORT SCHEMES PROGRAMME 2009-2014 [Item 14]

The Local Highways Manager set out that the report assumes that funding levels will remain the same over the next five years. He also explained the mistake in the budget previously reported, which means that the budget has effectively reduced from £920,000 to £770,000. The Principal Engineer has taken over the project management of the York Road / London Road junction. This junction has a high accident record and a final figure for the cost of the scheme is expected soon.

The Committee agreed:

- (i) that the programme of Integrated Transport Schemes for Guildford for progression in 2009/10 - 2013/14 funded by Local Transport Plan and Local Allocation as set out within the report and **ANNEXE A** be approved.

Reason for decision:

The Local Committee is responsible for approving the five-year rolling programme of ITS projects.

The decision will allow projects to move forward, and provide a well-programmed and continuous workflow.

Matt Furniss and Gillian Harwood left the meeting after this Item.

50/09 SURREY LAA and GUILDFORD LSP [Item 15]

The Area Director set out the report and highlighted that the Surrey Strategic Partnership has identified Westborough as one of five priority places across the county.

The Committee agreed:

- (i) to note and comment on this report
- (ii) identify ways in which Member representation is required on the delivery groups of the Guildford LSP
- (iii) comment on improved ways in which the work of the Surrey Strategic Partnership and the Guildford LSP can be shared and challenged

Reason for decision:

The report was presented to update the Local Committee on the work of the LSP and on the Surrey LAA.

51/09 PROPOSALS FOR THE COMMITTEE'S CAPITAL AND REVENUE ALLOCATIONS [Item 16]

The Committee agreed:

- a. to approve the proposed expenditure from the Members' Revenue Allocation budget listed in paragraph 9 (and detailed in Appendix A).
- b. to note the allocations agreed under delegated authority from the 2009/10 budget since the Local Committee meeting held on 24 June 2009.

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- c. to agree proposals for the Local Capital budget of £35,000 for voluntary groups, as detailed in paragraph 6.
- d. to approve the return of funding to the relevant member/committee for projects where funding is no longer required (paragraphs 7 & 9).

Reason for decision:

The spending proposals from the Members' allocations revenue put forward for this meeting have been assessed for appropriateness and value for money and it is recommended that they should be approved, to enhance the wellbeing of Guildford residents.

52/09 FORWARD PROGRAMME [Item 17]

The Committee agreed:

- (i) to accept the Forward Programme 2009/10, as outlined in Appendix 1 of the report.
- (ii) to consider any further themes for Member briefings during 2009/10.

Reason for decision:

To enable preparations to be made for future meetings, reflecting members' wishes.

[Meeting ended at 10.25 p.m.]

.....(Mr Mike Nevins - Chairman)

Contact:

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The next meeting of the Committee will be on WEDNESDAY 09 DECEMBER 2009 at 7pm.

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Annex 1

Principal petitioner/organisation	SCC DIVISION / GBC Ward	Summary of concerns and requests	Date reported to GLC	Proposed action Progress achieved
<p>Eve Barrett on behalf of 828 signatories mainly from addresses in the Shalford, Bramley, Godalming, Chilworth, Wonersh, Shamley Green and Farncombe areas.</p>	<p>SHALFORD Shalford</p>	<p>Request for immediate action to deal with the dangers of crossing the two main roads in Shalford, Kings Road and The Street. Central refuges, pedestrian crossings or other traffic calming measures should be urgently introduced in at least the following vital spots:</p> <ol style="list-style-type: none"> 1. On Kings Road to access the care home, bus stops, the childrens' play area, the post office, the village hall and the village green. 2. By the café/pharmacy and Chinthurst Lane and the village green. The slip road part the parade of shops is an additional hazard 3. Between the school/bus stops and Dagden Road on the A281. 	<p>30.09.09</p>	<p>Officers and Cllr Tony Rooth met with the lead petitioner and representatives of Shalford Parish Council on 3 July 2009. The process by which schemes are identified, prioritised, funded and implemented was explained in detail, together with the limitations on funding.</p> <p>It was noted that there is already a scheme for Kings Road on the forward programme (see Item 14, page 8, scheme 7/313)</p> <p>It was agreed that there was little prospect of achieving an improvement on the A281, due to the width of the road and the presence of a structure, which would mean widening would be very expensive.</p> <p>Officers agreed to refer the proposal for the slip road to the Transportation Task Group for consideration, despite the fact that the petition had not yet been reported to the Committee. This was done, and the recommendations are shown in the report at Item 12 on this agenda. Officers could not recommend the scheme for addition to the programme, since there have been no personal injury collisions. The Task Group agreed this recommendation. The Committee's decision on this is pending.</p>

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Annex 2

<p>CHRIS KARNEY CLERK TO ST MARTHA PARISH COUNCIL</p>

Q1 TRAFFIC LIGHTS ON THE A248 DORKING ROAD JUST EAST OF
CHILWORTH STATION

These lights have been in situ since December. They are causing considerable inconvenience and frustration because no apparent work has been carried out to repair the bank subsidence. The Parish Council is under pressure to call a public meeting especially as no timescale is available for starting and undertaking this work. Can the County Council confirm what work is going to be carried out to repair the A248 Dorking Road, just east of Chilworth Station? What are the timescales for the repairs?

A At the end of 2008, part of the A248 near Chilworth was found to be cracking. Inspection revealed that the embankment which supports the road at this point appeared to be slipping. Officers were concerned at the possibility that this situation might worsen, so arranged for temporary traffic signals to be provided, thereby keeping moving traffic away from the failing edge of the carriageway.

The matter was reported to the County Council's Structures Group, whose responsibilities include geotechnical matters of this nature. They had no resources to investigate the problem during the 2008/09 financial year, but placed this on their work programme for 2009/10. A topographic survey has been commissioned and an ecological scoping survey has been carried out and the report is awaited. Due to there being several such investigations now required across the County, Jacobs (a firm of consulting engineers) have been asked to provide an additional resource to help with the specification of ground investigations and solution design. The physical site investigation will be carried out by Jacobs together with our constructor partner Ringway in the autumn.

What action will follow this will depend on the extent of the problem. It is unlikely that a solution can be devised and funded during 2009/10. It may be possible to carry out some form of temporary remedial works, but this will depend on the outcome of the investigations. If the solution proves to be expensive, it will be necessary to bid for funding in a future year.

In the meantime, the temporary traffic signals will remain in place. A suggestion from some local residents that these be replaced with a 'give way' marking has been considered, but is considered to be inadequate particularly at times of peak traffic flow. The traffic signals were replaced temporarily by a 'give way' arrangement during July 2009 as a result of a breakdown of the traffic signals. Surrey Police and Surrey Highways reviewed the arrangement, but found that it did not comply with national standards for safety at road works sites, so the signals were re-established.

ALISTAIR POOLE

Q2 As a frequent user of Merrow Park & Ride bus service it has come to my attention that there is no safe crossing place on the A246 for pedestrians to access the service. Also for people who prefer to cycle to the service there is no suitable place for them to leave their bikes securely locked. Would it be possible to have a suitable crossing and a few bike racks?

A Guildford's Park and Ride sites are provided primarily to discourage car drivers from adding to traffic congestion and pollution in the town centre. They are not therefore designed for local residents who wish to walk to the facility. Some residents do use the bus services, but this could be argued to be 'abstracting' fares from normal service buses (since the park and ride buses are heavily subsidised) and could therefore be subject to legal challenge. Cycle racks will be provided as part of the construction of a waiting facility, due to commence shortly. A 'toucan' crossing was provided in the recent past close to the Horse and Groom public house, enabling both pedestrians and cyclists to cross the A246 Epsom Road in safety.

**R.J. BROMHAM on behalf of
HOLY TRINITY AMENITY GROUP PLANNING GROUP**

- Q3** Will SCC reconsider the decision not to take any effective action to improve safety and the pedestrian environment at the area of Warwick's Bench where so many accidents have happened, and which has become so intimidating for pedestrians?

Associated Subsidiary Questions:

Do you agree that the SCC practice of only making pedestrian improvements after injuries have happened is contrary to policies requiring improvements to pedestrian facilities, as part of the drive to achieve more sustainable forms of transport?

What action is needed within SCC to give pedestrian improvements more priority, in line with current central government policies?

BACKGROUND

The high incidence of cars leaving the road at bends in Warwicks Bench, smashing across the pavement, and crashing through fences into gardens has been a serious concern for many years, and has been the subject of recent correspondence following some particularly serious crashes. Our County Councillor has also been having discussion with Officers.

Our Group have raised this problem several times in the past, and local residents have raised it many times. There are reports of near misses with pedestrians. The writer and his wife came within a few feet of being severely injured, perhaps killed, when a car crashed across the pavement. This was a frightening and traumatic experience, and has happened to others. The response given to a resident that "I am pleased to inform you there has been no such incidents (injuries) recorded for the past 10 years" is patronising, offensive, and probably incorrect.

While potential injury or death must be foremost in considerations, there is also the problem that the pedestrian environment here is now a very hostile one. This discourages residents and visitors from making walking journeys; it is particularly so for the elderly and infirm, and wheelchair users, who know they do not have the agility to give them any chance of avoiding a vehicle that mounts the pavement. The failure to take any action is itself a contravention of the Disabilities Discrimination Act.

The response that is always trotted out when action has been requested to improve pedestrian safety and the walking environment, in this and many other cases, is that no action can be taken until there has been an injury. This policy is now completely at odds with national and SCC policy requiring improvements to pedestrian facilities as a means of reducing car use. We see carriageway improvements being made which are not a direct response to accident injuries; the failure to do the same for pedestrians represents discrimination against them. This present approach has to change if any progress is to be made to give a "modal shift" to more sustainable forms of transport, as required by the SE Plan, and as endorsed by SCC policies.

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A The question of road safety in Warwick's Bench is under active consideration. The options available are broadly as follows:

- Physical measures to reduce traffic speeds, such as provision of further road humps. Some residents are asking for these, but as the Committee is aware, these are usually unpopular when installed, and expensive, and must be justified in terms of their costs and benefits in comparison with other projects.
- Measures to prevent vehicles from leaving the carriageway. These might include safety fencing (often called 'crash barrier') or 'trief' kerbs. Both of these would be very ugly features in an otherwise attractive area. Safety fencing would considerably reduce the effective width of the footway, possibly to the point where there would be insufficient space for wheelchairs or double buggies.
- Warnings to drivers to reduce their speeds. These might include permanent signs and/or road markings or some form of vehicle actuated sign at the key location. In the light of the leader's announcement of additional funds to deal with antisocial driving, this option would seem to have the greatest potential.

SCC does not, as suggested, make pedestrian improvements only after injuries have occurred. Pedestrian, cycling and public transport improvements are justified on the basis of whether they would encourage significant more people to travel by those modes. However with annual fatalities, serious and slight injuries counted in dozens, hundreds and thousands respectively on Surrey's roads, officers do generally give the strongest recommendation to schemes which would reduce accidents.

In 2008, there were 685 personal injury collisions, resulting in 10 fatalities, 73 serious injuries and 882 slight injuries, in the borough of Guildford. It is estimated that there were a further 6000 'damage only' collisions in the same period. Both central government and Surrey County Council have accepted stringent targets for the reduction in road traffic casualties. In deciding how best to allocate scarce funds, the Committee should consider whether priority should be given to locations where injuries have already occurred, or those where concerns exist, but there is no record of injury collisions

There are no policies, national or local, which require improvements to pedestrian facilities. There are certainly policies which encourage these, as there are for cycling, public transport and safety-related matters. All policies have to be interpreted within resource constraints. There is no breach of the Disability Discrimination Act as alleged.

If Mr Bromham would elaborate on the carriageway improvements which he considers unjustified, officers may be able to explain the reasons they were carried out.

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TIM KANER

Q4 I am writing to request that an update is provided to the Local Committee meeting on when the agreed weight restriction on Cobbett Hill will be implemented. The restriction was agreed at the meeting in June, it is now September and no signage has been erected as yet.

A The following response was provided to Mr Kaner on 21 July 2009:

“In the light of the Committee's decision I have issued instructions for the Traffic Order to be made, and the signage to be designed and erected. I do not yet have dates for any of this. I will let you know when I know more. The budget is not an issue - the scheme is funded during the current financial year.”

Since then the necessary legal work has been completed and the Order can be made quickly as soon as it is required. When we have an estimated cost from our contractor an order will be placed for the signs to be erected. This is one of many minor signage and road marking projects being carried out within limited staff resources. It is hoped that the prohibition will be brought into effect by the end of the year.

NICK WENMAN, ALBURY PARISH COUNCIL

**Q5 ALLEGED PUBLIC RIGHTS OVER LAY-BY FRONTING THE OLD MILL,
ALBURY**

This matter concerns the bus stop at the Old Mill, Albury. It was first raised by Cllr Roy Hogben with SCC (Mr Derek Lake) on the 19th August 2008.

Following discussions with Cllr David Davis and Mr Derek Lake, it was decided that a case should be made to the Local Committee (Guildford) that public highways rights had been established and that the bus stop should be reinstated. Following collation of evidence from local residents, a written submission was made to SCC by Albury Parish Council on or around the 14th November 2008. SCC officers decided that there would not be enough time to properly consider the legality of the case in time for the December 2008 committee meeting and it was therefore delayed until the meeting held in March 2009.

At the SCC Local Committee meeting held on the 11th March 2009 the committee agreed:

1. that public highway rights have been established over the lay-by adjoining the carriageway of The Street along the frontage of the Old Mill.
2. that in view of recommendation (1) officers be authorised to approach the developer with a view to securing the removal of the obstruction and the reinstatement of the lay-by.
3. that in the event that this approach is unsuccessful, that officers be authorised to seek Counsel's advice on the matter and to act on that advice.

At the following meeting of the Local Committee held on the 24th June 2009 Cllr Roy Hogben raised concerns about the apparent lack of progress on this matter. Apologies were made by Mr Derek Lake on the lack of progress and he stated that the legal team would try to progress the issue as soon as possible.

As of today's date Albury Parish Council has received no update from SCC officers in spite of several enquiries by e-mail made on its behalf by Cllr Hogben.

It should be noted that Albury Parish Council considers the temporary relocation of the bus stop to be unacceptable. It is extremely dangerous as it requires elderly parishioners to cross the road on a blind bend in the road, a fact which was highlighted to Mr Derek Lake by e-mail on the 11th September 2008.

1. Does the Local Committee find it acceptable that no progress seems to have been made on this matter by SCC officers for more than one year since it was first notified to SCC?
2. What action does the local Committee intend to take to ensure that actions agreed at committee meetings are carried out in a timely manner?

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A Officers have spoken to the developer and set out the position as resolved by the Committee. His position is as follows:

- He considers that he has acquired the land in question in good faith, and that neither the vendor nor the public authorities have informed him that the land formed part of the public highway
- He has been granted planning permission for the development, now completed, and neither Guildford Borough Council as Local Planning Authority, nor Surrey County Council as Highway Authority (nor indeed Albury Parish Council as consultees) informed him that further permissions were required.
- The development is complete, and he has no intention of removing the wall and reinstating the highway to its former state.

Officers have sent copies of the Committee report and decision for his information, and he has undertaken to review these with his planning consultant and/or legal adviser.

Officers have referred this to the County Council's Legal Services for advice as to how best to proceed. It may be necessary to go to court, and/or to use the council's contractor to reinstate the land to highway usage. Either would incur costs, and an assessment must be made of the likelihood of success, and of reclaiming the costs from the developer.

Aside from the issue of the reclaiming of highway land, officers of Surrey Highways, the Passenger Transport Group and Surrey Police remain of the view that the current position of the bus stop outside the village hall is more suitable than the lay-by. This position remains temporary, as this land is claimed by Albury Estates.

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CLLR. TERENCE PATRICK (SEND WARD)

Q1 Members of the Transportation Task Group have seen the pictures of the latest crash in Curling Vale, when four vehicles were written off. This crash was caused by the white van travelling down hill at a speed estimated by the attending police officer to be 45mph, swerving to avoid a head on collision with an oncoming vehicle and hitting the three parked vehicles.

Is it correct that Mrs Nicola Beight of number 23, who was getting her two babies out of the blue Honda in the picture ten minutes earlier, would have to be killed and her children maimed for life, for the council to take any corrective action? Mr Sean Beight presented the petition at the last meeting.

Why is it that none of the accidents that have occurred in the past, and have been reported, never appear in any documentation? A retired police officer, who has lived in Curling Vale for many years, has said that he knows of at least twenty accidents that have occurred. When he was working he reported them in his official capacity.

A This question is concerned with the reports at Items 12 and 14 on this agenda. In deciding how to respond, the Committee may like to take account of the following:

- In 2008, there were 685 personal injury collisions, resulting in 10 fatalities, 73 serious injuries and 882 slight injuries, in the borough of Guildford.
- It is estimated that there were a further 6000 'damage only' collisions in the same period.
- Both central government and Surrey County Council have accepted stringent targets for the reduction in road traffic casualties.
- In deciding how best to allocate scarce funds, the Committee should consider whether priority should be given to locations where injuries have already occurred, or those where concerns exist, but there is no record of injury collisions.
- The Transportation Task Group met on 3 September. Its recommendations are included in the report at Item 12. Two locations where injury collisions have occurred are recommended for inclusion; two with no record of injury accident are not.
- At the meeting, Cllr Phillips produced the photographs referred to in this question, and argued in favour of a scheme in Curling Vale being added to the forward programme.
- The Transportation Task Group Terms of reference, last agreed by this committee on 24 June 2009, include the following: "6. The role of the Task Group is primarily strategic, since one of its principal purposes is to decide which projects represent good value for money in terms of Local Transport Plan objectives and strategies. Its members will therefore act in the interests of the borough as a whole, rather than representing the interests of their divisions and wards."
- There is no obligation to report accidents which do not result in personal injury. Even where the Police are called, while details are recorded, if no injuries occur, the accident is not included in the database shared by Surrey Police and Surrey County Council. This is a national policy. It is estimated that between 8 and 10 'damage-only' collisions take place for every injury collision.

CLLR. ROY HOGBEN (TILLINGBOURNE WARD)

Q2 ALBURY MILL BUS STOP

This aggravating problem of the developer usurping the Albury Mill bus stop has now been with us for more than one year. It was hoped that the legal establishment that there had been more than a 20 year usage, followed by a unanimous decision by the Local Committee on 1 March of this year to accept this finding would have prompted some attempt to reinstate the lay-by, however, since then nothing has happened.

This inactivity is causing anger and concern with the local residents who use the bus service. They are most unhappy with the inconvenience and danger of having to use the 'temporary' bus stop currently installed at the village hall.

Apologies were given at the last Local Committee meeting on 24 June for this lack of action but still nothing seems to have materialized. Follow up emails to Ann Charlton and copied to Derek Lake, Nancy El-Shatoury, Lynne Martin, David McNulty and Dave Johnson still remain unanswered.

It is considered to be of utmost importance that some sort of concerted action be taken to resolve this problem

A Officers have spoken to the developer and set out the position as resolved by the Committee. His position is as follows:

- He considers that he has acquired the land in question in good faith, and that neither the vendor nor the public authorities have informed him that the land formed part of the public highway
- He has been granted planning permission for the development, now completed, and neither Guildford Borough Council as Local Planning Authority, nor Surrey County Council as Highway Authority (nor indeed Albury Parish Council as consultees) informed him that further permissions were required.
- The development is complete, and he has no intention of removing the wall and reinstating the highway to its former state.

Officers have sent copies of the Committee report and decision for his information, and he has undertaken to review these with his planning consultant and/or legal adviser.

Officers have referred this to the County Council's Legal Services for advice as to how best to proceed. It may be necessary to go to court, and/or to use the council's contractor to reinstate the land to highway usage. Either would incur costs, and an assessment must be made of the likelihood of success, and of reclaiming the costs from the developer.

Aside from the issue of the reclaiming of highway land, officers of Surrey Highways, the Passenger Transport Group and Surrey Police remain of the view that the current position of the bus stop outside the village hall is more suitable than the lay-by. This position remains temporary, as this land is claimed by Albury Estates.

Cllr Hogben claims not to have received replies to a number of emails. Officers can show that replies have been sent on a number of occasions, but at least four officers have noticed that Cllr Hogben's emails are regularly blocked by SCC's 'spam' filters. It may be that not all of his emails have reached the addressee.

CLLR. ROY HOGBEN (TILLINGBOURNE WARD)

Q3 TRAFFIC LIGHTS ON A248 NEAR CHILWORTH STATION

In late December last year, a subsidence problem was discovered and immediate action taken to keep traffic away from the edge of the road. Initially the crash barrier was placed mid way on the side of the road that was affected and traffic lights installed. It seemed to local residents that this was an 'overkill' solution for an apparently minor danger at the very edge of the carriageway.

Subsequently the barrier was moved to the centre of the road and the traffic lights still control the traffic flow. It has been observed that many motorists are irritated by these lights and are becoming complacent and ignoring them. As this seems to be a long term problem, surely a more simplified 'give way' method of traffic control should be installed?

Of course, because it is an 'A' road there is a great deal of criticism of the lack of financial resources to be able to deal with this situation more efficiently. Apparently this is not a new problem and it may well be bad workmanship that is the root cause of this particular slippage.

A At the end of 2008, part of the A248 near Chilworth was found to be cracking. Inspection revealed that the embankment which supports the road at this point appeared to be slipping. Officers were concerned at the possibility that this situation might worsen, so arranged for temporary traffic signals to be provided, thereby keeping moving traffic away from the failing edge of the carriageway.

The matter was reported to the County Council's Structures Group, whose responsibilities include geotechnical matters of this nature. They had no resources to investigate the problem during the 2008/09 financial year, but placed this on their work programme for 2009/10. A topographic survey has been commissioned and an ecological scoping survey has been carried out and the report is awaited. Due to there being several such investigations now required across the County, Jacobs (a firm of consulting engineers) have been asked to provide an additional resource to help with the specification of ground investigations and solution design. The physical site investigation will be carried out by Jacobs together with our constructor partner Ringway in the autumn.

What action will follow this will depend on the extent of the problem. It is unlikely that a solution can be devised and funded during 2009/10. It may be possible to carry out some form of temporary remedial works, but this will depend on the outcome of the investigations. If the solution proves to be expensive, it will be necessary to bid for funding in a future year.

In the meantime, the temporary traffic signals will remain in place. A suggestion from some local residents that these be replaced with a 'give way' marking has been considered, but is considered to be inadequate particularly at times of peak traffic flow. The traffic signals were replaced temporarily by a 'give way' arrangement during July 2009 as a result of a breakdown of the traffic signals. Surrey Police and Surrey Highways reviewed the arrangement, but found that it did not comply with national standards for safety at road works sites, so the signals were re-established.

In order for repairs to be carried out where a sudden failure of this sort occurs, either funds would have to be kept back for contingency purposes, or another project elsewhere would have to be postponed. All of the available funds for highway maintenance have been allocated for the current financial year; officers have no discretion over this.

There is no suggestion whatsoever that the cracking is caused by poor workmanship.