

SURREY COUNTY COUNCIL

LOCAL COMMITTEE (TANDRIDGE)

DATE: 20 MARCH 2015

SUBJECT: PETITION (Adopt the service road leading to Audley, St Francis' and Sunnydown Schools, Caterham)

DIVISION: CATERHAM HILL



SUMMARY OF ISSUE:

To consider a petition containing 133 signatures – by Owen Flaherty.

“We strongly believe that the service road leading from Whyteleafe Road to Audley, St Francis' and Sunnydown Schools in Caterham (which was built by Surrey CC and is owned by Surrey CC) should be adopted by Surrey CC.

It is unfair to expect three separate schools to maintain this road, more so with pupil numbers increasing in the near future which will place a greater burden on the service road.

Without a maintenance programme in place, the service road has been neglected; and as a result we are always mindful of the potential health & safety issues. We therefore feel it is paramount that Surrey CC take on this responsibility asap before an unnecessary incident occurs.”

RESPONSE:

Whilst the access road comes under the ownership of Surrey County Council, as an unadopted road it does not fall within the remit of Surrey Highways, who in its capacity as the highway authority has no responsibility for the upkeep of this road. Surrey's Estates have been unable to locate any information on why the access road was not adopted when the schools were built. However, being retained as a private road means that access can be limited to those with a legitimate purpose at the schools. As a public highway, the access road would be open to all traffic to pass and repass, which would leave the County and the schools with no control over its use, so removing the ability to limit access to those with a legitimate reason for visiting the schools.

Cabinet agreed a revised policy for the Adoption of Roads and Streets as Highways Maintainable at Public Expense in September 2014, which came into effect on 1 October 2014. The policy states that Surrey County Council's natural presumption is to adopt residential roads, streets, footpaths, cycleways and margins if:

- they are constructed to a satisfactory standard
- they connect to an existing public maintainable highway
- commuted sums are paid where appropriate to provide for ongoing maintenance
- they serve six or more residential curtilages OR otherwise have a wider public utility

The access road leading from Whyteleafe Road, a highway maintainable at public expense, to Audley, St Frances' and Sunnydown Schools could be viewed as providing a wider public utility under the policy.

Under the Highways Act 1980, frontages can request that a road be adopted. In considering any formal request for adoption of the access road, Surrey County Council would be treated in the same way as any other private landowner. Any such application would need to comply with the current policy. The road would need to be brought up to an adoptable standard and a commuted sum paid in accordance with Surrey County Council's Commuted Sum Policy. In addition, all reasonable administration costs would have to be paid by the applicant. Any decision on whether or not the access road is adopted would be taken by Cabinet.

Contact Officer: John Lawlor, South East Area Team Manager, Local Highways Service Group, 03456 009 009
