



Minutes of meeting

Surrey County Council Local Committee (Guildford)

Date: Wednesday 22 September 2010

Time: 7.00 pm

Place: St Peter's Centre, Ash

Members present:

Surrey County Council

Mr Bill Barker (Horsleys)

Mr Mark Brett-Warburton (Guildford South-East) Chairman

Mr David Goodwin (Guildford South-West)

Mr Tony Rooth (Shalford)

Ms Pauline Searle (Guildford North)

Mr Nigel Sutcliffe (Worplesdon)

Mr Keith Taylor (Shere)

Ms Fiona White (Guildford West)

Guildford Borough Council (for Transportation matters)

Mr Matt Furniss (Christchurch)*

Ms Mary Laker (Worplesdon)

Ms Diana Lockyer-Nibbs (Normandy)

Ms Wendy May (Stoughton)*

Mr Terence Patrick (Send)

Mr Tony Phillips (Onslow)

Ms Caroline Reeves (Friary & St Nicolas)

Ms Jenny Wicks (Clandon & Horsley)

* substitute

Minutes to be agreed at the meeting of the Local Committee on 8 December 2010

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

- Mr Bob Milton asked:
 1. Is the Committee aware of how the legal status of the land (as registered common land and manorial waste) could affect the implementation of the Hog's Back action plan and how the powers of acquisition and the deemed dedication as highway of the lay-by and access road affect the management options?
 2. Why does the County Council allow the Police to ignore their duty to deal with criminal offences, such as s34 Road Traffic Act 1988, and the recurrent illegal encampments on The Lint (common land at the Hogs Back)?

The Chairman undertook to obtain a response on both matters.

- Mr Stephen Mansbridge asked: "at the Tongham Parish Council meeting on 20 October great concern was expressed at the County Council's proposed removal of the Schools Specials transport. Can the Committee say what practical measures will be put in place to enable a single parent to get their child to school and back when the buses are removed?"

Tony Rooth recognized the problem and hoped ways of maintaining the service could be examined before its withdrawal. Officers undertook to obtain a response from the County Council's Passenger Transport Group.

40/10 Apologies for absence and substitutions [Item 1]

Apologies were received from Graham Ellwood, Marsha Moseley, David Carpenter, John Garrett, Nigel Manning (substituted by Matt Furniss) and Sarah di Caprio, (substituted by Wendy May).

41/10 Minutes of the last meeting (23 June 2010) [Item 2]

Agreed and signed by the Chairman.

42/10 Declarations of interest [Item 3]

Declarations of personal interest were made as follows:

Name	Item	Reason
Mary Laker	8	Resident of Pirbright
	18	Vice-Chairman of Guildford CAB
Diana Lockyer-Nibbs	7 and 9	Member of the British Horse Society
Caroline Reeves	18	Trustee Director of Oakleaf Enterprise
Pauline Searle	16	Trustee of Disability Challengers
Fiona White	16	County Council representative on Surrey Community Development Trust
Jenny Wicks	16	Trustee of Ripley Court Educational Trust

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43/10 Petitions [Item 4]

None were received.

44/10 Written public questions [Item 5]

One written public question was received. The answer is set out in **Annex 1**.

45/10 Written members' questions [Item 6]

None were received.

The Chairman expressed the Committee's appreciation for the work of Derek Lake, Local Highways Manager (Guildford) on the occasion of his final Local Committee meeting. Jenny Wicks endorsed the Chairman's comments on behalf of Guildford Borough Council. Mr Lake reviewed the achievements of the Committee and introduced John Hilder who will take on his responsibilities as Area Team Manager (South West).

NON-EXECUTIVE FUNCTIONS

46/10 Alleged Public Bridleway between Halfpenny Lane and East Shalford Lane [Item 7]

The Local Committee agreed that:

- (i) Public bridleway rights are recognised over A-D on plans 3/1/75/H27-28 and that this application for a MMO under sections 53 and 57 of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement by the addition of:
 - a bridleway over a route which commences at East Shalford Lane opposite Manor Cottage extending generally north-eastwards through Manor Farm to junction with Footpath 26 Shalford (A-B); and by
 - upgrading that length of public footpath 26 Shalford from its junction with the new bridleway referred to above and extending generally eastwards to Little Halfpenny Farm (B-C).
 - a bridleway over a route extending eastwards from Little Halfpenny Farm to its junction with Halfpenny Lane and footpath 26 (C-D).

is approved. The routes will be known as public bridleways Nos. 610 (Guildford) and 26 (Guildford).

- (ii) A legal order should be made and advertised to implement these changes. If objections are maintained to such an order, it will be submitted to the Secretary of State for Environment, Food and Rural Affairs for confirmation.

Reason for the decision:

There is sufficient evidence, on the balance of probabilities that public bridleway rights are reasonably alleged to subsist over the route A-D shown on the drawings at Annex B and that an Order should be made.

47/10 Alleged Public Right of Way at Fox Corner, Pirbright [Item 8]

Mr Roy Johnson addressed the Committee, stating that as a resident of Fox Corner (but with no frontage on the alleged right of way) he had used the route for fifty years. In Mr Johnson's view, the County Council's investigations should not have been restricted to the acquisition of footpath rights and he suggested that the Committee might refer the item for further research into the existence of a highway available to all.

The local County Councillor reviewed the evidence presented and the conclusion drawn in the published report that this was insufficient to enable the recognition of public footpath rights. He referred to the absence of any restrictions in use and cited in particular the implications of the encouragement given to members of the public to visit the wildlife area which is accessed via the route under consideration. He also felt that insufficient evidence had been sought to establish the extent of use by horse-riders. The view was supported by other members, who also suggested that Byway Open to All Traffic (BOAT) status might also be considered.

Officer advice centred on the extent to which, notwithstanding the extent of use, public rights may have been acquired. The Committee was also reminded that, in the event of objections being received to any published application, the County Council would need to defend its position at Inquiry and the existing evidence is believed to be insufficient.

A motion, proposed by Nigel Sutcliffe and seconded by Keith Taylor, to delete the published recommendations and proceed as set out below was agreed unanimously.

The Local Committee agreed that no decision should be taken at this stage but that officers should be requested to undertake further investigation with a view to establishing whether additional evidence would demonstrate the acquisition of public rights and, if so, whether these relate to a footpath, a bridleway or a Byway Open to All Traffic.

Reason for the decision:

The Committee felt that the evidence presented was insufficient to demonstrate that public rights had not been acquired and that further investigation locally may provide a more comprehensive body of evidence on which to make a decision at a future date.

48/10 Byway Open To All Traffic 137 Effingham: Traffic Regulation Order [Item 9]

The Local Committee agreed that the grounds for making a Traffic Regulation Order as outlined below are met, and an Order should be made for Byway Open to All Traffic 137 (Effingham) as shown on Drawing No. 3/1/58/H13.

Reason for decision:

The Order will safeguard the BOAT from fly-tipping.

EXECUTIVE FUNCTIONS

49/10 The Hog's Back Action Plan [Item 10]

The local County Councillor welcomed the plan as a first step towards addressing the problems experienced at the site. He issued a correction to the published plan, confirming that Borough Council staff will not be taking part in patrols. He did, however, report that Guildford Borough Council is prepared to assist Puttenham Parish Council by waiving the rent for the Bonfire Field and renegotiating the terms of the lease to enable the Parish Council to deal with the problems as effectively as possible. The Borough Council will help with the management of litter around the lay-by. Mr Rooth is prepared to contribute £3500 from his revenue allocation to support the action plan. Members were also informed of the Chief Constable's commitment to working with residents to effectively police the site and it was hoped that Surrey Police would see the plan as an opportunity to create best practice in addressing situations such as this on a community basis.

Members would have welcomed more detail in the action plan, particularly in relation to initial and ongoing costs and covering the risk that some of the partners may not be able to contribute. It was suggested that, since the need for the action plan stems from the decision of the County Council's Cabinet, there may be a case for the County Council to cover these risks, e.g. out of the rental income from the café.

Members were particularly concerned by the implications for Puttenham School and suggested that security patrols might be focused around relevant times. It was also felt that the legitimate needs of passing road-users to use the café and lay-by should not be ignored.

The County Council's Assistant Chief Executive stated the Council's commitment to eradicating the anti-social activity at the site and explained that the action plan is the first step in setting out the stakeholders' mutual commitment to a shared solution. The County Council is already funding some activity and will continue to pay for interventions such as the security patrols. She recognised members' wish to be reassured about funding more widely, but reminded the Committee that its endorsement in principle is sought at this stage to underpin further detailed work on the plan.

The Committee wished to be updated on progress at its next meeting and an amended version of recommendation (iii) was proposed and agreed as follows.

The Local Committee agreed:

- (i) That it is prepared, in principle, to endorse the Hog's Back Action Plan once finalised.

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- (ii) That it will monitor progress via regular reports to the Committee.
- (iii) To identify what funding it is prepared to contribute as appropriate to the Action Plan implementation and receive a further report at its next meeting setting out in more detail the funding available.

Reason for decision:

The Local Committee was asked to respond positively to the decisions of the Cabinet to keep the lay-by and café open and for the Local Committee to have a formal role in the active management of the site via the Hog's Back Action Plan; however, the Committee wished to understand more about the resources available to sustain the interventions set out in the plan.

50/10 Tilthams Corner Road Bridge: Proposed Traffic Signals [Item 11]

The Local Committee agreed that the proposed permanent traffic signals scheme be approved.

Reason for decision:

The proposed traffic signals will reduce the speed of traffic using the bridge and prevent conflict between drivers at the bridge. The proposal will reduce the cost of maintaining the temporary traffic signals and for repairing the bridge parapets.

51/10 Review of Parking Restrictions in areas outside the Guildford Town Centre Controlled Parking Zone: Ashenden Estate, Park Barn and Westborough [Item 12]

Members welcomed the report and the thorough consultation which had preceded it. Attention was drawn to the increasing parking pressures on residential areas from users and staff of the Royal Surrey County Hospital and the University of Surrey. The Committee was reassured that parking in the relevant areas – along with Onslow Village – would be included in a future review.

The Local Committee agreed that:

- (i) The proposals shown in ANNEXE 4 be formally advertised as an intention to make an Order, and if no objections are maintained, the Order be made.
- (ii) A further report is presented to the Committee to consider any unresolved representations that may arise.

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.

52/10 Review of Parking Restrictions in areas outside the Guildford Town Centre Controlled Parking Zone: Stoughton Controlled Parking Zone and surrounding area (including Grange Road and Worplesdon Road) [Item 13]

The concerns of some residents about displacement were noted and the Committee was reminded that there would be a further opportunity to comment when the proposals are advertised.

The Local Committee agreed that:

- (i) The proposals shown in ANNEXE 4 be formally advertised as an intention to make an Order, and if no objections are maintained, the Order be made.
- (ii) A further report is presented to the Committee to consider any unresolved representations that may arise

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.

53/10 Review of Parking Restrictions in areas outside the Guildford Town Centre Controlled Parking Zone and Ad Hoc changes throughout the Borough [Item 14]

There was a discussion about anti-social parking in the vicinity of schools and the Local Highways Manager described the recent launch of the "Park Smart" campaign to address this.

The Local Committee agreed that:

- (i) A full assessment be undertaken in the 30 locations identified in ANNEXE 3, and that the highest scoring of these have proposed controls developed,
- (ii) A further report is presented to the Committee identifying the chosen locations, and proposals with a recommendation that they be formally advertised as an intention to make an Order,
- (iii) Proposals to amend and introduce formalised disabled parking bays identified in ANNEXE 4 are formally advertised, regardless of their locality.
- (iv) Proposals to amend the order to accommodate newly created vehicle crossovers identified in ANNEXE 5 are formally advertised, regardless of their locality.

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.

54/10 Proposed Updated Speed Limit Policy: Consultation [Item 15]

The Committee welcomed the increased flexibility recommended in the proposed policy, reflecting widespread support from members for the principle that the wishes of communities should be paramount. There was some opposition to the proposal (set out in paragraph 37 of the draft policy) that the endorsement of Local Committees' implementation of any limits which are unlikely to reduce speeds to a level approaching the proposed limit should rest with the relevant Cabinet Portfolio Holder(s).

It was noted that the Local Committee had an "on hold" list of locations where it wished to introduce lower speed limits than indicated by the existing policy and hoped that, if adopted, the new policy would offer sufficient flexibility for these to be taken forward, budgets permitting. Members stressed that speeds should be perceived as appropriate to the road in question and the wish for Home Zones in certain areas was noted, although the Committee was informed of the very high cost of these. It was felt that residents' perceptions are influenced by the level of "damage-only" incidents and near-misses and that their case could be reinforced if such data were available when considering possible speed limit reductions. There was a suggestion, however, that, if agreed, the policy should be implemented with some caution to ensure consistency and effectiveness.

The Local Committee agreed to support the proposals contained in the revised policy.

Reason for decision

The Local Committee had an opportunity to consult to the current consultation.

55/10 Surrey County Council Funding of Voluntary Sector Groups in Guildford [Item 16]

Carol Dunnett, Chief Officer of Voluntary Action South West Surrey (VASWS), addressed the Committee on the work of the organisation and the added value achieved by voluntary organisations. It is particularly important for small voluntary organisations, which are typically wholly focused on the delivery of services, to be able to access support from VASWS in fund-raising, policy-development and compliance with legislation.

Members endorsed the value of the voluntary sector but were concerned at the possible impact on it in the event of funding being reduced by statutory organisations. The County Council is aware of the problem and is developing high-level engagement with the sector and exploring ways to provide support and manage the impact.

The Committee was reminded of the leverage achieved by small grants and members welcomed the information provided as a means of informing their decisions on the allocation of their own budgets. Contact details of the relevant officers were requested.

The Local Committee agreed to welcome the report and identified the information which it would find useful in future reports.

Reason for decision

The County Council's Safer and Stronger Select Committee had suggested that Local Committees be given the opportunity to consider relevant local funding information.

56/10 Local Committee Budgets 2010-2011 [Item 17]

The Committee considered the principles for allocating its capital budget of £30,000 and opted for the approach set out in (ii) below.

The Local Committee agreed to:

- (i) Note the actions carried out under delegated authority.
- (ii) Divide the capital budget of £30,000 equally amongst the ten County Councillors.
- (iii) Approve the proposed expenditure from the Members' Revenue Allocation budget.
- (iv) Approve the return of revenue committed in 2009/10 and no longer required.

Reason for decision

The Committee was invited to make decisions that will allow the timely and effective deployment of its various budgets throughout the year.

57/10 County Council Fund for Small Disadvantaged Areas [Item18]

The Local Committee agreed to submit all four applications presented in the report for consideration by the countywide panel.

Reason for decision

The Committee had an opportunity to support applications which would bring significant funding into the borough to enable some much-needed projects to be taken forward.

58/10 Forward Programme [Item19]

The Local Committee agreed:

- (i) The forward programme set out in the report, noting that a further report on the Hog's Back Action Plan would be presented at the December meeting.
- (ii) To receive a briefing on the review of winter maintenance arrangements.

Minutes to be agreed at the meeting of the Local Committee on 8 December 2010

Reason for decision

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

[Meeting ended at 10.05pm]

.....(Mr Mark Brett-Warburton – Chairman)

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The next meeting of the Committee will be on Wednesday 8 December 2010 at 7pm (venue to be confirmed).

Annex 1: Written Public Question

GAIL BROWNRIGG

Q1 What formal training have Committee members had on Rights of Way issues in general, and what knowledge do they have of the Surrey County Council responsibilities, obligations and policy in this field ?

A The Local Committee is made up of Surrey County Council Members and an equal number of co-opted Members from Guildford Borough Council. All Local Committee Members, whether from SCC or GBC, act under the SCC Constitution. They are required to abide by and sign the SCC Code of Conduct for Members, also declaring any formal interests including membership of organizations and political parties.

In addition, all Members are offered training on a variety of topics related to their role as elected members. In particular they were provided with training on the SCC Code of Conduct and in June 2009, they received such training that was specifically tailored to their roles and responsibilities on Rights of Way (RoW) and Byways Open to All Traffic (BOATs). This training was repeated in June 2010 for Members who might have missed the previous training.

Further, Local Committee Chairmen and Vice-Chairmen in Surrey were provided with detailed training on the law relating to RoWs and BOATs in September 2009. SCC is currently planning to repeat this training for Chairmen and Vice-Chairmen in autumn 2010.

For each RoW and BOAT application due to come to a Local Committee, SCC officers provide detailed advice on the legal requirements and policy interpretation that applies to that application. As is the case for all planning matters (of which RoWs and BOATs are specialist examples), the Committee is required to consider the evidence before them and then make a decision as they see appropriate. This may or may not include a decision in line with the officer recommendation.