



**LAND ADJACENT TO  
51 HORSELL MOOR**

**LOCAL COMMITTEE FOR WOKING  
6 APRIL 2005**

**KEY ISSUE:**

To consider a request to declare public highway land adjacent to 51 Horsell Moor surplus to the requirements of the Highway Authority.

**SUMMARY:**

Surrey County Council sold at auction on 29 March 2004, land adjacent to 51 Horsell Moor. The land formed part of the County Council's portfolio and was not public highway. The purchaser has cleared the Sale Land and now requests that some public highway land contiguous with the site also be released. Plan 'A' to this report shows both parcels of land.

Whilst the report does not propose to declare the public highway land permanently surplus to requirements and therefore be released for sale, consideration is given to regarding the land temporarily surplus for use as open space, with no structures built upon it, being licensed as open space in conjunction with the Sale Land.

**CONSULTATIONS:**

The Divisional Member and Chairman are both aware of the contents of this report.

**OFFICER RECOMMENDATIONS:**

**The Committee is asked to agree**

- (i) that the public highway land shown on Plan 'A' be declared temporarily surplus to highway requirements, and;**
- (ii) that its use as open space be confirmed with no structures built on it, and;**
- (iii) that authority be delegated to the Acting Local Transportation Director, in consultation with the Head of Estates Strategy, to negotiate and licence the public highway land as open space for use in conjunction with the sale land, both as shown on Plan 'A'.**

## **INTRODUCTION and BACKGROUND**

1. The County Council received an enquiry about the possible purchase/sale of land adjoining 51 Horsell Moor early in 2003. Normal enquiry procedures revealed no obstacles to releasing the land for sale, provided sale was conditional on two points. Firstly, there must be no access to Lockfield Drive and secondly a 2 metre maintenance strip be protected around the footbridge.
2. The Sale Land was sold at auction on 29 March 2004, with completion being finalised on 29 April 2004. Plan 'A' to this report shows the Sale Land.

## **ANALYSIS AND COMMENTARY**

3. The purchaser of the Sale Land, having cleared the site has cleared more than entitled under the terms of the sale from the County Council. An area of public highway has also been included in the site clearance, and a short section of 2 metre high closed boarded fence erected.
4. Having identified the disparity between the Sale Land and the site clearance the purchaser approached the County Council to seek to acquire the cleared public highway land.
5. The Sale Land and public highway land is land originally acquired for the construction of Lockfield Drive. Until its sale in 2004, the Sale Land did not form part of the public highway and remained residual. The public highway land forms part of a larger parcel of public highway at this location as shown on Plan 'B'.
6. The footbridge over Lockfield Drive was built together with the construction of Lockfield Drive. The public highway land at this location provides for potential alteration/variation of the footbridge, its maintenance (protected as a condition with the Sale Land) accommodates various Statutory Undertakers plant and equipment and acts as a buffer zone between Lockfield drive and residents in Horsell Moor.
7. The public highway land shown on Plan 'A' was until the site clearance overgrown scrubland with a few trees; during the site clearance, the trees were preserved.
8. Whilst it would not be appropriate for the Highway Authority to declare the public highway land shown on Plan 'A' permanently surplus to its requirements, it could consider an alternate proposal.
9. The Highway Authority could declare the public highway land shown on Plan 'A' temporarily surplus whereby it issues a license for use of the land as open space in conjunction with the Sale Land, provided no structures are built on the licensed land, until the Highway Authority may again require it.
10. The terms of a licence between the purchaser of the Sale Land and the County Council to provide for the temporary use of the public highway land

as open space being negotiated by the Acting Local Transportation Director in conjunction with the Head of Estates Strategy.

### **FINANCIAL IMPLICATIONS**

11. The purchaser of the Sale Land would meet the cost of entering into a licence to temporarily use the public highway land shown on Plan 'A'.

### **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

12. There are no specific sustainability implications.

### **CRIME & DISORDER IMPLICATIONS**

13. There are no specific crime and disorder implications.

### **EQUALITIES IMPLICATIONS**

14. There are no specific equalities implications.

### **CONCLUSIONS AND REASONS FOR RECOMMENDATIONS**

15. It would be inappropriate to declare the public highway land shown on Plan 'A' surplus to the requirements of the Highway Authority. It is part of a larger area of public highway shown on Plan 'B' containing Statutory Undertakers plant and equipment and the footbridge over Lockfield Drive. It serves as a buffer zone between Lockfield Drive and residential properties and it is considered that it could be required in future for highway purposes.
16. Making a declaration that the public highway land shown on Plan 'A' is temporarily surplus, could be used as open space with no structures on it, would enable a licence to be negotiated with the purchaser of the Sale Land for its use in conjunction with the Sale Land.

**Report by: Geoff Wallace, Acting Local Transportation Director, Woking**

---

**LEAD/CONTACT OFFICER: Geoff Wallace**

**TELEPHONE NUMBER: 01483 518 300**

**BACKGROUND PAPERS: None**

---

Version No. three    Date: 21/03/05    Time: 13.00    Initials: GDW    No of annexes: 2