

TABLED DOCUMENT

ITEM 7



SCC LOCAL COMMITTEE IN ELMBRIDGE – 8 June 2015

AGENDA ITEM 7

PUBLIC QUESTIONS

Question 1: David Worfold (resident and business owner in Cobham)

What action is being taken by Elmbridge Borough Council and/or Surrey County Council to ensure that the public way over the route* shown on the registration application is or will be preserved whilst the land is being redeveloped and after completion of development?

(*refers to path running between High Street, Cobham and Cedar Road, Cobham)

Response from SCC Property Services/Countryside Access:

Currently the path running between High Street and Cedar Road, Cobham has no recorded public rights along it. It is not recorded on the Surrey County Council Definitive Map of public rights of way nor is it publicly maintainable according to the Surrey List of Streets.

The Surrey Definitive Map and Statement is only conclusive evidence as to what it contains not to what it omits. The fact that a right does not appear on the map and statement does not necessarily mean that it did not exist at the relevant date of the map. The public may have acquired rights as a result of long use although the nature and extent of any such rights is unknown.

On 2nd February 2015 Countryside Access received an application under the provisions of the Wildlife and Countryside Act 1981. This requires us to consider evidence supplied, and to determine whether public footpath rights have been acquired over the route in question. Until such time as a right of way can be proven to exist and a legal order is confirmed, the Countryside Access Team has no powers to ensure that the way is kept open and available for use. The land is currently subject to building works and must be kept closed for health and safety and security reasons.

The recent works and obstructions to use do not prejudice any historical rights which may already have been acquired. If public footpath rights are found to exist then the route must be reopened along the line historically used by the public. Gates or other restrictions cannot then subsequently be erected by a landowner or third party.

TABLED DOCUMENT

ITEM 7

Question 2: David Bellchamber (Cobham resident)

On Monday 27 April 2015 Sutton & East Surrey Water began what they describe as an “extensive programme of works to replace aging water mains along a 2,250 metre stretch of Stoke Road in Cobham, and then continue 400 metres into Woodlands Lane” and have said that these works will take them to March 2016 to complete.

As at 2nd June 2015 the works have progressed about 200 metres from their start at the junction of Stoke Road with Tilt Road. What steps has Surrey County Council taken to ensure that Sutton & East Surrey Water are devoting and will continue to devote the maximum feasible resources to the project and will minimise the time over which disruption takes place?

Response from SCC Streetworks:

The Street Works department in Surrey Highways, responsible for monitoring works by utility companies, are very aware of the implication to users of the highway of the works being carried out by Sutton and East Surrey Water (SESW) on Stoke Road. A series of project review meetings were undertaken prior to the start of the works to agree works methodology including resource levels, working hours and traffic management requirements.

The works are regularly monitored by our Compliance team who to date have recorded 12 inspections on the site. These inspections note non compliance with any Conditions that may have been imposed on the site and will also note any cases where the site is not occupied. The team will continue to inspect the site on a regular basis throughout the duration of the project to ensure compliance with agreements made.

To assist in minimising traffic disruption, a Condition had been placed on the works that the traffic signals should in morning and evening rush hour periods be manually operated, over riding the automated functionality. This can assist in moving traffic through the site quicker reducing disruption. During an inspection on the 21st of May it was noted this requirement was not being adhered to by Sutton and East Surrey Water and a Fixed Penalty Notice issued against this offence.

Our Network Coordinator responsible for the Elmbridge area is in regular communication with representatives at Sutton and East Surrey Water to review progress of the project. SESW have advised of initial difficulties with the project and are currently behind where they would expect to be. We are in conversation with them reviewing potential options to enable progress to be increased whilst limiting further adversely affecting traffic disruption.