



## **A22 Godstone Road, Caterham Crossing at BOAT 115**

**23 March 2007**

### **KEY ISSUE:**

To promote a legal Order to extinguish any legal right for pedestrians to cross the A22 opposite BOAT (Byway Open to All Traffic) 115.

### **SUMMARY:**

A safety crash barrier was constructed along the central reservation of the A22 Godstone Road, Caterham in 2003/04. The continuous barrier discouraged pedestrians crossing between the footway on the west side of the A22 and public right of way known as BOAT 115. To ensure that pedestrians do not have a legal right to cross the dual carriageway at this point, it is recommended that the movement be prohibited by a traffic regulation order.

### **RECOMMENDATIONS:**

The Committee is asked to agree that :

- i) a traffic regulation order be advertised and made to extinguish any legal right that pedestrians may have to cross the A22 opposite BOAT 115,
- ii) the Local Transportation Manger be authorised to resolve or determine any objections to the proposed Order in consultation with the Chairman and Vice Chairman of the Local Committee.

## **1 INTRODUCTION and BACKGROUND**

- 1.1 A safety crash barrier was constructed along the central reservation of the A22 Godstone Road, Caterham in 2003/04. The barrier was designed to reduce the risk of accidents involving vehicles crossing the central reservation. The continuous barrier also discouraged pedestrians crossing the dual carriageway at hazardous locations. Crossing points such as the bridge carrying Bridleway 120 were considered safer for pedestrians.
- 1.2 A local resident, Mr K E Radley, raised a concern that he wished to cross the A22 between the footway on the west side of the A22 and a public right of way known as BOAT 115. This BOAT (Byway Open to All Traffic) joins the A22 on its east side, just north of Bridleway 120 and the Topwood Lane junction with the A22. A plan is shown at Annex A.
- 1.3 A history of correspondence lead to a complaint from Mr Radley to the County Council. Although BOAT 115 does not cross the A22, there is a view that pedestrians have a legal right to cross between the BOAT and the footway on the opposite side of the A22. Accordingly, Mr Radley requested the County Council to provide a gap in the newly constructed central crash barrier so that pedestrians could cross the A22. The County Council did not wish to encourage this pedestrian movement and did not have resources prioritised to accede to Mr Radley's request.

## **2 ANALYSIS AND COMMENTARY**

- 2.1 It is considered necessary to regularise matters to address the claim that there is a legal right to cross between BOAT 115 and the footway on the opposite side of the A22. This could be achieved by providing a gap in the central reservation crash barrier for pedestrians to walk through. Alternatively, a traffic regulation order could be promoted to extinguish any legal right for pedestrians to use this route. The option of doing nothing could provide further opportunity for legal challenge and criticism of County Council procedures.
- 2.2 A gap in the central reservation crash barrier would encourage pedestrians to cross the dual carriageway. Each carriageway comprises two lanes of traffic, which can be fast moving. Drivers are unlikely to expect pedestrian activity on this section of road. It is therefore considered that a gap in the barrier for pedestrians is not desirable. If a gap were to be created, there would be a significant cost because safety regulations would require two new barrier anchoring arrangements.
- 2.3 A traffic regulation order could be promoted to extinguish any legal right for pedestrians to cross the A22 opposite BOAT 115. This would require a standard procedure to create a legal order, including formal advertisement to invite objections. There would be a cost for undertaking this procedure.

## Item 9

- 2.4 There is a safer route for pedestrians to cross the A22 using the bridleway bridge just to the south. The bridge is about 300 metres south of the intersection of BOAT 115 with the A22. Since pedestrian trips in this rural area are likely to be recreational, the alternative route over the bridge is not considered to be an unreasonable diversion.

### 3 **CONSULTATIONS**

- 3.1 The Chairman of the Local Committee, the local County Councillor and Surrey Police have been sent a copy of this report. All have communicated strong support for the recommended way forward.

### 4 **FINANCIAL IMPLICATIONS**

- 4.1 If there was to be no further action, costs could be incurred through dealing with enquiries and any legal challenge.
- 4.2 The cost of a pedestrian gap in the central reservation barrier has not been accurately estimated. However, the necessary design and construction of any new safety barrier arrangement could cost £10,000.
- 4.3 The cost of procedures for a traffic regulation order is estimated at £3000. Funding for the work would need to be found from an allocation for traffic management in Tandridge. A future report to the Local Committee is likely to recommend an allocation for traffic management from the Local Transport Plan budget or Local Allocation for Tandridge.

### 5 **CONCLUSION AND REASONS FOR RECOMMENDATIONS**

- 5.1 The safety for vehicular traffic and pedestrians could be compromised if a gap was created in the existing safety barrier. The option of doing nothing could provide opportunity for legal challenge and criticism of the County Council. Therefore, it is recommended that a traffic regulation order be promoted to extinguish any legal right for pedestrians to cross the A22 between BOAT 115 and the footway on the west side of the A22.

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