



**OFFICER REPORT TO LOCAL COMMITTEE
(SPELTHORNE)**

**WINDMILL GREEN, SHEPPERTON – REQUEST FOR
MAINTENANCE**

04 FEBRUARY 2008

KEY ISSUE & SUMMARY

Residents of Windmill Green, Sherbourne Gardens and Thames Meadow have requested that the status of Windmill Green is changed from a highway that is not maintainable at public expense to one that is.

OFFICER RECOMMENDATIONS

The Local Committee (Spelthorne) is asked to agree that:

- (i) Windmill Green remains privately maintained; and
- (ii) No further action is taken at this time.

1 INTRODUCTION AND BACKGROUND

- 1.1 Members will recall that the receipt of a petition regarding Windmill Green was reported to the July 2007 meeting of this Committee. The petition had been signed by 52 residents of Windmill Green, Sherbourne Gardens and Thames Meadow and requested that the status of Windmill Green is changed from a highway that is not maintainable at public expense to one that is.
- 1.2 The residents also asked that Windmill Green is kept free from potholes and puddles by being graded and rolled three times each year.
- 1.3 This report was deferred at the October and December 2007 meetings of this Committee.

2 ANALYSIS

- 2.1 Windmill Green is a highway that passes over common land and should be maintained by the adjoining landowners, Spelthorne Borough Council and residents. This status has been confirmed by Spelthorne Borough Council's Strategic Director.
- 2.2 Windmill Green provides a short route for residents and visitors from Thames Meadow to Walton Bridge Road / Walton Bridge, albeit off the publicly maintained highway. The alternative route along the public highway is via Walton Lane, Russell Road, Marshall's Roundabout and A244 Walton Bridge Road. This route is approximately 1550 metres longer to Walton Bridge than the Windmill Green route.
- 2.3 Currently, Windmill Green is in a state of disrepair. Remedial works have been carried out by the Highway Authority in the past, each time on the understanding that it was a gesture of goodwill.
- 2.4 However, before further public funds are allocated to the maintenance of Windmill Green it would need to be adopted.

3 OPTIONS

- 3.1 Before a highway is adopted, the road has to be brought up to current standards, which in this case is estimated to be £115,000 excluding any work required by statutory undertakers. This would be Private Streetworks and would require all the frontagers to agree to the work and for the cost to be apportioned by length of frontage.
- 3.2 The County Council has powers under the Highways Act 1980 to serve notice on frontagers to maintain a privately maintainable highway, or ultimately to arrange for the necessary works to be completed and

recover from frontagers the estimated cost of £15,000 to undertake the work requested in the petition. If it becomes necessary to serve notice, the authority of this Committee would be sought.

- 3.3 However, when the new Walton Bridge is constructed it is proposed that the length of Walton Lane between Thames Meadow and Walton Bridge Road will be two-way. As this will remove drivers' preference to use Windmill Green, it is recommended that no further works be carried out on Windmill Green at public expense.

4 CONSULTATIONS

- 4.1 No further consultation is required as it is recommended that Windmill Green remains privately maintained.

5 FINANCIAL AND VALUE FOR MONEY IMPLICATIONS

- 5.1 There is no funding allocated for work to highway not maintainable at public expense.

6 EQUALITIES AND DIVERSITY IMPLICATIONS

- 6.1 There are no implications arising from this report.

7 CRIME AND DISORDER IMPLICATIONS

- 7.1 There are no implications arising from this report.

8 CONCLUSION AND RECOMMENDATIONS

- 8.1 It is recommended that Windmill Green remains not maintainable at public expense as otherwise the road would be an on-going liability at considerable cost to the public purse.

9 REASONS FOR RECOMMENDATIONS

- 9.1 Revenue funding for highway maintenance falls short of the amount that is needed to ensure all roads that are maintainable at public expense are fully maintained. Funding a privately maintained road would unnecessarily divert funds from a budget that already has heavy demands made upon it and could set a precedent that would be difficult to follow for other privately maintained roads.

10 WHAT HAPPENS NEXT

10.1 The lead petitioner is advised of the decision of this Committee.

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BACKGROUND PAPERS: Petition from 52 residents of Windmill Green, Sherbourne Gardens and Thames Meadow.