

**Surrey County Council Local Committee (Guildford) 21 March 2012**

**Petitions [Item 4]**

**An e-petition with 66 signatures has been received from Ben Paton and Tony Edwards**

A weight limit should be put on lorries using Ockham Lane unless for access to existing premises.

**Reasons**

1. There is no reason for large lorries travelling to or from the A3 or M25 to enter Ockham Lane a. from Church End (the B039) since it leads only to Old Lane which has a 7.5 tonne weight limit and to Plough Lane which is unsuitable for HGVs; b. from Old Lane since access to Old Lane for HGVs is already restricted; c. from Plough Lane since Plough Lane is extremely narrow and considered unsuitable for HGVs.
2. There is no footpath and a limited verge on Ockham Lane between Bridge End and Plough Lane. Pedestrians have nowhere to shelter from traffic.
3. A weight limit on lorries is consistent with the designation of other local roads.
4. The lane is very narrow and winding with poor visibility in places and cannot accommodate a large lorry and a car.
5. HGVs are a hazard to the community traffic including pedestrians, horse riders and cyclists.

**Answer:**

This matter will be debated by the members of the committee under Item 12 of the full committee report (Item 12, Annexe C, C38 Ockham Lane, Ockham HGV ban)

**Written public questions [Item 5a]**

**Question from:**

Andrew McKenzie – For and on behalf of Stocton Rd Neighbourhood Watch & Residents Association

With regard to 'Public Footpath 48' also known as Church Alley, which runs along the back gardens of Stocton Rd & Joseph Rd, Guildford.

I am writing on behalf of a growing number of residents living in Stocton Rd, Guildford, who are increasingly worried by burglaries, break-ins, and antisocial behaviour resulting from easy access to their back gardens via the alley sometimes known as 'Church Alley'. This alley runs parallel to both Stocton, and Joseph Roads. The path does not provide a significantly shorter, or more pleasant route over using either of the roads that it runs between, it does provide access to a local electricity facility, but provides very little public utility. As recently as Jan/Feb of this year, an elderly lady in her 80's encountered intruders in her home during the night, and another couple with young children have also been burgled. These are only the latest in a long history of problems originating from the alley.

The question we would like to put to SCC is;

What measures are you going to put in place to protect and safeguard the homes and residents of Stocton and Joseph Road and help prevent further criminal activity resulting from ease of access to property via the now very little used alley?

Proposals put forward by some of the residents are;

1. Completely close off the alley, incorporate the alley into gardens, allowing access to the electricity facility only which could have its own separate enclosure.
2. Incorporate the lower portion of the alley into gardens, leaving gated access at the pavement line to provide access to the electricity facility. Keys being held by specific authorities e.g. Council & Electricity Board.
3. SCC supply and erect tall, substantial fencing on both sides of the alley which would act as a suitable deterrent to burglars.

We thank you in advance for taking the time to consider this issue, and look forward to a positive response to what has become a major concern to our community.

### **Answer:**

From Surrey County Council's Countryside Access Officer - Guildford Area

To allow options 1 or 2 to take place means that Footpath 48 Guildford would have to be extinguished (or partially extinguished). For a footpath to be extinguished (under s.118 Highways Act 1980) it would have to be proven that it is no longer needed for public use. Given the amount of public use of the path this statutory test is not met, and any such order would fail. Council policy is that extinguishment order will only be processed in the most exceptional of cases. There is no power for the Council to extinguish paths to prevent crime or antisocial behaviour

The Council also has powers to consider gating paths under s.2 Clean Neighbourhoods & Environment Act 2005. A gating order does not have the same statutory test and can be used to close off a path where a path is being used to facilitate crime or anti-social behaviour. A gating order does not remove the underlying highway status, unlike an extinguishment order, and it would not be possible for residents to incorporate the path into gardens as suggested in this case. It would not be possible to exclude residents who back on to any portion of the path from using it.

Before making such an order the Council is required to assess the impact of a gating order on users of the path, and the likely success of the gating order to solve crime or an antisocial behaviour issue. To this end the Council would need to know from Surrey Police if gating the path would solve the problems, or why the problems could not be resolved through other means e.g. surveillance, increased police presence etc. Council officers do not currently agree that that Footpath 48 is currently little used, or is itself the cause of the crimes perpetrated against Stocton Road residents. Officers are of the opinion that a helpful way forward would be for a meeting with residents and Surrey Police to explore options, which may help the situation.

The County Council is not required to fence alongside any public highway, and as such there is no budget provision for providing fencing. However, there is nothing to stop residents replacing their own fences with more robust structures subject to normal planning controls. If this should happen, then care would have to be taken to ensure that no encroachment onto footpath 48 takes place when new fences are erected.

**Question from:**

Keith Chesterton, member Guildford Cycling Forum.

I am pleased by the overall approach taken in Surrey's bid & the proposals to fund improvements for Cycling & Walking.

The overall ambition is good, but I am concerned that the proposed funding will be inadequate for these ambitions. I am also concerned that some of the proposals, as outlined on the map, have not been the subject of consultation with local cyclists, and the routes may not be the most appropriate. In particular:

1. How will the £0.83 millions P193 (P31 of TravelSmart) be adequate for the 14 walking & cycling routes considering, for example, the amount suggested would be needed for 1 scheme - £175,000 for 7/331 Chilworth to Shalford in Item 12 - minor improvements?

2. The bridge over the A25/A3 at Stoughton is on several of the routes. What sums have been allocated for the extensive works needed to improve the approaches to this bridge & under which heading?

3. One suggested route, the one from Onslow to the town centre crosses Farnham Road & then goes via Wodeland Avenue & The Mount. I can think of few cyclists who would use this roundabout & very hilly route!  
Will there be scope to alter the detailed routing of this & other schemes?

**Answer:**

A verbal response will be provided at the meeting