



Item 5 – Written Public Question

Q. Written Question from Mrs. Rose Halton, Secretary to Broomsquires Residents Company Ltd.

"The residents of our road represented by the Directors of Broomsquires Residents Company Ltd would like to ask, if after the impact of a vehicle in August 2005 which damaged a wall between Elizabeth Ave and the Whitmoor Rd, Connaught Park, Bagshot, does the County Council Highways Department have any intention to rebuild this retaining structure in the near future?"

Response from Chairman on behalf of the Committee:

The County Council has no plans to rebuild this wall. The reason for this is that the wall does not belong to the County Council, but rather is owned, and is the responsibility of, Crest Nicholson.

Surrey Highways have sought to take a very proactive role in seeking to draw this matter to a conclusion, by engaging with, and drawing together, all relevant parties (these being Crest Nicholson, the insurance company involved, and a surveyors company acting on the insurers behalf).

Whilst Surrey Highways have actively petitioned to see these repairs carried out, it remains the case that the County Council cannot legally force Crest Nicholson to repair their own property. Legal advice has been taken on this matter, and the County Council could only pursue Crest Nicholson formally if, as a result of repairs not being carried out, public property was damaged, i.e. an event occurred such as the footpath support by the retaining wall collapsed.

I can confirm that Surrey Highways remains in dialogue with Crest Nicholson, and continues to exert pressure on Crest Nicholson to effect these repairs, but no other actions are open to us.