

SURREY COUNTY COUNCIL

LOCAL COMMITTEE (GUILDFORD)

DATE: 20 SEPTEMBER 2016

LEAD OFFICER: JOHN HILDER

SUBJECT: A31 HOG'S BACK GAP AT EAST FLEXFORD LANE

DIVISION: SHALFORD



SUMMARY OF ISSUE:

The committee is asked to consider making a traffic regulation order for the closure of East Flexford Lane central reservation gap.

RECOMMENDATIONS:

The Local Committee (Guildford) is asked to:

- (i) Having reviewed the objections to the formally advertised closure of the A31 central reservation gap at East Flexford Lane at Annex 1 agree that the traffic order be made and the gap permanently closed to all vehicular traffic.

REASONS FOR RECOMMENDATIONS:

The committee is to agree to the gap closure in the interest of road safety.

1. BACKGROUND

Road Safety Working Group

- 1.1 The Road Safety Working Group (RSWG) for Guildford comprises SCC highways & road safety officers and the Police road safety officer for western Surrey. The group meets several times a year to review accident clusters and consider what might be done to reduce collisions. There is a dedicated RSWG for each of the eleven districts and boroughs within Surrey.
- 1.2 The group rely on accident data provided by Surrey Police, who record information for Personal Injury Accidents (PIAs which are accidents the Police have attended or have been reported to them).
- 1.3 The group consider locations where clusters of accidents have been reported. This used to be at sites where three PIAs or more had been reported within a twelve month period, but is now more sophisticated and flexible in identifying accident 'hotspots'. The RSWG will then investigate all accidents that have occurred within the previous three years. They try to identify any common themes in the Police accident reports in order to identify contributory factors. For instance loss of control accidents would suggest an investigation into vehicle speeds, warning signs and the skid resistance of the road surface.
- 1.4 If the group can identify possible contributory factors they will undertake a site visit.
- 1.5 In May 2014 the RSWG reviewed accidents at the central reservation gap on the A31 Hogs Back at East Flexford Lane. The group noted '7 accidents involve RT using gap in central reserve' and that further accident analysis would be carried out. The group undertook a site visit and at their next meeting in November 2014 they asked that the Area Highway Manager took a recommendation to the Local Committee to close the gap. They also suggested consultations with residents took place.

Consultation on the proposed closure

- 1.6 In February 2015 the area highways team wrote to residents advising them of the intention to close the gap in the interest of road safety. This was an informal consultation and nearly all residents who responded stated they would object to the closure.
- 1.7 A recommendation to formally advertise closing the gap was taken to the March 2015 meeting of the Local Committee who resolved to proceed with this process. The committee were advised that there were likely to be objections from residents who are directly affected and such objections would be reported to a future meeting committee for a decision on whether to proceed with the proposed closure.
- 1.8 Formal consultation started 7 May 2015 with the publication of the traffic regulation order for the closure of the gap. This was advertised in local papers and sent to statutory consultees. Anyone wishing to respond or object was requested to do so in writing no later than 5 June 2015.

Objections

- 1.9 Details of responses from residents are set out at **Annex 2** each with the comments of Road Safety Working Group officers.
- 1.10 All 15 respondents strongly objected to the proposed closure and it is understood the local Surrey County Councillor has received further objections.
- 1.11 The above was reported to the committee meeting in September. In view of the strength of objection the Area Highway Manager undertook to review possible alternatives to full closure and come forward with recommendations at the December meeting of the committee.
- 1.12 The Area Highway Manager agreed to meet residents in advance of a further report to committee in December 2015. Because this meeting did not take place before the December meeting the Chairman decided that the report should be deferred. Today's item was included in the March 2016 agenda, but was deferred by the committee chairman at the meeting pending clarification on claimed covenants as well as further discussions with the emergency services.

Area Highway Manager Meeting with Residents

- 1.13 The Area Highway Manager (AHM) met residents twice, on 2 and 9 of March, and the following headings were discussed.

Accidents at the gap

- 1.14 At the first meeting the the AHM handed residents the latest three year accident record for the A31 in the vicinity of the gap which had been supplied by the Police covering the period June 2012 to September 2015. This logged 15 accidents.. The Police had checked their own records for these accidents and confirmed that four of the fifteen were associated with drivers trying to use the gap, two attempting to turn right from the eastbound carriageway and two attempting to turn from the westbound carriageway. The Police had provided the following commentary which was also shared with residents.

'I have now looked at the actual road traffic collisions and have marked the four that were caused by vehicles intending to use the gap in the central reserve. The main theme is that the drivers were lost or were looking for somewhere to turn around. None were local people. They were all travelling at about 50/60mph, some in lane one who changed lane at the last moment and all braked late and were hit in the rear by a following vehicle, where that driver was taken by surprise by the manoeuvre. '

- 1.15 The 4 accidents associated with the gap resulted in 5 slight and 2 serious injuries.
- 1.16 Since September 2015 there have been no accidents reported to the police in the vicinity of the gap.
- 1.17 Residents pointed out that the majority of accidents were not associated with the gap and asked why the RSWG had not made any recommendations to address these. Residents thought that the majority of accidents were tail end

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shunts as a result of the queues that regularly develop on the eastbound carriageway tailing back from the merge with the A3 and drivers injudiciously changing lanes within queues or on the approach to them.

- 1.18 Since meetings the RSWG have confirmed they have introduced measures to address the shunt accidents on the eastbound approach to the junction with the A3. In 2014 two 'Queues Likely' signs were installed to the east of Flexford Lane which they expect to reduce the number of shunt accidents.
- 1.19 Residents said they are accustomed to using the gap and when approaching on the A31 from either direction they get in lane well in advance and, signal early and brake slowly over distance. They consider the lack of advance signing leads following drivers to think they had left indicators on after moving into the offside lane and that providing advance signing would make the right turn safer. They said they were accustomed to using the junction and were comfortable with the right turn manoeuvre.

Alternative routes with the gap closed

- 1.20 With the gap closed residents of East Flexford Lane would have to use the A31 U-turn 0.5 miles to the east to join the westbound carriageway. Residents of Monkhatc would have to use the Puttenham interchange 1.2 miles to the west to join the eastbound carriageway.
- 1.21 Residents of East Flexford Lane acknowledged the detour is relatively short at around a mile. However they were extremely concerned that when there were stationary eastbound queues they would effectively be trapped in their road for perhaps hours. They pointed out there were regularly accidents on the northbound A3 that closed the road, and that these were particularly frequent at the Cathedral Interchange. With no gap and stationary eastbound traffic they would be trapped in their road since the private roads and tracks to the north of East Flexford Lane are all but impassable. One resident felt his family's life could be affected by this to the extent he would consider moving.
- 1.22 When the A3 northbound is closed traffic queuing on the Hog's Back is likely to use the U-turn to join the westbound carriageway or continue ahead to use the Farnham Road into Guildford to avoid the A3, so there is likely to be movement on the eastbound Hog's Back, albeit slow.
- 1.23 Residents of Monkhatc were concerned about the length of the diversion at approximately 2.5 miles and at having to use the Puttenham interchange. They consider the right turn exiting the off slip to join the B3000 Puttenham Hill to be particularly difficult and even dangerous and to have more accidents than the gap. They considered something should be done to improve this junction before the gap is closed.
- 1.24 The AHM agreed the right turn can be difficult at busy times, but pointed out the Puttenham interchange is a standard highway junction carrying high volumes of turning traffic and the accident rate per vehicle would be far lower in comparison to the accident rate for the low numbers of vehicles using the gap at Flexford Lane.

1.25 The SCC Road Safety Group has confirmed that no accidents have been recorded by the police on the diversion route at Puttenham interchange since the end of 2011 (diverge to westbound off-slip, right turn into Puttenham Hill, merge to A31 eastbound).

Alternatives to closure

Improve signing and conspicuity

1.26 As at 1.18 above residents think that the right turn could be safer by providing advance signing.

1.27 Advance signing is absent on the A31 on both the eastbound and westbound approaches to the gap and it is difficult for drivers on both carriageways to discern where the crossing is due to the dense screen of trees and shrubs within the central reservation. The signing could be improved and vegetation removed say 20m either side of the crossing. However there is the likelihood that this could result in more drivers attempting to use it and consequently exposing themselves and others to risk as they brake to very low speeds in the offside lanes in order to turn into the gap.

Prohibit entry from the eastbound carriageway and East Flexford Lane

1.28 The crossover is narrow and at a steep gradient since the two carriageways are at markedly different levels. Making it 'one way' from the westbound carriageway to the eastbound carriageway may improve safety as it should remove the possibility of a vehicle slowing and entering from the A31 encountering a vehicle waiting within the crossover to exit in the opposite direction. However, drivers may risk ignoring the signed restriction and the above scenario could still occur.

Provide offside deceleration lanes on the A31

1.29 Deceleration lanes such as that on the westbound carriageway at White Lane near Ash Green have been considered. These would allow turning vehicles to diverge from the main carriageways before braking. However the fairly steep level difference between the two carriageways would be accentuated to the extent that crossing would be unacceptably steep.

1.30 Westbound traffic joining the A31 from the A3 slip road would need to cross into the offside lane to use a deceleration lane, as it does now to use the crossing. The distance between the A3 merge and the crossing is well below that required by national standards to allow this manoeuvre to be made safely.

Extend the 50mph speed limit west beyond East Flexford Lane

1.31 Residents felt high vehicle speeds contribute to accidents and that extending the 50mph limit to the west would improve safety.

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- 1.32 The AHM considers that under Surrey's Speed Limit Policy, which is based to a large extent on existing speed, it is unlikely extending the 50mph limit would be recommended, and doubts it would be supported by the Police who do not carry out enforcement at this location at present.

Reduce the A31 to a single lane in each direction

- 1.33 Residents suggested the A31 could be reduced to a single lane as has been done on the A31 Alton Road at the Surrey/Hampshire boundary. This would allow the introduction of deceleration and acceleration lanes at side roads, private accesses and central reserve gaps.

- 1.34 The Hog's Back carries around double the volume of traffic than is currently using the A31 Alton Road. Reducing to a single lane would nearly halve capacity and a feasibility study would be required to determine the effects on congestion, road safety and the wider road network. The AHM very much doubts a study would recommend such a reduction in capacity on the strategic road network.

SatNav

- 1.35 Residents pointed out that the gap is included on SatNav systems and that this will remain the case if the gap is closed and drivers will attempt to manoeuvre to use it even though it no longer exists.
- 1.36 The AHM has already asked that SatNav companies are instructed to remove the gap from their systems, whether or not the gap is closed. This will apply to future systems but few systems automatically update, and few drivers pay for updates, so it will be on the majority of systems for some years to come.
- 1.37 If the gap is closed permanent red backed 'gap closed' signs will be installed on both A31 approaches.

Previous gap closures on the Hog's Back

- 1.38 Residents said that when a number of gaps were closed in the past, the gap at East Flexford Lane was retained (as well as one at Inwood Farm to the west) and that they were given the undertaking by the Highway Authority these gaps would be remain indefinitely.
- 1.39 The AHM advised that documentation held by Guildford Borough Council (GBC) had been found for the Guildford Partnership Area Transportation Sub-Committee, the predecessor to the current Local Committee. Minutes for meetings record that on 21 April 1999 this committee approved the advertising of a traffic regulation order for the closure of 9 crossover links through the central reservation. In November 1999 the committee approved the making of a TRO giving effect to the closure of 7 crossovers.
- 1.40 GBC retain meeting agendas for only a limited period and no longer have the agendas for these meetings. However one resident thought he had the papers and would send copies to the AHM. These have not yet been received.

1.41 Residents said the closures were accompanied by recommendations to improve signing and side road accesses.

Objections by the Emergency Services

1.42 Residents had heard that the emergency services had objected to the closure. It seems this was based on the opinion of a local Fire & Rescue officer.

1.43 The three emergency services are statutory consultees for closure orders and none submitted an objection (this has been checked since the meetings with residents). Indeed they did not submit any comment, which is the norm unless they wish to object.

1.44 Shortly before the March committee meeting the Ambulance service responded further as follows.

In response to our conversation I would like to detail my views on the proposal. I'm happy for this to be read out at your meeting to discuss the proposal.

'I have on occasions used all the gaps in the A31 Hogs Back in the 16 years I have worked for the Ambulance service and I can understand the local resident views and objections to this proposal and the impact it will have on their journey times. Secamb have Ambulances based at stations in Tongham, Godalming and Guildford serving the local community so if we are sent to incidences where we have to use the A31 Hogs back we would not routinely use a gap except if we were stood down from one incident and sent to another in the opposite direction. Recently this happened when I was travelling Westbound from Guildford and I had to use a gap but felt uncomfortable using the East Flexford gap and continued on to the Puttenham turnoff. I feel the Flexford gap in its current state is dangerous and I would not feel comfortable using it in my own car or while at work driving an Ambulance. There is not enough signage before the junction, it is secluded by trees and there is a high risk of rear-end collisions when braking to negotiate the junction. I think there are alternatives and so I don't object to the proposal.'

Kind regards,

Mark.

Mark Newton

Clinical Team Leader – Guildford

South East Coast Ambulance Service NHS Foundation Trust

Meeting with Surrey Fire & Rescue Service 4 May 2016

- 1.45 Today's agenda item was deferred at the March meeting in part to carry out further consultations with the Fire & Rescue service.
- 1.46 SCC Highways and Road Safety officers and the Surrey Police Road Safety Officer met a senior representatives from the Fire & Rescue services on site on the 4th May 2016. Options for maintaining access for the blue light services only were discussed.
- 1.47 Following the meeting Surrey Fire & Rescue service wrote to SCC Highways as follows.

I write following the site meeting at the A31 cut through adjacent to East Flexford. The fire service position remains the same, that of closing general access to the cutting but maintaining fire appliances access for emergency calls. The cutting is large enough to park an appliance safely while any control measure is opened to facilitate passing onto the Guildford bound carriageway of the A31.

Any restriction for fire appliances would increase our attendance time to East Flexford by 3.5 minutes which further increases for Chalk Pit Cottages as well as the north bound slip to the A3 and subsequent stretch of road until the Royal Surrey turnoff.

We remain committed to road safety and agree with closing the gap for normal use. In this case we would want to retain access to maintain the Surrey Fire Service response standard of 10 minutes for the first fire appliance with a second appliance if required in 15 minutes when responding to an emergency call. The East Flexford attendance time is currently 8 minutes and 19 seconds and would increase to 11 minutes 51 seconds as a result

Apologies for the delay and I hope that our position is understandable.

Regards

Andy

*Andrew Treasure GFireE
Assistant Group Commander
Guildford Borough
Surrey Fire & Rescue Service*

Maintaining access for the emergency services only

- 1.48 While the police and the ambulance service are content for the gap to be closed to them, Fire & Rescue would like to see access maintained in view of the impact of closure on their response times as above.
- 1.49 Having given restricted access by means of lockable bollards or gates careful consideration, highways officers feel such arrangements could have adverse safety implications, and recommend closure to all vehicular traffic with no exemptions.
- 1.50 The Fire Service suggest a gate or bollards adjacent to the Guildford bound carriageway. However this would allow other vehicles to enter the gap from

the westbound carriageway which would find themselves trapped in the gap. It is possible if unlikely that drivers may attempt to reverse back onto the westbound carriageway, which is obviously an extremely hazardous manoeuvre.

1.51 Given the gap will remain on Satnav systems for some time to come, drivers are also likely to attempt to turn right from the eastbound carriageway only to encounter a gate or bollards, with the risk of colliding with either, particularly at night in the absence of street lighting.

1.52 Highways officers recommend the gap is closed by localised kerbing highlighted with lines of reflectorised posts set just behind the new kerblines.

Pedestrians, cyclists and horse riders

1.53 At the March meeting with residents the AHM explained closure was expected to be effected by demountable bollards and that the emergency services hold keys to these (the recommendation is that this is not the case and the gap is closed to all vehicular traffic). Pedestrians, cyclists and horse riders would still be able to use the gap. Residents expressed concern that these more vulnerable users would still be able to cross a dual carriageway at this point.

1.54 Pedestrians, cyclists and horse riders are likely to wish to cross at this location as they do at present and there are no proposals for preventing them from doing so as there is no record of accidents involving these road users.

Missing objections

1.55 Residents felt some objections had been submitted during the formal consultation which are not included in the Annex to this report.

1.56 At the meeting with residents the Area Highway Manager was handed a letter of objection dated 2 June from Mr M J Harrison of Flexford Cottage, East Flexford Lane who objected on the grounds that regular congestion from early morning on the Hog's Back eastbound (towards Guildford) makes the A31 in that direction almost impassable and using the Flexford gap at these times is the only way his family can go about their daily life. He felt that there were good sight lines exiting the gap and so considered it safe to pull out from, and the main issue with using it is its state of disrepair and lack of signs and road markings. He felt that few accidents were related to the gap, rather most were due to lane changing and queuing traffic, and that the Puttenham interchange was more dangerous to negotiate than the gap.

1.57 Fiona Curtis, Vice Chairman of Compton Parish Council submitted an objection by e-mail on 4 June 2015 on behalf of the Parish Council which was not taken to be an objection expressing concern about the significant inconvenience to cyclists, residents and possibly local businesses and asking that other measures be considered to improve safety such as better signage or locally reducing the speed limit.

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1.58 Mr V I A Underhill and Mrs B J Burgess of Flexford Farmhouse, East Flexford Lane submitted a letter of objection dated 14 March 2015, though this was not in response to the formal consultation which ran from 7 May 2015 to 5 June 2013, see para 1.8 of report, and so was not included in the report annex which summarises objections in response to the formal consultation only. In this letter they raised objections on the grounds that closure would seriously hinder access to East Flexford Lane by the emergency services, where there is an existing care home with another in the planning process, that the Puttenham Interchange is a difficult bottleneck, and that people in East Flexford Lane would no longer be able to access the bus stop on the opposite westbound carriageway.

Covenant for the Construction of the Crossing

1.59 The second reason for deferring this item in March was to allow SCC Legal to assess the implications of a covenant included in property deeds relating to the creation of a crossing over the central reservation of the A31 at East Flexford Lane. This had been raised by objectors prior to the March meeting. The following advice has been given by the Highway legal team.

1.60 The Council acquired several parcels of land adjacent to the A31 in 1968 pursuant to the Surrey County Council Highways (No.7) Compulsory Purchase Order 1965 ("the CPO") for the purpose of improvements to the highway, namely dualling the A31 Hog's Back. In the deed dated 20 May 1968 between Colin William Bardwell and John Osmond Julius Stevens ("the Transferors") and Surrey County Council transferring the land following the CPO, a covenant was given by the Council to the Transferors to carry out various works including:

"Opposite the entrance to Monks Hatch Lodge, construct a crossing across the central reservation suitable for private vehicles and adjust the drive to Flexford Farm to suit in line and level. Provide and erect a 12' carriage gate across the drive to Flexford Farm."

1.61 It is this gap across the central reservation, at East Flexford Lane, which is the subject of the proposed closure.

1.62 The covenant was given by the Council to carry out works to create the gap in the central reservation over 40 years ago, at a time when traffic conditions were very different. As a matter of principle, a public authority may not act in such a way that would fetter its discretion in the exercise of its statutory powers. The Council could not bind itself for all future time in its capacity as local highway authority or local traffic authority not to exercise its statutory powers so as to alter the highway arrangement at the location or control the movement of traffic for legitimate safety reasons. Therefore, it is very unlikely that the covenant would be construed as requiring the crossing to be kept open in perpetuity as the Council did not have the power to give such a covenant.

1.63 The fact that the covenant was given to create the crossing and the circumstances in which it was given (on the acquisition of land following the

[www.surreycc.gov.uk/Choose an item](http://www.surreycc.gov.uk/Choose%20an%20item).

CPO), must still be taken into consideration in the decision on whether to proceed with the traffic regulation order, together with the inconvenience to those affected by the proposed closure. These factors must be carefully weighed up against the safety concerns and the lack of any feasible alternatives to closing the gap. For the reasons given above, the covenant would not prevent the Council from exercising its statutory powers to make a traffic regulation order to close the gap if there are legitimate safety concerns which outweigh the other considerations.

- 1.64 Closure of the gap may result in compensation claims from successors in title to the Transferors which the Council would need to consider when and if such claims are made. This falls outside the remit of the Local Committee which is concerned with local highway safety issues. .

Views of Surrey Police and SCC Road Safety Team Manager

- 1.65 The SCC Road Safety Team Manager remains of the view that the gap should be closed in the absence of affordable alternatives. The AHM believes there are no alternatives, affordable or otherwise, that will reduce accidents to the extent that closure would.
- 1.66 The Surrey Police Road Safety officer strongly supports closure and has particularly asked that the record of accidents associated with use of the gap is brought to the committee's attention before they make a decision.

View of the Area Highway Manager

- 1.67 The AHM believes there are no alternatives, affordable or otherwise, that will reduce accidents to the extent that closure would and that the gap should be closed as originally recommended by the Road Safety Working Group for Guildford. While this will undoubtedly inconvenience residents this must be balanced against the record of accidents and injuries associated with use of the gap. The fact that it will remain on SatNav for some years to come is a concern, but this is unavoidable and as 'gap closed' signs would be installed on both A31 approaches this should not be considered good a reason for leaving the gap open.
- 1.68 Similarly the AHM considers gating the gap to allow access for emergency services only is likely to present new hazards for road users which outweigh the additional journey time of 3.5 minutes anticipated by Surrey Fire & Rescue in the event of an emergency in Flexford Lane East.
- 1.69 The Area Team had already identified shortcomings in the signing for side roads and accesses along the length of the Hog's Back and are in the process of carrying out a review, with additional signs funded from the ad-hoc signs & lines budget.

2. OPTIONS:

2.1 Alternatives to closure are discussed within the report, but none are recommended.

3. CONSULTATIONS:

3.1 As described in the report both formal and informal consultations have been carried out.

4. FINANCIAL AND VALUE FOR MONEY IMPLICATIONS:

4.1 The Road Safety Working Group have undertaken to fund in full costs associated with the closure of the gap.

5. EQUALITIES AND DIVERSITY IMPLICATIONS:

5.1 None

6. LOCALISM:

6.1 This is a road safety issue identified by SCC Highways and Police officers.

7. OTHER IMPLICATIONS:

7.1 None

8. CONCLUSION AND RECOMMENDATIONS:

8.1 . In the interest of road safety the committee is asked to proceed with making the traffic regulation order for closing the central reservation gap at East Flexford Lane.

9. WHAT HAPPENS NEXT:

9.1 The order will be made and measures to close the gap will be put in hand by the RSWG. Residents and local members will be advised of likely timescales.

Contact Officer: John Hilder
SCC Area Highway Manager SW
Tel 0300 200 1003

Consulted:

As described within the report

Annexes:

1. East Flexford Lane Consultation Responses

Sources/background papers:

Local Committee for Guildford:

Wednesday 25 March 2015: Item 15: 'Highways Update Report'

Wednesday 30 September 2015: Item 15: 'Highways Update Report'

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