

DRAFT

Minutes of the meeting of the
Reigate AND BANSTEAD LOCAL COMMITTEE
held at 2.00 pm on 4 December 2017
at Reigate Town Hall, Castlefield Road, Reigate, Surrey RH2 0SH.

Surrey County Council Members:

- * Mr Jeff Harris (Chairman)
- * Ms Barbara Thomson (Vice-Chairman)
- * Mrs Natalie Bramhall
- * Mr Jonathan Essex
- * Mr Bob Gardner
- * Dr Zully Grant-Duff
- * Mr Ken Gulati
- * Mrs Kay Hammond
- * Mr Nick Harrison
- * Mr Graham Knight

Borough / District Members:

- * Cllr Mrs Rosemary Absalom
- * Cllr Derek Allcard
- Cllr Rod Ashford
- * Cllr Michael Blacker
- Cllr John Godden
- Cllr Frank Kelly
- Cllr Steve McKenna
- * Cllr Tony Schofield
- * Cllr Mrs Rachel Turner
- Cllr Jonathan White

* In attendance

154/17 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Cllr White and Cllr McKenna.

155/17 DECLARATIONS OF INTEREST [Item 2]

No declarations of interest were received.

156/17 MINUTES OF PREVIOUS MEETING [Item 3]

The minutes of the meeting from 18 September were agreed to be a true record.

157/17 PETITIONS [Item 4]

No petitions had been received.

158/17 FORMAL PUBLIC QUESTIONS [Item 5]

Declarations of Interest: None

Officers attending: Zena Curry, Area Highway Manager

1. Mr Peter Morgan had submitted three written questions and received a responses in advance of the meeting.
 - (i) As a supplementary to q1 he asked for further information on how the costs of the scheme were weighed against the benefits to residents and how value for money was ensured.

In addition to the response already given the Area Highway Manager explained that projects were prioritised using a nationally recognised formula that consider a number of criteria including congestion and speed of traffic.
 - (ii) As a supplementary to q2 Mr Morgan clarified that he was proposing in his original question that the county council might provide a bridge as he has described to take traffic from M25 junction 8 away from Reigate town centre via B2032.

The Area Highway manager explained that it would not be appropriate for motorway traffic to be directed onto a B road which would require additional works. Highways has already coordinated with RBBC on the Local Plan which takes a wider view on strategic issues and Highways England has currently no plans to add to the infrastructure at junction 8. Traffic flow is regularly monitored and further improvements may be developed through the Greater Redhill Sustainable Transport Package.

The construction of a bridge is very costly and goes beyond what could be funded through the local committee.
2. Lisa Scott and Sergio Conte had submitted a written question and received a response in advance of the meeting.

They were not present to ask a supplementary but the divisional member for Horley West & Sidlow expressed her support for having the paths cleared.

159/17 FORMAL MEMBER QUESTIONS [Item 6]

No member questions had been received.

160/17 RECOMMENDATIONS AND DECISION TRACKER [FOR INFORMATION] [Item 7]

The local committee (Reigate & Banstead) agreed to note the progress on schemes and to remove from the tracker those items designated as complete.

161/17 ALLEGED PUBLIC RIGHTS OF WAY ACROSS LAND AT RECTORY LANE, WOODMANSTERNE [NON-EXECUTIVE FUNCTION FOR DECISION] [Item 8]

Declarations of Interest: None

Officers attending: Catherine Valiant, Countryside Access Officer

Petitions, Public Questions, Statements: None

1. The Chairman drew members' attention to the change of recommendation (3.3) included in the supplementary agenda papers.
2. The Countryside Access Officer explained that the recommendation had been amended to take into account London Borough of Croydon councils' query regarding delegation of authority to Surrey County Council.
3. The officer summarised the subject of the application underlining the amount of quality evidence submitted showing use of paths 1, 2 and 3 over the last 20 years. There was deemed to be insufficient evidence to include the other claimed paths in this application.
4. From the evidence submitted the officer had concluded that the landowner had not taken sufficient steps to negate the use of the paths 1, 2 and 3.
5. Two speakers had three minutes each to present their case against the application.

James Dillon of Batcheller Monkhouse on behalf of Philip Drake and Pat Morris (landowners) – speaking as objector

6. Mr Dillon reiterated on behalf of his clients that they were prepared to dedicate paths 1 and 2. However they believed there was insufficient evidence relating to path 3 and they would

- appeal the decision in the event the recommendation was agreed by the local committee.
7. In particular Mr Dillon challenged the evidence cited at paragraphs 5.6, 5.8 and 5.9.
 8. With reference to the latter he claimed his clients had erected signs in the past, but that these had been removed by third parties.
 9. Mr Dillon stated his clients' belief that the information at paragraph 6.11 was inaccurate.
 10. With reference to paragraphs 6.61 and 6.62 the landowner believed the actions of his tenant Mr Colebrook was evidence of his intentions to prohibit access to the public.

Peter Morgan – (adjacent landowner) – speaking as objector

11. Mr Morgan agreed in part with the recommendations.
12. He proposed that the paths should be designated as 'bridleways' as he had seen cyclists using them.
13. He supported the inclusion in this application of a path across the car park of the Midday Sun Public House as well as another diagonal route between Manor Way and Farm Gate.
14. In support of the dedication of paths 1,2 and 3 he stated he that was on the land on a daily basis and no one had approached him to advise he should not be there. He had also never seen any posts to indicate that signage had been erected.

Mrs Christine O'Brien – applicant

15. The applicant was given six minutes to present her case.
16. She was the seventh generation of her family who had lived in the area for 200 years. Her grandfather had been a Highways Superintendent for the urban council in the 1950s.
17. No one had ever been prevented from walking the paths or advised they were trespassing.
18. Over the years there had been occasion to be in contact the Drake family. In the 1980s with regard to permission to extract flint from the field and in 2000s when Mr Drake cleared the ground after departing travellers had left refuse. On none of these occasions did Mr Drake indicate that there were no public rights of way.
19. More recently there had been no reason to contact the family and use of the paths has continued.
20. The tenant farmer had not prevented anyone going into the field although one barbed wire fence was erected this year. Before then she had seen no proof to suggest the landowner intended to prevent use by members of the public.

Member discussion – key points

21. The officer clarified that although the landowner had offered to dedicate paths 1 and 2 there was no provision to accept it as a way of resolving the issue as it did not cover the whole application.
22. With regard to the proposed path across the pub car park suggested by Mr Morgan she explained that there were only 11 users who had submitted evidence and as the location was not remote, a higher number of users would have been expected. A separate application for this path could be submitted in the future.
23. The revised recommendation had been re-drafted to allow Surrey County Council to proceed with the matter even though the London Borough of Croydon council had not yet made a final decision on the issue of delegating authority on the decision.
24. Members briefly discussed enforcement and the maintenance of the path surface. The Countryside Access Officer confirmed that the landowner had a duty to ensure that the path was signed and that a suitable surface was maintained.
25. The Chairman asked members to consider the revised recommendations as a whole and indicate by a show of hands whether they were 'for' or 'against'.
26. 14 members indicated they were 'for' the recommendations. 0 against and 0 abstentions.

The Local Committee (Reigate and Banstead) resolved to agree that:

- (i) Public Footpath rights are recognised over the route A-B-C on Drawing No. 3/1/36/H46 (Annexe B) and that an MMO under sections 53 and 57 of the Wildlife and Countryside Act 1981 be made to modify the Definitive Map and Statement for Surrey. The route will be known as Public Footpath No. 643 (Banstead).
- (ii) **Public Footpath rights are recognised over the route C-D-E on Drawing No 3/1/36/H46 (Annexe B) and that an MMO under sections 53 and 57 of the Wildlife and Countryside Act 1981 be made to modify the Definitive Map and Statement for the London Borough of Croydon. This Order will either be**
 - i) made by Surrey County Council and sealed by the London Borough of Croydon or
 - ii) made and sealed by London Borough of Croydon.**The route will be known as Public Footpath No.966 (Croydon).**
- (iii) Public Footpath Rights are recognised over the route C-F-B on Drawing No.3/1/36/H46 (Annexe B) and that an MMO under sections 53 and 57 of the Wildlife

and Countryside Act 1981 be made to modify the Definitive Map and Statement for Surrey. The route will be known as Public Footpath No. 644 (Banstead).

REASONS FOR RECOMMENDATIONS:

- (i) The County Council has a duty under Section 53 of the Wildlife and Countryside Act 1981 (WCA1981) to modify the Definitive Map and Statement (DMS) if it discovers evidence which on balance supports a modification.
- (ii) In this instance the evidence submitted in support of the application is considered sufficient to establish that public footpath rights are reasonably alleged to subsist over the claimed routes, having been acquired by virtue of use by the public on foot both under statutory deemed dedication (under s.31(6) of the Highways Act 1980) and common law. Evidence suggests that landowners have not sufficiently challenged users or taken sufficient actions to demonstrate their lack of intention to dedicate during the relevant period.

162/17 PARKING REVIEW [EXECUTIVE FUNCTION FOR DECISION] [Item 9]

Declarations of Interest: None

Officers attending: Rikki Hill, Parking Project Team Leader

Petitions, Statements: None

Public Question: One

Borough Councillor Schofield joined the meeting.

Member discussion – key points

1. For the benefit of the public present the Chairman stressed that the officer's report was seeking committee approval to **advertise** the proposals for changes to on-street parking measures. At that point members of the public would be allowed to submit their comments or objections as part of the formal consultation.
2. Members raised queries on a number of specific schemes and requested that consideration be given to their suggestions and where possible, changes made before the proposals were advertised.
3. Officers agreed to discuss proposals with members further before advertising the Traffic Regulation Order.

4. The Chairman invited Mr MacMillan (Reigate Heath Residents Association) to put his question. He wanted to know whether Surrey County Council had the powers to impose temporary, enforceable parking restrictions. In particular he wanted to highlight the congestion in Flanchford Road, which had been made worse by vehicles from the construction site in West Street. Officers explained that the council did have the necessary authority, but the introduction of any new measure had costs attached. For this reason the parking review was used as a cost-effective mechanism for handling a large number of changes at one time.
5. Members raised concerns over whether there would be adequate enforcement of the new measures. The Chairman advised the Committee that powers were currently being transferred to the Reigate & Banstead JET team to enable them to carry out more enforcement duties which would also cover obstruction and dangerous parking offences.
6. In light of the issues raised by members the Chairman set a deadline of 19 December 2017 for members to have reviewed the proposals for their area and discussed any changes with the Parking Project Team Leader.

The Local Committee (Reigate and Banstead) resolved to agree:

- (i) The county council's intention to introduce the proposals in Annex 1 is formally advertised, and subject to statutory consultation.
- (ii) That if necessary, adjustments can be made to the proposals by the parking team manager in consultation with the Chairman, Vice-chairman and divisional member prior to advertisement.
- (iii) That if no objections are received when the proposals are advertised, the traffic regulation orders are made.
- (iv) That if there are unresolved objections, they are dealt with in accordance with the county council's scheme of delegation by the Parking Strategy and Implementation Team Manager, in consultation with the chairman/vice chairman of the committee and the divisional member.
- (v) That if necessary the parking team manager will report the objections back to the local committee for resolution

REASONS FOR RECOMMENDATIONS:

Changes to the highway network, the built environment and society mean that parking behaviour changes and consequently it is necessary for a highway

authority to carry out regular reviews of waiting and parking restrictions on the highway network. It is recommended that the waiting restrictions in this report are progressed as they will help to:

- Improve road safety
- Increase access for emergency vehicles
- Help residents park nearer their homes
- Improve access to shops, facilities and businesses
- Increase access for refuse vehicles, buses and service vehicles
- Ease traffic congestion
- Better control parking

**163/17 GREATER REDHILL SUSTAINABLE TRANSPORT PACKAGE
[EXECUTIVE FUNCTION FOR DECISION] [Item 10]**

Declarations of Interest: None

Officers attending: Neil McClure, Transport Strategy Project Manager, Transport Policy

Petitions, Statements: None

Public Questions: Six (submitted before the meeting and answers to be forwarded to resident Mr S Rolth).

Member discussion – key points

1. Officers confirmed that although no statutory consultation was required, those residents or businesses affected would be informed by letter of the changes.

The Local Committee (Reigate & Banstead) agreed:

(i) To note the progress and delivery of schemes within the project.

And resolved:

(ii) To agree that bus stop clearways are introduced at existing bus stops along quality bus corridors where bus stop improvements are being undertaken, as specified in Annexes B and C.

REASONS FOR RECOMMENDATIONS:

1. To update the Local Committee on the progress of Greater Redhill Sustainable Transport Package (STP).
2. Bus stop clearways: Buses require parallel alignment to the kerb to deploy ramping and kneeling equipment. Kerbing at bus stops has been raised to allow step-free access for wheelchair users, those with

mobility problems, those with shopping trollies or child buggies and easier and quicker boarding/alighting for all passengers.

3. Parked vehicles within bus stops prevent this access.
4. Reliability of buses is improved if the vehicles are able to approach, stop at and depart from bus stops without hindrance, improving the accuracy of scheduled bus stopping times and encouraging usage of sustainable transport. Ease of boarding and alighting speeds bus operation and assists bus operators maintaining schedules and reliability.
5. Bus stop clearways enable Borough enforcement officers to issue penalty charge notices on any offending vehicles obstructing the bus stop area, thereby discouraging inconsiderate parking.

164/17 HIGHWAYS FORWARD PROGRAMME [EXECUTIVE FUNCTION FOR DECISION] [Item 11]

Declarations of Interest: None

Officers attending: Zena Curry, Area Highway Manager

Petitions, Public Questions, Statements: None

Member discussion – key points:

1. Members were reminded that funding levels for the next financial year had not yet been finalised so the forward programme 2018/19 was based on those for the current year.
2. In response to members' queries officers detailed the remit of the maintenance gang (para 2.4 refers). Permitted activities included digging out of gullies, cleaning signs, general cutting back of vegetation, erecting parking posts, replacing minor kerbing stones. Local Surface Repair (LSR) was not within the gang's scope and the local committee's budget was not sufficient to cover both LSR and Integrated Traffic Schemes (ITS). There was a central programme to carry out larger patching works but the budget had already been spent. If county members had particular concerns they should use the councillors@surreycc.gov.uk address to raise the issue.
3. Members were interested to hear whether Highways had already received any Community Infrastructure Levy (CIL) money from RBBC. No information was available at the time as to the amount already collected by the borough council but officers advised that the majority would have to fund strategic projects and only the neighbourhood element could be used for routine maintenance
4. Members discussed the limited budget available to the local committee for all works on the highway and expressed their

concern that it was insufficient to carry out those small but very visible jobs. In particular they highlighted the low level of funding available for drainage works and questioned how it could fund the amount of gully cleaning needed.

5. The Chairman reminded the committee of the savings the county council still needed to make. There had been a change in gully contractor and members should continue to report issues through the online facility.
6. Since this report was written there had been an update on the position of the LEP bid for the Epsom-Banstead Sustainable Transport Package. Officers explained that the bid was now on hold as it had not been successful in securing funding in the first tranche. Other funding options were being considered but on a positive note, work on the Horseshoe crossing on the A217 was progressing.
7. Members welcomed the installation of the new average speed cameras on the A217 although those through the roadworks were not yet operational and some of the foliage around the cameras still needed to be cut back.

The Local Committee (Reigate & Banstead) agreed to:

General

- (i) Note that the Reigate and Banstead Local Committee's devolved highways budget for capital works within the Medium Term Financial Plan 2017-20 is £36,363 in 2018/19 and 2019/20 and that the revenue budget for 2018/19 is £40,910.
- (ii) Authorise delegation of authority to the Area Highway Manager, in consultation with the Local Committee Chairman and Vice-Chairman, to agree a revised programme of highway works for 2018/19 if there is a change in the Local Committee's devolved budget;
- (iii) Note that should there be any changes to the programme of highway works as set out in this report, a report will be taken to a future meeting of Reigate & Banstead Local Committee to inform members of the changes.

And resolved to:

Capital Improvement Schemes (ITS)

- (iv) Agree that the capital improvement schemes allocation for Reigate and Banstead be used to progress the Integrated Transport Schemes programme set out in Annex 1;
- (v) Authorise that the Area Highway Manager, in consultation with the Local Committee Chairman and Vice-Chairman, be able to

vire money between the schemes agreed in Annex 1, if required;

(vi) Agree that the Local Committee Chairman, Vice-Chairman and Area Highway Manager, together with the relevant local divisional Member are able to progress any scheme from the Integrated Transport Schemes programme, including consultation and statutory advertisement that may be required under the Road Traffic Regulation Act 1984, for completion of those schemes. Where it is agreed that a scheme will not be progressed, this will be reported back to the next formal meeting of the Local Committee for approval.

Revenue Maintenance

(vii) Authorise the Area Maintenance Engineer, in consultation with the Local Committee Chairman, Vice-Chairman and relevant local divisional Member, to use £40,910 of the revenue maintenance budget for 2018/19 as detailed in Table 2 of this report;

And agreed:

(viii) The Area Maintenance Engineer, in consultation with the Local Committee Chairman and Vice-Chairman, be able to vire the revenue maintenance budget between the identified work headings in Table 2;

And resolved to:

(ix) Agree that the revenue maintenance gang be managed by the Area Maintenance Engineer on behalf of Members.

REASONS FOR RECOMMENDATIONS:

To agree a forward programme of highways works in Reigate and Banstead for 2018/19 – 2019/20, funded from the Local Committee's devolved budget.

**165/17 HIGHWAYS UPDATE [EXECUTIVE FUNCTION FOR INFORMATION]
[Item 12]**

Declarations of Interest: None

Officers attending: Zena Curry, Area Highway Manager

Petitions, Public Questions, Statements: None

Member discussion – key points

1. With reference to the scheme to install a pedestrian crossing in Victoria Road, Horley (Annex 1) members asked for further information on when the sinkhole in that road would be repaired. Officers explained that the county council was carrying out extensive investigative work to properly establish ownership of the plant that was likely to have been the cause. Under current legislation the council had no powers to force the issue until this had been determined.
2. In response to members' concerns that delays in this repair would detract from the additional benefits of the new crossing, the Chairman agreed to write on behalf of the local committee to the utility company in question.
3. It was agreed this matter should be added to the action tracker so that progress could be reviewed at the next meeting.

The Local Committee (Reigate & Banstead) agreed to:

- (i) Note the contents of this report

166/17 A25 BUCKLAND ROAD, REIGATE - PROPOSED ENHANCED GATEWAY SCHEME [EXECUTIVE FUNCTION FOR DECISION] [Item 13]

Declarations of Interest: None

Officers attending: Zena Curry, Area Highway Manager

Petitions, Public Questions, Statements: None

Member discussion – key points

1. Members welcomed the news that central funding was available to progress this scheme, even though the design did not allow for the gates included in previous proposals. The work would be funded by the Road Safety team in a bid to reduce the number of accidents at that location which mostly involved motorcyclists who cut the corner.

2. In response to members' queries officers confirmed that the scheme would consist of a small island (not a pedestrian refuge), two bollards and a reflective sign.
3. Members raised the point that the A25 varied in width at different points, and asked for reassurance that the island would not be installed in one of the narrower sections, which would impede cyclists using the highway. In response officers explained these issues would have been considered as part of the design's safety audit and that a further one would be carried out at the point of construction. There was also an adjacent, dedicated cycle lane off the carriageway.

The Local Committee (Reigate & Banstead) agreed to:

- (i) Proceed with proposals to provide an enhanced gateway scheme on the A25 Buckland Road, Reigate.

REASONS FOR RECOMMENDATIONS:

To inform the Local Committee of the continuing casualty record on the A25 Buckland Road and A25 West Street and to seek authority to proceed with the construction of the scheme shown in Annex 1.

167/17 PEDESTRIAN PRECINCT IMPROVEMENTS - HIGH STREET (PRINCESS PRECINCT) HORLEY [EXECUTIVE FUNCTION FOR DECISION] [Item 14]

Declarations of Interest: None

Officers attending: Zena Curry, Area Highway Manager

Petitions, Public Questions, Statements: None

Member discussion – key points

1. Members were supportive of the improvements to be made to the Princess precinct to make it more useable.
2. The re-location of the disabled bays will also necessitate the removal of a large established fig tree and the divisional member for Horley West, Salfords & Sidlow would like to see this also moved to a new site. The Horley Regeneration Manager was likely to welcome the suggestion and there were already plans to re-site other items such as the mosaic.

3. The divisional member for Horley East also expressed support for the investment in the town centre but was concerned that having no restrictions on vehicles loading and unloading would inconvenience pedestrians.
4. Members discussed the difficulties in balancing the wishes of local businesses to have more flexibility to load/unload and the potential inconvenience it might cause shoppers. They decided that priority should be given to the pedestrians using the precinct.
5. The meeting was adjourned for a short recess while clarification was sought on recommendation (ii) in light of paragraph 2.2.
6. When the meeting reconvened members agreed the recommendations but requested there be further consultation on restricting loading/unloading times.

The Local Committee (Reigate & Banstead) resolved to agree:

- (i) Two dedicated loading bays be provided on High Street and Consort Way, and two disabled parking bays be relocated from High Street to Albert Road, as shown on Drawing Numbers SP0030-003 and SP0030-004.
- (ii) The High Street, Horley (Part) Prohibition of Driving and One – Way Traffic Order 1991 and its 2000 amendment be modified to provide loading at any time in marked bays for goods vehicles only, and for the one-way order to exclude cyclists.
- (iii) The Traffic Regulation Order on Consort Way to the rear of properties 1-7High Street be modified to provide dedicated loading at any time in marked bays.

And resolved to:

- (iv) To amend the proposed Traffic Regulation Order to relocate the two existing disabled bays on the southern side of High Street near the junction of Albert Road as shown on Plan SP0030-004 to a new position on Albert Road, if required following a detailed statutory services survey.

And agreed to:

- (v) Authorise the advertisement of notice in accordance with the Road Traffic Regulation Act 1984, the effect of which will be to implement the proposals in recommendations (i) to (iv), revoke any existing traffic orders necessary to implement the changes, and subject to no objections being upheld, that the order be made.

(vi) Authorise delegation of authority to the Parking Strategy and Implementation Team Manager in consultation with the Chairman, Vice-Chairman of the Local Committee and the local Divisional Member to resolve any objections received in connection with the proposals, and if objections cannot be resolved to either, set aside the objections, or make any necessary amendments to the wording of the order and any necessary alterations to Drawing Numbers SP0030-003 and/or SP0030-004.

REASONS FOR RECOMMENDATIONS:

To facilitate improved loading arrangements for local businesses and improved disabled parking, as part of a public realm improvement scheme in the pedestrian precinct in High Street (also known as Princess Precinct), Horley.

Meeting ended at: 4.56 pm

Chairman