

## **Item 27**

### **Watery Lane, Chobham (D37) – Proposed Road Closure to Motor Vehicles**

#### **SURREY COUNTY COUNCIL'S LOCAL COMMITTEE IN SURREY HEATH**

**10<sup>th</sup> June 2004**

#### **KEY ISSUE:**

This report seeks consent to introduce a permanent road closure to motor vehicles using Watery Lane, Chobham (also referred to as Clappers Brook). A Temporary Road Closure Order is currently in place that restricts the use of Watery Lane by vehicles and equestrians.

#### **SUMMARY:**

The condition of Watery Lane, Chobham was brought to the attention of the Local Transportation Office (LTS), in that there were deep sinkholes, which had developed, causing severe difficulties for horses.

On inspection, it was deemed necessary to introduce an Emergency closure to prevent further usage (followed by a Temporary Order) so that investigations into remedial works could be carried out. These works have since been completed.

It would appear that any weak point in the streambed surface, has developed into deeper sinkholes as a result of regular use by vehicles, particularly of the four-wheel drive type. These holes are difficult to see under the water, and therefore are not necessarily avoidable.

To prevent further accidents, potential injuries to horses and riders, and damage to vehicles, it is proposed to permanently prevent access and use by vehicular traffic. This will ensure that safe equestrian passage could be maintained.

#### **OFFICER RECOMMENDATIONS:**

That the Surrey Heath Local Committee,

- i) approves the advertising of a Traffic Regulation Order, pursuant to the Road Traffic Regulation Act 1984, to the effect that all motor vehicles will be prevented from using the section of Watery Lane, Chobham, as shown in Annex A,
- ii) approves that the Local Transportation Director in conjunction with the Chairman of Surrey County Council's Local Committee in Surrey Heath and the Local Member consider any sustained objections,
- iii) and that if there are no sustained objections, the Order be made.

## **INTRODUCTION AND BACKGROUND**

1. A report was taken to the Programme and Review Sub-Committee (Surrey County Council) on 31 January 1997, which presumed and confirmed that Watery Lane is a highway maintainable at public expense.
2. Since that time, there have been letters received by the LTS office from the Chobham Common Riders Association concerning the condition of the highway (Watery Lane), and responsive remedial works have been carried out.
3. The most recent letter generated a further inspection of Watery Lane, and as a result in the interest of public safety, an Emergency Prohibition Order was put in place on 11 February 2004. A Temporary Prohibition Order followed this on 5 March 2004 (for a period of eighteen months), to allow time for investigations and remedial works to be progressed. These works have now been completed (end of May 2004).
4. Concerns have been raised in relation to the inspections, which revealed that the likely cause of deterioration of the stream bed (in effect the surface of the highway) was by use of the road by vehicles.
5. Bearing in mind that to produce a surface, which would not degrade as a result of vehicular use, would allow safe use by equestrians, and continue to be the river bed, whilst possible in engineering terms, would not be achievable in environmental terms, nor acceptable to the Environment Agency.

## **ANALYSIS AND COMMENTARY**

6. The problems associated with Watery Lane have been in existence for some years, and the circumstances are somewhat unusual that a riverbed of this nature has now been construed as a public maintainable highway.
7. Historical usage has almost certainly been by horse and cart until recent times, where engine powered vehicles came as a replacement. Due to heavier weights and power transfer capability; such vehicles now appear to continually cause surface damage. This damage has been dealt with by the use of natural materials in keeping with the environment and the natural development of the stream.
8. To prevent the continued damage, which causes a safety problem, it is suggested that the section of the stream-bed known as Watery Lane, be closed to motor vehicle. This would not be detrimental to the local use, which in vehicular terms is almost nil.

## **CONSULTATION**

9. The Local Members have been approached, and together with Chobham Parish Council and the Chobham Common Riders Association; support the proposal to prohibit the use of Watery Lane by motor vehicles. From

other verbal responses by immediately affected residents, it does appear that they also support the idea.

10. The Four Wheel Drive Club have been made aware of the proposal, and to date have verbally opposed the suggestion.

#### **FINANCIAL IMPLICATIONS**

11. The necessary advertising and subsequent signs and works would be met from the Signs and Aids to Move budget, which is estimated to be in the region of £4500. The recent maintenance costs are in the region of £7500.

#### **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

12. There are no sustainable development implications.

#### **CRIME & DISORDER IMPLICATIONS**

13. There are no crime and disorder implications.

#### **EQUALITIES IMPLICATIONS**

14. There are no equalities implications.

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<b>BACKGROUND PAPERS:</b>	<b>Item No.16, Programme and Review Sub-Committee, 31 January 1997 – Watery Lane, Chobham, Alleged Public Highway Rights</b>  <b>Item No.25, Surrey County Council's Local Committee in Surrey Heath, 18 March 2004 – Delegated Powers – The Road Traffic Regulation Act 1984, Sections 14(1) &amp; 14 (2).</b>
<b>Number of Annexes:</b>	<b>1</b>