



**OFFICER REPORT TO LOCAL COMMITTEE  
(MOLE VALLEY)**

**PUBLIC WRITTEN QUESTIONS**

**08 JUNE 2011**

The following question was submitted in accordance with Standing Order 66.

**1. Question from Mr Paul Fairweather Chairman - Fetcham Residents Association**

Contrary to section 244 of the Highway Code there is a major problem with parking on and damage to grass verges in Fetcham, particularly in Cannon Grove and Nutcroft Grove in circumstances similar to those described in Section 12 (2) of the report bought to SCC Woking Local Committee 13th November 2002 (Item 10)

2) *Regular damage – alternative parking available. Where damage is occurring due to regular parking, and officers are satisfied that such parking could safely take place elsewhere, then the verge should be repaired and measures taken to physically protect the verge from further damage by one or more of the measures described above “[use of posts, bollards, railings, tree planting or high-sided kerb]”, as appropriate. Where such parking is being practised by residents, they would be informed before any physical protection markings are introduced.*

so with reference to the suggested policy given in Section 11 of this document,

*11. It is suggested that the policy should be to preserve the grass verges as a notable environmental asset within the Borough, and to restore those verges which have been extensively damaged. This is similar to the policy adopted by Woking borough Council as former agents for the County Council.*

will the Highway Authority undertake to apply suitable measures (e.g. trees or posts) in locations identified in Fetcham and give an indication of when this will be done?

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**Response from SCC Highways Team**

By virtue of the Local Government Act 1972 which brought into force the current County of Surrey in 1974, there was a need to rationalise certain statutory provisions. The Surrey Act 1985 was therefore brought into force which covered a diverse number of topics including control of grass verges.

This section is quite long but in effect it states that the Authority (does not state whether Borough or County) may by notice (traffic sign possibly diag. 651 but could be diag. 637.1 - see attachments below) can control driving, riding or leaving of vehicles on ornamental verges. The advice we have been given is that ornamental means regularly cut and maintained and kept in good condition.

I am not aware that the Act has been used anywhere in the County and if it was the offence would be outside the scope of Civil Parking Enforcement. It would be a separate prosecution through the courts (perhaps why it has not been used).

Within the TSR&GD 2002 there is of course scope to introduce a TRO using diag. 637.1. This is however mainly used on rural roads subject to clearway Orders.

There are a number of trials around the Country prohibiting footway / verge parking in urban areas (areas like Aberdeen and Old Dogsthorpe, they can be found on-line and some info attached). These are being assessed by DfT.

We have mentioned at our regular meetings with the Borough / District parking managers that if they have a particular bad area we might consider carrying out a trial scheme which would of course require DfT approval. Details have not been received from all Boroughs / Districts.

**2. Question from Mr Peter Browne, Leatherhead Resident**

Are Surrey County Council satisfied that all of the £87,975 spent on the pavement works in anticipation of the Epsom Road cycle path, and the £73,745 spent on providing a footpath on the A246 in 2009, as part of the Knoll Roundabout works was money well spent? And, what changes have been made in Surrey County Council's procedures to ensure that better value for money is obtained in the future on such works?

**Response from SCC Highways Team**

The works in Epsom Road have provided pedestrians with level, smooth metalled footway and include dropped kerbs and tactile paving at crossing points to assist those with mobility problems and the visually impaired. The footway was also widened by removing areas of grass verge, which reduces congestion during periods of high pedestrian flow eg. the start and end of the school day. Observation has shown that there is a high proportion of elderly, child pedestrians and people pushing young children in buggies using Epsom Road and these improvements are of particular benefit to this group of pedestrians. Whilst the segregated cycle/pedestrian lanes were removed, the improved footway provides a useful, safe facility for junior and inexperienced cyclists, allowing them to cycle away from traffic.

The works on the A246 replaced the grass verge with a hard, level surface providing a link between the footbridge across the A246/M25 to the informal pedestrian crossing points at the Knoll roundabout.

Whilst the works were intended, in part, to facilitate the implementation of shared cycle/ pedestrian facilities, even without the cycle element of the scheme, the works have improved the existing highway asset and proved of benefit to pedestrians.

The Internal Audit Report produced a Management Action Plan that was signed up to by the appropriate management teams. Progress towards the implementation of the action plan will be monitored by Internal Audit through a follow up review.

### **3. Question from Mr Bob Tanner, Chairman of The Park & Park View Protection Association**

"The Surrey interactive map for this road shows the road to be a private road and not a public Highway.

A recent planning application for gates at the Church Road end of The Park was refused on the basis that

*"the erection of gates would constitute an obstruction of the public Highway which is an offence under section 130 of the Highways Act 1980"*

Repeated requests to Surrey Highways to explain this inconsistency have not been successful.

On behalf of the residents I wish to establish the correct status for this Private road, the authority and legal basis under which is it claimed to be a public Highway and what the rights of members of the public are to pass along The Park in cars or on foot."

### **Response from SCC Highways Team**

Although The Park is privately maintained it is deemed to be an **all purpose public highway** by virtue of it being used by the public for many years. Section 31 of the Highways Act 1980 provides that public rights are presumed to have been dedicated over a way when it has been used by the public for a period of 20 years, unless action has been taken by the owners of the way to make it clear that they have no intention to dedicate it.

From historic Ordnance Survey maps in our possession it would appear that The Park and Meadowside were built sometime between 1912 and 1934 and have, therefore, been in existence for over 70 years. It is clear that predecessor highway authorities considered these roads to be public highways because they adopted roads leading off them.

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The Road Network overlay on the Surrey Interactive Map shows only those roads that are highways maintainable at public expense and does not show privately maintained roads that are subject to public rights of way.

So a gate would obstruct the public right to pass and repass and that is why The Park cannot be gated

#### **4. Question from Mr Peter Seaward, Chairman of Bookham Residents Association**

Although the documents recently published by SCC on the plans to introduce on street parking charges include estimated figures for the cost of Pay and Display machines they do not seem to include costs for enforcement. These will impact on the Business case.

Could the Local Committee provide figures for the estimated enforcement costs and, as necessary, adjust the Business Case as applying specifically to Bookham and include any assessment that has been made on the likely effect on the commercial viability of retail businesses in Bookham should charges be introduced? This would also need to take into account that no such charges are proposed for the neighbouring shopping areas of Effingham and Fetcham.

#### **Response from SCC Operations, Highways and Countryside Team**

It is not considered that the introduction of pay and display parking charges will have a negative impact on enforcement costs. The locations that are proposed for pay and display are those that already have limited time parking restrictions of 1 or 2 hours. At the moment these are very difficult to enforce as the enforcement officer must record number plates and make repeated visits. The introduction of pay and display enables the enforcement officer to work more efficiently and cover more ground, improving the efficiency of the whole enforcement operation. There is no negative financial impact in these circumstances.

In the business case approved by the Environment and Transport Committee it was assumed that an enforcement officer would spend 1 hour per week fixing faults and replacing ticket rolls for each machine. This was built into the cost of operating the machines.

#### **5. Question from Mr Tim Carroll, Dorking Resident**

What needs to happen for a speed camera to be put up on the A24/London Road heading north so that the new 50mph speed limit will be enforced 24 hrs a day before the dangerous intersection of Westhumble St and the highly dangerous corner at Burford Bridge where there have been so many injuries/deaths like there were in Mickleham?

**Response from SCC Highways Team**

Speeding and anti-social driving have been recorded as a prime concern of Surrey residents. Consequently Surrey County Council and Surrey Police launched the Drive SMART initiative in September 2009 whereby £1 million of council funds have been invested in more police equipment and resources to tackle these issues. As part of this initiative, speed management plans have been compiled for every District or Borough to identify with Police colleagues the sites that need the most attention to reduce speeds, and what can be done to tackle the high priority sites. The section of the A24 which covers both the junction with Westhumble Street and Burford Bridge is included in the speed management plan for the Mole Valley area.

Local Committee has approved a reduction in speed limit along the length of the A24 between Denbies roundabout and Swanworth Lane to 60mph. A further review is currently being carried out to assess the feasibility of reducing the speed limit to 50mph. The results of this review will be reported to a future meeting of Mole Valley Local Committee.

Speed cameras are installed at sites where it is not feasible to install further engineering measures, such as reduction in speed limits. Limited resources for new speed cameras have to be prioritised at the very worst collision hotspots where there has been a continuing history of collisions, including those that have resulted in serious injury or death. However, Surrey County Council does not have any funds for new speed cameras in the current financial year, with a single speed camera costing in excess of £50,000.

There are no plans at the current time to install a new fixed speed camera on this section of the A24. However, the Safety Camera Partnership has recently assessed this section of road to undertake mobile speed enforcement using one of the three vans designated to undertake speed enforcement across the whole County. The A24 is also a Police Casualty Reduction Route and, as such, has regular police enforcement (both marked and unmarked) carried out along the whole length. The local Police Casualty Reduction Officer (PCRO) is aware of the concerns regarding speed between Denbies roundabout and Swanworth Lane and this is being closely monitored. The PCRO has reported that vehicles speeds have reduced.

**6. Question from Mr Stan Miles, Bookham Resident**

As a resident of Great Bookham and the Bookhams Residents Association I have seen the reply by the Parking Team Manager, Operations, Highways and Countryside to the petition against On - street parking in Bookham submitted by the Bookham Retail and Business Association.

A rationale put forward by the Officer is that it will enable the council to work more efficiently and provide a better service for residents. To help the residents of Bookham understand and assess this statement could you please have the officer define what current services offered to Bookham Residents will be more efficient and better and to what degree. Similarly, what is the current extent and cost of such service as currently applied to the locality of Bookham.

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A further statement that also needs evidencing is where it is said that parking charges in Bookham will increase turnover of the parking spaces in the High Street help ensure visitors and residents are not deterred from visiting local shops. This statement is seen to be contrary to the information informing the petition. Given the current occupancy rate of the adjacent Mole Valley District Council car parks I feel the evidence to support the Officer's views needs to be both presented and examined.

As an area involved in the new concepts of Localism I feel arguments as presented by the officer and County Council need to be more clearly explained and evidenced as to how they will affect our specific locality if we are to meet Government strategies.

### **Response from SCC Operations, Highways and Countryside Team**

The introduction of on street pay and display makes the enforcement of parking spaces more efficient. This means that Civil Enforcement Officers would be able to spend less time enforcing these areas and would consequently have more time to enforce yellow line waiting restrictions that are often in place to maintain road safety or reduce obstructive parking. The efficient operation of parking enforcement is more likely to mean it will not need to be subsidised by residents through the community charge.

A free 1/2 hour parking period is likely to encourage the majority of drivers to stay upto this length of time and help free up spaces. These issues can be looked at in more detail during the 'official' consultation period in Mole Valley, likely to be in October.

*MVLC 08 June 2011*