

## Notice of Meeting

# Cabinet Member for Transport Decisions

**Date & time**

Tuesday, 9 June  
2020 at 9.30 am

**Place**

Remote

**Contact**

Joss Butler  
joss.butler@surreycc.gov.uk

**Chief Executive**

Joanna Killian

Please note that due to the Covid-19 situation this meeting will take place remotely.

Please be aware that a link to view a live recording of the meeting will be available on the Cabinet Member for Transport Decisions page on the Surrey County Council website. This page can be accessed by following the link below:

<https://mycouncil.surreycc.gov.uk/mgCommitteeDetails.aspx?ID=637>

**Cabinet Member**

Mr Matt Furniss (Cabinet Member for Transport)

## **AGENDA**

### **1 DECLARATIONS OF INTEREST**

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- i. Any disclosable pecuniary interests and / or
- ii. Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

#### **NOTES:**

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

### **2 PROCEDURAL MATTERS**

#### **a Members' Questions**

The deadline for Members' questions is 12pm four working days before the meeting (03/06/2020).

#### **b Public Questions**

The deadline for public questions is seven days before the meeting (02/06/2020).

#### **c Petitions**

The deadline for petitions was 14 days before the meeting, and no petitions have been received.

### **3 BUS LANE OPERATION IN GUILDFORD**

(Pages 5  
- 10)

In February 2020 Cabinet approved a bus lane enforcement policy and delegated decisions regarding the operation and enforcement of bus lanes to the Cabinet Member for Highways and Director for Infrastructure & Operations.

This report seeks approval to amend the operational hours of bus lanes in Guildford and the types of vehicles that can use them to make bus journeys more reliable.

**4 PROPOSED STOPPING UP OF HIGHWAY LAND AT BARONS OF HINDHEAD AND COOPERS COURT, LONDON ROAD, HINDHEAD**

(Pages  
11 - 24)

The owners of Barons of Hindhead and Coopers Court, Hindhead have requested the County Council to apply to the Magistrates Court for an order to be made removing (stopping up) the highway rights over a piece of land. Their reason for wishing this to be done is to resolve an historic encroachment and to regularise the title of their properties.

The Cabinet Member is asked to decide whether an application for a stopping up order should be made to the Magistrates' Court.

**Joanna Killian**  
**Chief Executive**  
Published: 1 June 2020

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**SURREY COUNTY COUNCIL**

**CABINET MEMBER FOR TRANSPORT**

**DATE: 09 JUNE 2020**

**LEAD OFFICER: KATIE STEWART, EXECUTIVE DIRECTOR**

**SUBJECT: BUS LANE OPERATION IN GUILDFORD**



**SUMMARY OF ISSUE:**

In February 2020 Cabinet approved a bus lane enforcement policy and delegated decisions regarding the operation and enforcement of bus lanes to the Cabinet Member for Highways and Director for Infrastructure & Operations.

This report seeks approval to amend the operational hours of bus lanes in Guildford and the types of vehicles that can use them to make bus journeys more reliable.

**RECOMMENDATIONS:**

It is recommended that:

1. Bus lanes in Guildford should operate 24 hours per day, 7 days per week with corresponding restrictions on waiting and parking in them (unless site specific circumstances prevent this) to enhance the Quality Bus Corridor Project.
2. By default, the bus Lanes are prioritised for use by local buses, pedal cycles and hackney carriages. Other vehicles such as motorcycles and HGV's should be excluded unless circumstances provide justification.
3. A statutory consultation is carried out to implement these changes, initially in Guildford (in conjunction with other proposals to improve bus routes, Guildford Quality Bus Corridor schemes) with the Cabinet member for Transport reviewing the outcome of the consultation before confirming any changes.

**REASON FOR RECOMMENDATIONS:**

The proposed improvements to the local bus network outlined in this report will:

- Improved bus journey time reliability and punctuality
- Increased levels of bus patronage
- Reduced bus journey times

This will help us achieve our 2030 Community Vision objectives

- Residents live in clean, safe and green communities where people and organisations embrace their environmental responsibilities.

- 
- Journeys across the county are easier, more predictable and safer

## **DETAILS:**

### **Background**

- 1 Buses are a vital mode of transport for Guildford carrying approximately 15,000 people per day, enabling users to access employment, commerce and other key services. With further homes proposed in the borough over the next 20 years, the bus network will become even more important, ensuring that an already congested road network is not overwhelmed by the increased number of daily journeys.
- 2 Bus routes within Guildford along the main bus corridors have been reviewed and are being prioritised for improvement work with £1,000,000 ring-fenced funding from LGF LEP (M3 Corridor). Planned improvements include shelters and waiting facilities, real Time Passenger Information (RTPI) and accessibility improvements.
- 3 A full report on the Guildford quality bus corridor project was presented to the Guildford Joint Committee on the 18 September 2019. [More information here.](#)
- 4 Detailed design has commenced for the first tranche of bus route improvements with implementation during 2020/2021. Feasibility work is also progressing to review the installation of intelligent bus priority at approximately 22 junctions along the key bus corridors.
- 5 One of the main bus corridors is Woodbridge Road where the lane has a number of pinch points that mean buses have to merge with queuing traffic, leading to delays. A proposed bus priority scheme along Woodbridge Road will greatly resolve this problem. Improvements are also planned to the existing bus stops and shelters and the project is supported by bus operators.

### **Operational Issues**

- 6 Bus lanes are obviously intended for use by buses (and cycles) but other classes of vehicle can be allowed to use them such as motorcycles, hackney carriages, mini cabs and HGV's. Most bus lanes in Surrey (primarily those in Guildford and Camberley) were introduced over 10 years ago. Since then design standards have changed and the Department for Transport (DfT) have issued new guidance and regulation governing the layout and usage of them.
- 7 The bus lane along Woodbridge Road and Onslow Street can currently be used by HGV's, and motorcycles. (in addition to cycles and hackney carriages) The changes to bus lane design standards mentioned above mean HGVs are no longer permitted to use lanes unless they are at least 4m wide. In addition any HGV usage of bus lanes requires authorisation from the DfT regardless of the width. The Woodbridge bus lane is generally 3m wide and therefore HGV use should now be prohibited.
- 8 Bus lanes can also provide a facility for cycling. In a 3m wide lane it may not be possible for another vehicle to overtake a cycle without moving into the adjacent traffic lane. Similarly cyclists should not be pushed out of the lane

when passing other vehicles so it is important to minimise the total number of vehicles using the lane.

- 9 Therefore, in order to promote more freely flowing bus lanes (and make them more attractive to cyclists) it is proposed to prohibit HGV's and motorcycles from their use. Hackney carriages will continue to be able to use the bus lanes. (this does not include private hire/mini cabs)
- 10 All bus lanes in Surrey (except Woking High Street which was installed two years ago after a long consultation process) have operational hours of 7am-10am and 4pm-7pm, Mon-Sat. Traffic levels have increased in the decade since the bus lanes were introduced and they tend to be situated on some of the busiest roads in the county. It is therefore proposed to extend the operational hours of bus lanes in Guildford to 24 hours per day, every day, to increase bus journey consistency and create a safer cycling facility for longer periods of the day.
- 11 The proposals described above will not alter existing arrangements whereby vehicles can cross over the bus lane to access adjacent premises or parking on private land.
- 12 The operation of other bus lanes around the county will be reviewed in a similar manner and further recommendations made during 2020/21.

#### **CONSULTATION:**

- 13 Initial consultation with bus operators indicates they are supportive of the proposals identified above. In order to implement changes we will need to amend the traffic orders governing the bus lanes. This will require a 28 day statutory consultation and we plan to include all the changes described above in the consultation.
- 14 As well as a notice in the local paper when the consultation starts we will put up street notices and letter drop properties that could be impacted by the proposals.
- 15 The Guildford Joint Committee have approved measures associated with the Quality Bus Corridor project. Guildford Borough Council have been involved in the discussion about proposals identified.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

- 16 There is a risk that some of the proposed changes will not be supported by all highway users. The statutory consultation will identify potential objectors to the proposals and these views can be taken into account when deciding how to proceed.

#### **Financial and Value for Money Implications**

- 17 The changes described in this report to amend bus lane operating times and the usage in Woodbridge Road will be funded by the LEP quality bus corridor

scheme because many of the signs and road markings are being replaced as part of the improvement programme.

- 18 The changes to signing and road markings at other bus lanes will be carried out this financial year when the traffic order changes are completed. The cost is likely to be £10,000 and will be funded from the parking maintenance revenue budget.

#### **Section 151 Officer Commentary**

- 19 Although significant progress has been made over the last twelve months to improve the Council's financial position, the medium term financial outlook is uncertain as it is heavily dependent on decisions made by Central Government. With no clarity on these beyond 2020/21, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term.
- 20 The costs of implementing these changes will be met from existing budgets and do not materially change any future costs.

#### **Legal Implications – Monitoring Officer**

- 21 It will be necessary to carry out a statutory consultation in accordance with the Road Traffic Regulation Act 1984 in order to amend the extent, operating times and classes of vehicles that are permitted to use bus lanes identified.
- 22 Surrey County Council has the power to enforce bus lane contraventions under section 144(3)(b) of the Transport Act 2000 and Schedule 8 of the Traffic Management Act 2004 and to delegate, if we so choose to Borough and District Councils. The delegation to Borough and District Councils is under powers in the Local Government Act 2000, together with associated regulations. The geographical area of Surrey has been designated as a Civil Enforcement Area for bus lane contraventions.

#### **Equalities and Diversity**

- 23 The recommendations in this report have no material impact on existing equality policy and therefore a full equalities assessment was not deemed necessary.
- 24 Before any changes are made on the highway, relevant and proportionate consultation will be carried out with users and interested parties.

#### **Other Implications:**



- 25 The potential implications for the following council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	No significant implications arising from this report
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report
Environmental sustainability	No significant implications arising from this report
Public Health	No significant implications arising from this report

### **WHAT HAPPENS NEXT?**

- 26 If approved, a statutory consultation will be carried out to amend the bus lane operational hours in Guildford. This will also include LEP funded amendments to the bus lanes as part of the quality bus corridor project.
- 27 The LEP funded changes to the bus lanes in Woodbridge Road are planned to be implemented in Q3/Q4 2020/21.
- 28 Bus lane enforcement will be evaluated in combination with the changes described in this report.

**Contact Officer:**

David Curl, Parking Strategy and Implementation Manager, 01372 832154

**Consulted:**

Passenger Transport Team  
 Transport Policy and Major Projects  
 Guildford Borough Council.

**Annexes:** None

**Sources/background papers:**

- Bus Lanes and Bus Lane Enforcement, Cabinet, 25 February 2020
- LEP Funded Schemes in Guildford, Guilford Joint Committee, 18 September 2019.

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**SURREY COUNTY COUNCIL****CABINET MEMBER FOR TRANSPORT****DATE: 9 June 2020****LEAD OFFICER:** KATIE STEWART, EXECUTIVE DIRECTOR FOR ENVIRONMENT, TRANSPORT & INFRASTRUCTURE**SUBJECT:** PROPOSED STOPPING UP OF HIGHWAY LAND AT BARONS OF HINDHEAD AND COOPERS COURT, LONDON ROAD, HINDHEAD**COMMUNITY VISION OUTCOME: Place****SUMMARY OF ISSUE:**

The owners of Barons of Hindhead and Coopers Court, Hindhead have requested the County Council to apply to the Magistrates Court for an order to be made removing (stopping up) the highway rights over a piece of land. Their reason for wishing this to be done is to resolve an historic encroachment and to regularise the title of their properties.

The Cabinet Member is asked to decide whether an application for a stopping up order should be made to the Magistrates' Court.

**RECOMMENDATIONS:**

It is recommended that an application be made to the Magistrates' Court for an order stopping up the land identified on the plan at Annex 1 as highway, in accordance with the provisions of Section 116 and 117 of the Highways Act 1980 and subject to the conditions of the County Council's approved policy on stopping up applications.

**REASON FOR RECOMMENDATIONS:**

The land in question is deemed surplus to highway requirements as it has been functioning as part of the garage forecourt for more than 20 years and the wider highway margin here is no longer required due to the declassification of London Road after the opening of Hindhead bypass. On completion of a successful application the County Council would be relinquished from any future maintenance liability for the land in question.

**DETAILS:**

1. When a request is received for the highway rights over highway land to be removed and the Cabinet Member for Transport considers that it is no longer necessary for the land to be part of the highway, the County Council will, subject to the conditions contained in the policy approved by the Cabinet on 21 December 2010, apply to the Magistrate's Court for an order stopping up the land as a highway.

2. The land in question forms part of the highway margin of London Road, Hindhead. London Road used to be the route of the A3, but since the opening of the Hindhead bypass, this section of London Road has been declassified and is now a no-through road, terminating at a National Trust car park.

3. There are 3 specific sites affected by the scope of this proposal:-

a) 35 London Road, Hindhead -'The Golden Hind' site (title number SY282827)

The land in question forms part of the frontage of 2 plots and part of the access road 'Coopers Court' on the redeveloped site. As the freehold of the land is already registered, it will revert to the proprietor upon the successful completion of the proposed order.

b) 1 Coopers Court, Hindhead (title number SY853564)

The land in question forms part of the frontage of Number 1, Coopers Court. As the freehold of the land is already registered, it will revert to the proprietor upon the successful completion of the proposed order.

c) Land on the North side of Portsmouth Road - Barons Garage site (title numbers SY329384/SY332178/SY584985)

The land in question is functioning as part of the Barons Motor Garage site and is currently unregistered. Alongside the application to remove public rights, the proprietor here will liaise with Land Registry in order to register freehold title to the land in question (to coincide with the completion of the proposed order) and formalise the ownership here.

4. Copies of the relevant title plans can be viewed at Annex 2.

<b>CONSULTATION:</b>
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5. Before making an application to the Magistrate's Court for a stopping up order the highway authority must serve notice of their intention to do so on the district/borough council and the parish council if there is one. If either council objects to the making of the application within two months of the date of service of the notice it may not be made

6. At least 28 days before the making of an application for a stopping up order the highway authority must serve notice of their intention to apply for the order on:

- the owners and occupiers of all lands adjoining the highway;
- any utility company having apparatus under, in, upon, over, along or across the highway;
- if the highway is a classified road, the Minister for Transport, district/borough council and parish council if there is one.

Notices must also be displayed on site and published in the London Gazette and at least one local paper 28 days prior to the making of the application.

**RISK MANAGEMENT AND IMPLICATIONS:**

7. The County Council's policy regarding applying for stopping up orders on behalf of a third party has been drafted to ensure that the Council is indemnified against all risks associated with the making of an application for a stopping up order. Providing the policies are adhered to and correct procedures are followed any risks will lie with those requesting the stopping up.

**Financial and value for money implications:**

8. The applicants are to pay all costs associated with the application for a stopping up order. There is no financial cost to the County Council.

**Section 151 Officer commentary:**

9. This S151 Officer confirms that all material financial and business issues and risks have been considered in this report. On completion of a successful application the County Council would be relinquished from any future maintenance liability for the land in question.

**Legal implications – Monitoring Officer:**

10. The County Council's policy on applying for stopping up orders was drafted to meet the requirements of the Highways Act 1980 ("the Act"). Section 116 of the Act provides the power for a highway authority to apply to the Magistrates' Court for an order stopping up a highway, or part of a highway. Section 117 enables a highway authority to apply for a stopping up order on behalf of a third party. Schedule 12 to the Act determines the form of notices that must be given in connection with an application for a stopping up order.

**Equalities and diversity:**

11. The equalities impact assessment that was carried out when the County Council's policy on stopping up was approved by the Cabinet in December 2010 identified potential positive and negative impacts on the age, disability, gender and belief/faith strands, as well as potential social exclusion issues. As the process for applying for a stopping up order includes opportunities for anyone who feels they may be disadvantaged to object and, if they wish, be heard in court, the assessment did not identify any actions necessary to address the potential negative impacts.

**Other implications:**

12. The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

<b>Area assessed:</b>	<b>Direct Implications:</b>
Corporate Parenting/Looked After Children	No significant implications arising from this report.
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report.
Environmental sustainability	No significant implications arising from this report.
Public Health	No significant implications arising from this report.

#### **WHAT HAPPENS NEXT:**

13. When the applicant has deposited sufficient monies with the County Council to cover the cost of making an application for a stopping up order, the process of making the application will commence.
14. Before making an application to the Magistrates' Court for a stopping up order to be made the highway authority must serve notice of their intention to do so on the district/borough council and the parish council if there is one. If either council objects to the making of the application within two months of the date of service of the notice it may not be made.
15. At least 28 days before the making of an application for a stopping up order the highway authority must serve notice of their intention to apply for the order on:
  - the owners and occupiers of all lands adjoining the highway;
  - any utility company having apparatus under, in, upon, over, along or across the highway;
  - the Minister for Transport, district/borough council and parish council if there is one, if the highway is a classified road
16. Notices must also be displayed on site and published in the London Gazette and at least one local paper 28 days prior to the making of the application.
17. In accordance with clause 3 of the County Council's policy regarding requests for the removal of public rights over roads, any unresolved objections will be reported to the Waverley Local Committee for a decision on whether to continue with the making of an application to the Magistrates' Court for a stopping up order to be made

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#### **Contact Officer:**

George Emmett, Highway Boundary Team Leader, 020 8541 7446  
Ian Taylor, Highways Information and Business Support Team Manager, 020 8541 8921

#### **Consulted:**

Katie Stewart, Executive Director for Environment, Transport and Infrastructure  
Lucy Monie, Director – Infrastructure and Delivery  
Frank Apicella, Area Highways Manager

Nancy El-Shatoury, Principal Highways and Planning Solicitor  
Tony Orzieri, Section 151 Officer  
David Harmer, County Councillor  
Jerome Davidson, Borough Councillor  
Peter Irishwood, Borough Councillor  
Haslemere Town Council  
Zac Elwood, Head of Planning, Waverley Borough Council

**Annexes:**

Annex 1 – Plan: Land subject of proposed application – London Road, Hindhead  
Annex 2 – Title plans for adjoining properties

**Sources/background papers:**

Sections 116 & 117 and Schedule 12, Highways Act 1980:

<http://www.legislation.gov.uk/ukpga/1980/66>

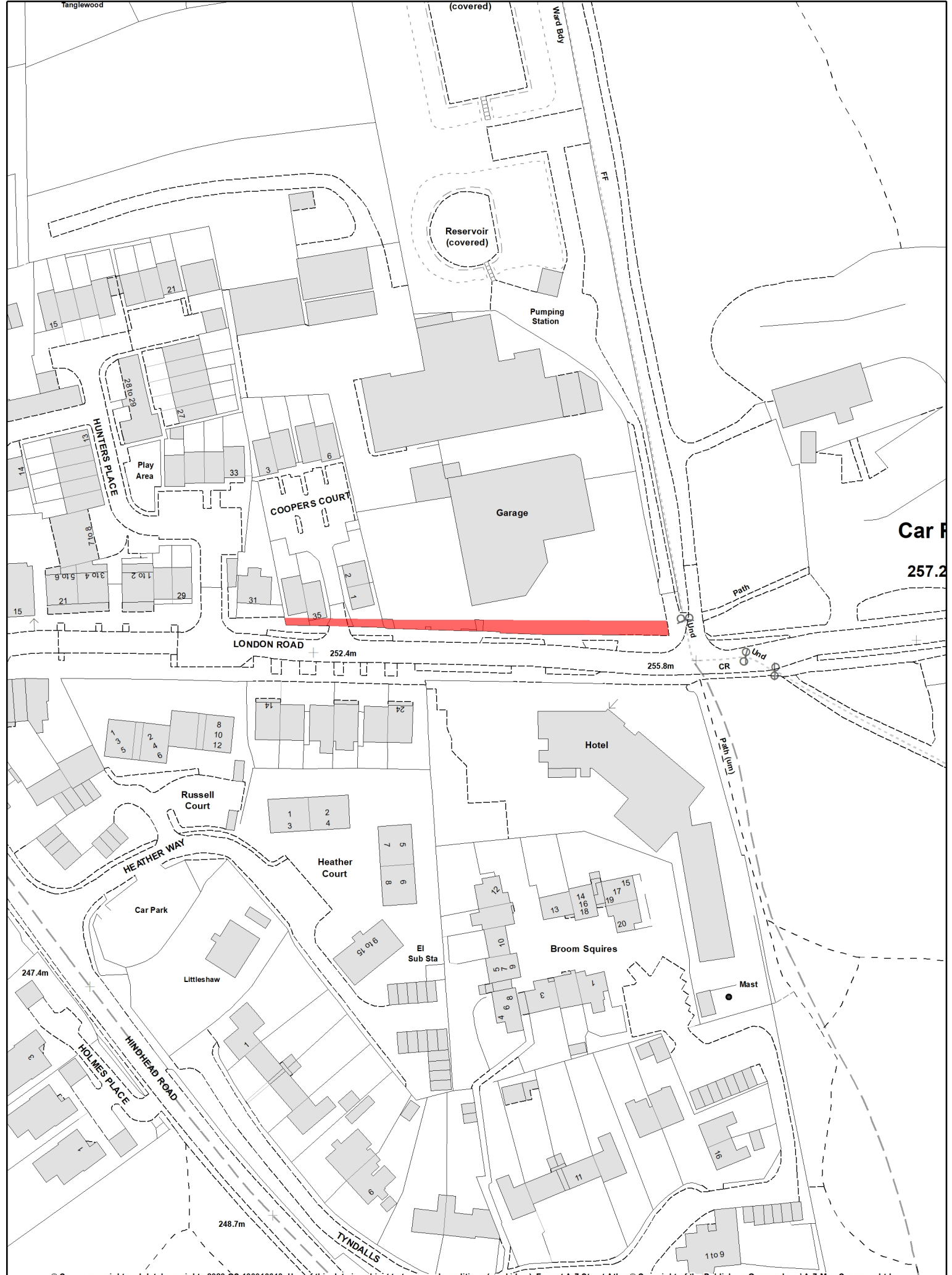
Report to the Cabinet on 21 December 2010 titled “Policy Regarding the Removal of Public Rights Over Roads and Highway Land” (item 12).

[http://mycouncil.surreycc.gov.uk/elistdocuments.aspx?MID=466&DF=21%2f12%2f2010&A=1&R=0&F=embed\\$item%2012%20-%20Policy%20regarding%20the%20removal%20of%20Public%20Rights%20over%20Roads%20and%20Highway%20Land.htm](http://mycouncil.surreycc.gov.uk/elistdocuments.aspx?MID=466&DF=21%2f12%2f2010&A=1&R=0&F=embed$item%2012%20-%20Policy%20regarding%20the%20removal%20of%20Public%20Rights%20over%20Roads%20and%20Highway%20Land.htm)

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 Scale: 1:1,250

Page 1 of 4

# Proposed Stopping Up of Highway at London Rd, Hindhead



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# H. M. LAND REGISTRY GENERAL MAP

SURREY

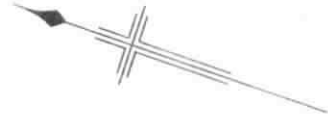
SHEET XLIV. 4.

SECTION F

Scale 1/1250 Enlarged from 1/2500

THURSLEY PARISH

WAVERLEY DISTRICT

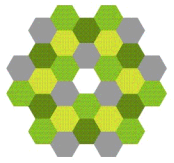


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Filed Plan of Title No. **SY 282827**

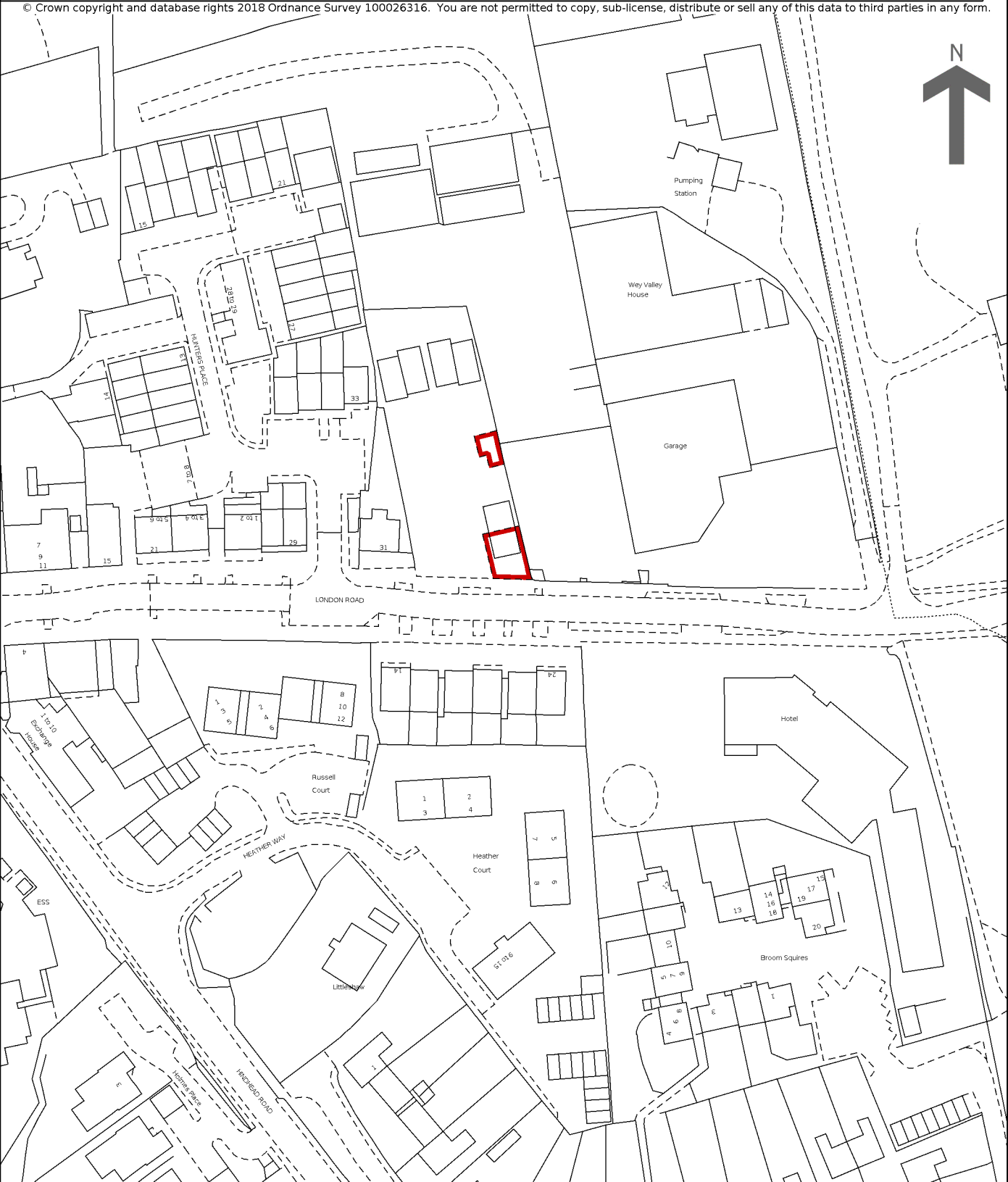
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b) 1 Coopers Court

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# H. M. LAND REGISTRY GENERAL MAP

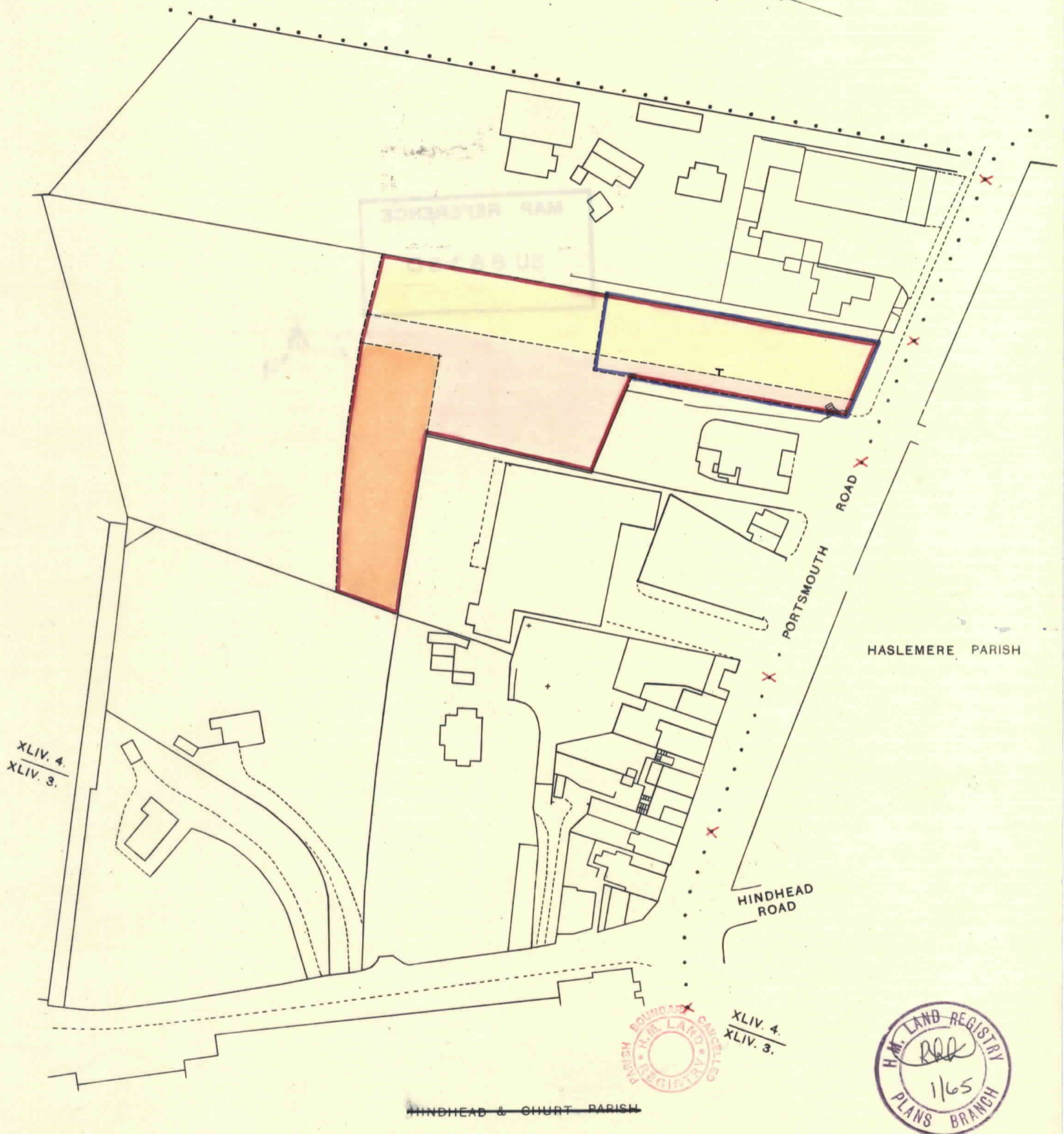
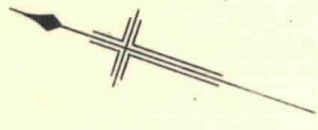
SURREY

SHEET XLIV. 4.

SECTION F

Scale 1/1250 Enlarged from 1/2500

WAVERLEY DISTRICT  
THURSLEY PARISH



Filed Plan of Title No.

# SY 329384

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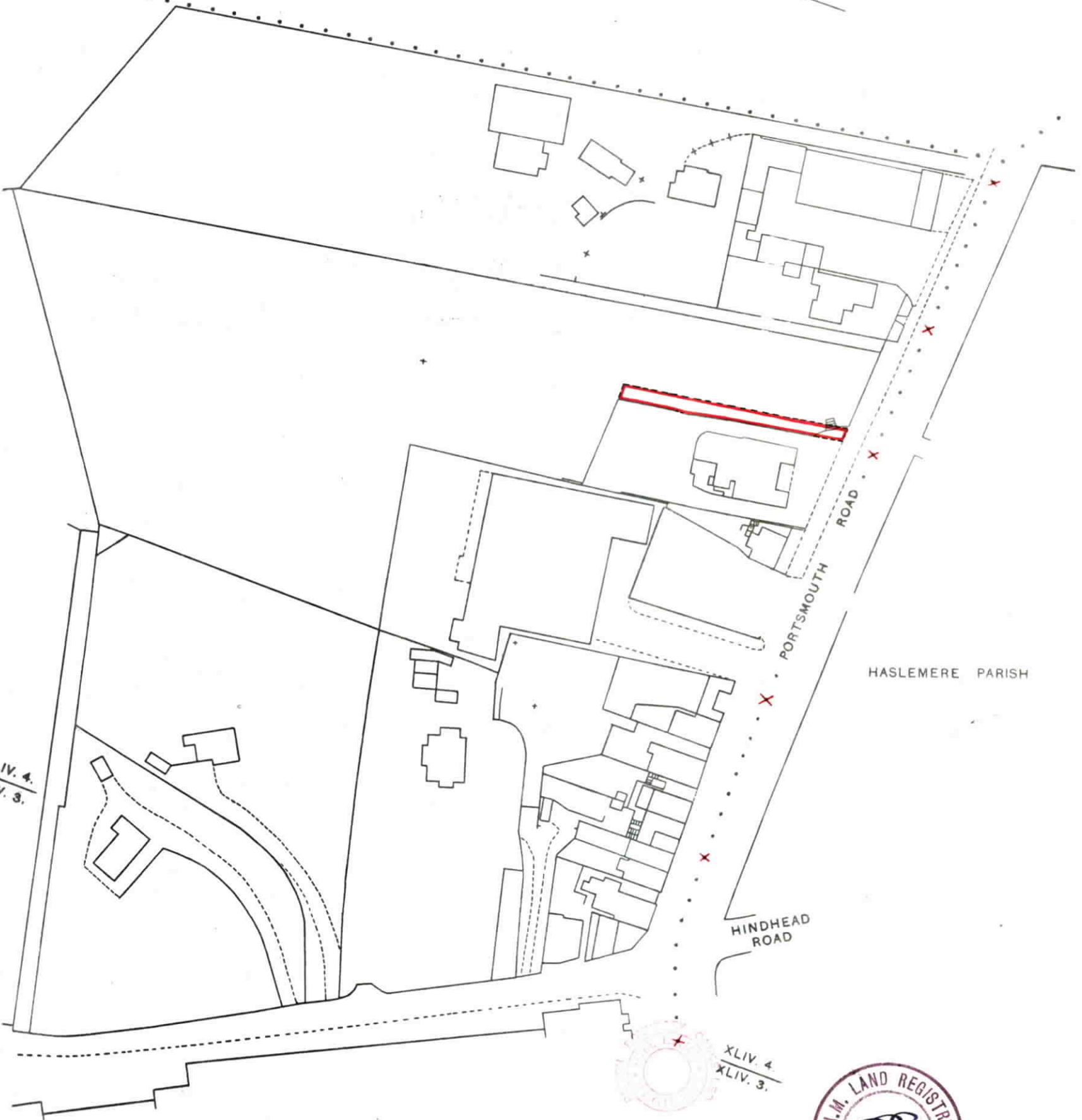
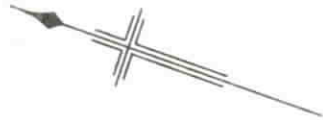
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# H. M. LAND REGISTRY GENERAL MAP

SURREY SHEET XLIV. 4. SECTION F

Scale 1/1250 Enlarged from 1/2500

WAVERLEY DISTRICT  
THURSLEY PARISH



XLIV. 4.  
XLIV. 3.

XLIV. 4.  
XLIV. 3.

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HINDHEAD & GHURT PARISH



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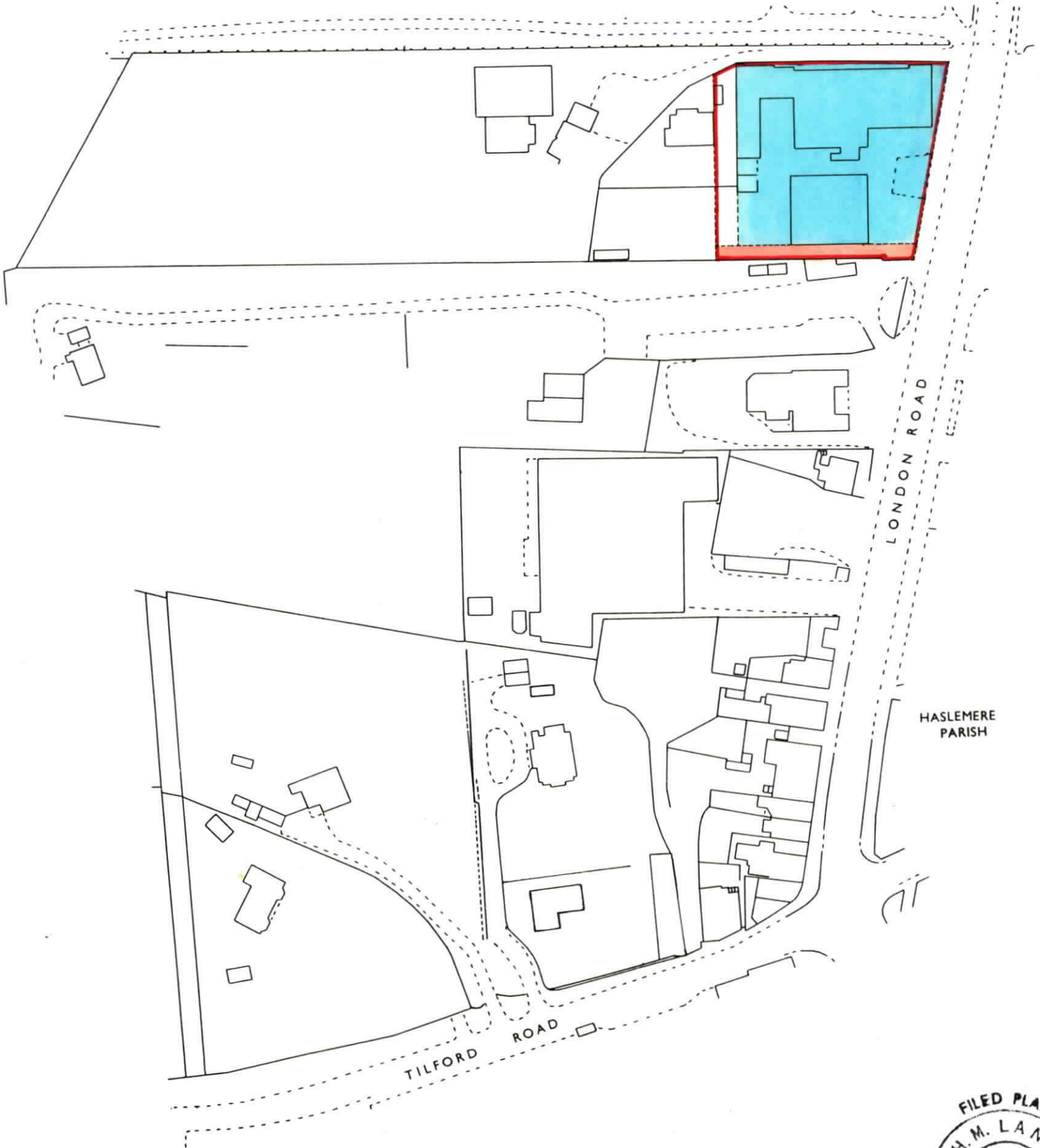
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H.M. LAND REGISTRY		TITLE NUMBER	
		SY584985	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	SURREY		SU 8835
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THURSLEY PARISH



HASLEMERE PARISH

The boundaries shown by dotted lines have been plotted from the transfer plan. The title plan may be updated from later survey information.



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