

TO: PLANNING & REGULATORY COMMITTEE **DATE:** 11 January 2017

BY: COUNTRYSIDE ACCESS TEAM MANAGER

DISTRICT(S) GUILDFORD BOROUGH **ELECTORAL DIVISION(S):**
 COUNCIL AND WAVERLEY
 BOROUGH COUNCIL SHERE
 – KEITH TAYLOR

WAVERLEY EAST VILLAGES
 – VICTORIA YOUNG

PURPOSE: FOR DECISION **GRID REF:** 505893 145345

TITLE: **PROPOSED TRAFFIC REGULATION ORDER ALONG PUBLIC BYWAYS OPEN TO ALL TRAFFIC (BOAT) NOS 507, 508 AND 509 (ALBURY) AND 507 AND 517 (WONERSH)**

KEY ISSUE

This report seeks approval to publish a Notice of Intention to make a Traffic Regulation Order (TRO) for Byways Open to All Traffic Nos. 507 (parts of) & 509 (Albury) and 507 & 517 (Wonersh). The BOATs are also classified as 'D' roads 223 and 215. It would be usual to take rights of way cases to the Local Area Committee, however, because it would involve two committees the proposal is brought to this committee in accordance with the Surrey Code of Best Practice in Rights of Way Procedures.

SUMMARY

A request was received to consider whether a Traffic Regulation Order (TRO) for Byways Open to All Traffic (BOATs) 507, 508 & 509 (Albury) and 507 & 517 (Wonersh) should become subject to Traffic Regulation Orders to control motorised vehicles.

The BOAT (No. 507) Ride Lane is narrow, rutted, gullied and prone to wash out large volumes of sand into its lower northern reaches, which fills ditches leading to problems with flooding to adjacent properties and interference with highways. It is also considered that the narrow, sunken nature of the route constitutes a danger to users as there are few opportunities for users to pass each other. The BOAT is currently assessed as condition 3 in the countywide assessment. Condition 3 is the highest level for which the criterion states: - "in need of significant repair - whole route or substantial sections of route in poor condition e.g. deep/founderous mud and/ or significant rutting/erosion." The other BOATs (No. 508- Mayorhouse Lane and Nos. 517 and 509- Pithouse Lane) leading into Ride Lane would become cul-de-sacs if Ride Lane alone were to be closed. Therefore these were also considered for closure.

A traffic regulation order was consulted upon to close the ways to motorised vehicles wider than 1500mm – 4ft 11ins which would prevent further damage to the road. Manually operated barriers with a 1500mm (4ft 11ins) width gap would be placed at

points A, D, F and G (see ANNEX 1) to allow walkers, cyclists, horse riders, quad bikes, most horse drawn carriages and motorcycle access as shown on plan 3/1/52/H31 (Annex 1).

Following consultation the scheme has been modified to take into account the needs and requirements of local residents. The modified proposal would now close only Byways Open to All Traffic Nos. 507 (part of) & 509 (Albury) and 507 & 517 (Wonersh) and provide barriers with a 1500mm (4ft 11ins) width gap at points A1, B1, B2, C1 and F1. Both the proposed closure and the location of structures are shown on plan 3/1/52/H31a at Annex 2.

OFFICER RECOMMENDATIONS

The Planning & Regulatory Committee is asked to agree that:

The grounds for making a TRO as outlined are met across parts of the routes consulted upon, and a Notice of Intention to make an Order should be published only for Byways Open to All Traffic Nos. 507 (part of) & 509 (Albury) and 507 & 517 (Wonersh) to prevent damage to the road and to avoid danger to persons or other traffic using the routes as shown in red on Drawing Number 3/1/52/H31a (Annex 2).

- Where significant (and relevant) objections are received to an advertised proposal to make an Order it will be decided in consultation with the divisional member, and the Planning and Regulatory Committee Chairman/Vice Chairman whether the Traffic Regulation Order may be made.
- If so the Officer with delegated authority in consultation with the Divisional member and the Planning and Regulatory Committee Chairman/Vice Chairman may decide whether to accede to any unresolved objections and decide whether the TRO may be made either with or without modifications, with due regard to the provisions of the Local Authorities' Traffic Orders (Procedure) Regulations 1996¹.
- Where substantial (and relevant) objections are received, or significant modifications proposed, the Officer with delegated authority in consultation with the Divisional member and the Planning and Regulatory Committee Chairman/Vice Chairman, may refer the decision on whether the TRO be made back to the Planning and Regulatory Committee.

¹ See Annex 2

1 INTRODUCTION AND BACKGROUND

1.1 Byways Open to All Traffic (BOATs) Nos. 507, 508 & 509 (Albury) and 507 & 517 (Wonersh) are situated south of Farley Green and extend:

1. Along Ride Lane from Shophouse Lane at Farley Green in a southerly direction for approximately 1.45 miles to Winterfold Heath Road (BOATS 507 Albury and Wonersh). Also known as D223.
2. Along Mayorhouse Lane from BOAT 507 (Albury) west of Robinswood in a generally westerly direction for 0.3 miles to a point east of Mayor House (BOAT 508 Albury). Also known as D223.
3. Along Pithouse Lane from BOAT 507 (Albury) north of Keepers Cottage in a generally westerly direction for 0.8 miles to Madgehole Lane (BOAT 509 Albury and 517 Wonersh). Also known as D215.

1.2 Members are asked to consider the Council's duty under Section 122 of the Road Traffic Regulation Act 1984, to conduct an adequate balancing exercise to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians).

1.3 The County Council as the Traffic Authority has the power to make a Traffic Regulation Order, (subject to Parts I to III of schedule 9 of the Road Traffic Regulation Act 1984) where it considers it expedient: -

- a) 'for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- b) for preventing damage to the road or to any building on or near the road, or
- c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
- e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or
- f) for preserving or improving the amenities of the area through which the road runs'
- g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality)

1.4 The Council's policy as agreed by the Executive on 6 January 2009 states:

(a) That Traffic Regulation Orders be used proactively where a countywide assessment indicates a Byway Open to All Traffic is in poor condition, in need of significant repair and it is considered necessary to restrict traffic, coupled with programmes of repair as resources permit.

(b) That where a countywide assessment indicates a Byway Open to All Traffic is in reasonable condition a Traffic Regulation Order be only made on grounds of significant danger to users of the route, or to prevent significant damage to the route

(c) That the revised Priority Statement and Targets for Public Rights of Way be adopted.

1.5 The Priority Statement and Targets for Public Rights of Way states that the County will process TROs in accordance with County policy as the need arises. Processing TROs is number 4 of 8 in the Priority Statement.

1.6 Level of physical condition in the annual byway assessment:

(1) Good- predominantly good throughout length of route.

(2) In need of some repair- e.g. short section of mud or limited rutting/erosion.

(3) In need of significant repair- whole route or substantial sections of route in poor condition e.g. deep/founderous mud and/or significant rutting/erosion.

1.7 The Council must also consider s. 3 (1) of the Road Traffic Regulation Act 1984 which states:

(1) a traffic regulation order shall not be made with respect to any road which would have the effect—

(a)of preventing at any time access for pedestrians, or

(b)of preventing for more than 8 hours in any period of 24 hours access for vehicles of any class, to any premises situated on or adjacent to the road, or to any other premises accessible for pedestrians, or (as the case may be) for vehicles of that class, from, and only from, the road.

1.8 This requires that we cannot interfere with vehicular access to properties, which can only be exercised along the road in question. The Act does however continue in s. 3 (2) to state:

(2)Subsection (1) above, so far as it relates to vehicles, shall not have effect in so far as the authority making the order are satisfied, and it is stated in the order that they are satisfied, that—

(a)for avoiding danger to persons or other traffic using the road to which the order relates or any other road, or

(b)for preventing the likelihood of any such danger arising, or

(c)for preventing damage to the road or buildings on or near it, or

(d)for facilitating the passage of vehicular traffic on the road, or

(e)for preserving or improving the amenities of an area by prohibiting or restricting the use on a road or roads in that area of heavy commercial vehicles, it is requisite that subsection (1) above should not apply to the order.

2 ANALYSIS

Condition:

2.1 The five byways above were considered for closure in the first round of consultations. Not all of these are in the same condition.

2.2 The north-south BOAT known as Ride Lane (507 Albury and Wonersh) is the most heavily used and the most damaged. Much of it is narrow, rutted, gullied and prone to-wash-out large volumes of sand into its lower northern reaches which fills ditches leading to problems with flooding to adjacent properties and interference with highways. It is also considered that the narrow, sunken nature of the route constitutes

a danger to users as there are few opportunities for users to pass each other. The soft sand upon which the route sits means that it is unusually vulnerable to erosion and would be difficult to undertake preventative works to prevent future erosion. Similarly the deep sunken nature of the way means that it would be difficult to provide additional passing places along the length of the way.



The sunken nature of the track and the rapid erosion of the sand are clearly shown here by this 'hanging gate' on Ride Lane

2.3 A visual assessment of this route indicates that much of this erosion has been caused by 4x4 use rather than by motorbike or equestrian use. This is made clear by the deep parallel ruts and tyre markings along much of Ride Lane. This is then exacerbated by the large volumes of water which run down from the southern end of the lane to the northern end. This BOAT is currently assessed as condition 3 in the most recent countywide assessment. Condition 3 is the highest level for which the criterion states: - "in need of significant repair - whole route or substantial sections of route in poor condition e.g. deep/founderous mud and/ or significant rutting/erosion." It should be confirmed however that the northern-most section A-A1 is in largely good condition as this section is well used by a small number of local properties.



A photograph of the typical, narrow, sunken appearance of Ride Lane (between B and A1) is shown opposite. It shows clearly that 4 wheeled vehicles barely fit along it.

2.4 During inspections Mayorhouse Lane, BOAT 508 (Albury) was found to be in good condition and currently is rated condition 1 in our annual byway assessment. Despite

this it was anticipated that this would also need to be closed to prevent access onto Ride Lane from other sources and not to increase the number of vehicular cul-de-sacs in the network.

- 2.5 Pithouse Lane or BOAT 509 (Albury) and BOAT 517 (Wonersh) is not in such poor repair as Ride Lane and is rated condition 2 in our survey. Like Ride Lane it is rutted and muddy in places and is also very narrow, making it difficult for various users to pass each other. If this were not closed and Ride Lane was, then this would become a cul-de-sac, requiring any 4x4 users entering from Madgehole Lane to turn around at its eastern end (or earlier) where there is very limited space to do so and where some of the most serious damage to the byway has already taken place.



A photograph of the typical appearance of Pithouse Lane (between C and F1) is shown opposite

- 2.6 Permanent TROs would prevent further damage to the surface of the above ways although it is clear that not all of them are in the same state nor have the potential to deteriorate further. It is therefore essential to consider whether to apply any order to all or only part of them and also how the requirements of any local persons having reasonable need of use of them can be accommodated.

3 CONSULTATIONS

- 3.1 In addition to the usual consultation correspondence a meeting was also arranged on-site on 8 December 2016 to which all frontagers and other interested parties were invited. The responses to consultations (including those arising as a result of the meeting) on the proposed Traffic Regulation Order are shown below:

Consultation replies	Officers Comments
<p>Supporters:</p> <p>Mr A. Wreford, Mardons, Shophouse Lane: Ride Lane is badly damaged by 4x4 and motorbikes doing circuits. Noise (and full beam lights) disturbs the environment, often early in the morning or late at night and frightens horses. Many locals who rode or walked Ride Lane now find it too dangerous and there is no escape when vehicles</p>	<p>It is proposed that motorbikes continue to have access to these byways for the time being. Despite some disturbance to the peace of the local area, bikes do not appear to significantly contribute to erosion and if care is taken there is mostly sufficient room for them to pass other users.</p>

<p>approach at speed. He supports the initiative and hopes we consider extending the TRO to motorbikes.</p>	
<p>Paul Adrian Smith, Woodhill Manor, Woodhill Lane: Has land to north of Madgehole Lane, but cannot use due to condition of the lane caused by recreational vehicles. Would hope it would be repaired for pedestrian and agricultural use albeit with key or code for any locks.</p>	<p>Those who require keys will be provided with them. Further consultation will also be taken on whether the standard 10' gate will be sufficient in this case.</p>
<p>Executors on behalf of Dorothy Barrett and Alan Barrett, Mayor House, Farley Green: The executors sadly note that the above owners had recently passed away but agreed in principle subject to any private rights continuing. Any bollards should be of the type which could be removable for lawful users. They wished to know how this would be policed and that access for emergency vehicles would not affect insurance.</p>	<p>Access to Mayorhouse Lane will not now be restricted. It would not be possible for emergency vehicles to physically access much of Ride Lane.</p>
<p>Brian Cohen (local user) : Mayorhouse has no issues and is in good condition. Ride and Madgehole (Pithouse?) Lanes are often in bad condition and often tricky for horses and carriages, sometimes due to fallen trees. Only here can a case be made for closure. Most damage in Ride Lane is by 4x4 and drainage from adjacent land. Much damage on Madgehole is due to access by vehicles for logging, other farming and the shoot. This land also drains into the lane and contributes to its poor surface</p>	<p>The Council is satisfied that the proposal is reasonable under the terms of s. 3 of the 1984 Act outlined in paras. 1.7-1.8 and 4.8.</p>
<p>Sandra Smith (British Horse Society BHS): Believed the idea was good but had concerns that there was no immediate plan to repair the routes. She also noted that any gaps next to gates would need to have a clear and straight approach from both directions to be used by carriage drivers and must be cleared to 10'</p>	<p>Gaps will be of 4'11". They will be placed to maximise both access by legal users and to minimise that by illegal users.</p>
<p>Colin Sandford (Open Spaces Society OSS and BHS): No objections</p>	<p>None</p>
<p>Andrew Bowden (Ramblers- Guildford Rep): Keen to see the condition safeguarded and welcome the action</p>	<p>None</p>
<p>Clive Smith - Area of Outstanding Natural Beauty: The proposal is supported</p>	<p>None</p>
<p>Steve Sharp (Trail Riders Fellowship): No objection to the proposal</p>	<p>None</p>
<p>Comments (neither supporting nor objecting)</p>	
<p>Susan Darling, Mayor House, Farm Cottage, Mayorhouse Lane: She welcomed the closure of Ride Lane to cars and the width restriction but had concerns about her own access. She wanted to know exactly where any gaps would go and that her access from Row Lane to the</p>	<p>The extent of the proposed TRO and the location of proposed structures has been modified in line with comments such as these (see table at para. 4.5). Ms Darling confirmed at the site meeting of 8 December 2016 that she</p>

east would not be stopped as the only other access was from Farley Heath Road for which she pays the Albury Estate for a wayleave. She stated that Pithouse Lane has little traffic and no property	was happy with the amended proposals recommended in this report.
Roger Harold Stone and Karen Jane Stone, Mayor House Farm, Farley Heath: They require permanent access via Robinswood and along Mayorhouse Lane for which their title has a benefit. Their only other access is with licence of the Albury Estate which requires payment of a fee and could be cancelled at any time. Their farm operates a livery yard with 10 staff and regular deliveries.	See above
Graham Cannon, Surrey Police: Had no objection but noted that Surrey Police had no resources to enforce the restriction. The success of it would therefore be down to the type of physical measures in place. He noted that if there was a great deal of non-compliance then the situation would have to be reviewed and other measures considered.	None
Objectors	
Colin and Susan Noon, Pentland, Mayorhouse Lane: They use Ride Lane in a land rover and by horse drawn carriage. It is the only guaranteed means of access to their property. The road was repaired in the past but is not any more. Most local access is from Farley Heath Road with licence from the Albury Estate, therefore Ride Lane access is vital. They do not have a right of way across Tony Catts's land at Robinswood, so no alternative. He hoped we will not proceed and will repair.	As the only outright objector, Mr Noon is the only person who claims to use Ride Lane regularly in a motorised vehicle. In order to preserve his access Officers agreed he could be provided with the code to any combination padlocks which secured the barriers. Mr Noon confirmed at the site meeting of 8 December 2016 that he was happy with the amended proposals recommended in this report so long as he had the code for the combination locks to bypass any gates or bollards.

3.2 No objections were received from any of the Utilities companies consulted. Thames Water confirm that they have plant along most of the ways proposed for closure and indicated that so long as they will continue to have access to this they will not object. BT Openreach appear to have 'built' overhead cables crossing Ride Lane near point B and also across Pithouse Lane near point F. If and where necessary, Utility companies could obtain the code for any combination locks from the Council. Notices at each barrier would provide information about how the Council could be contacted regarding access.

Private rights and wayleaves

3.3 In addition to considerations of repair it is also essential that a full awareness of private rights is obtained. The Council cannot restrict such private rights or the wayleaves of those organisations requiring utilities access. In order to clarify what rights needed to be preserved a site meeting was held on 8 December 2016.




3.4 Mayorhouse Lane is commonly used by the residents of Mayorhouse Lane and their visitors, customers and other guests, who in some cases have no alternative access by right. Several businesses are based here including a livery yard employing 10

staff. Concerns were raised that the only other possible access was from the west from Farley Heath Road and whilst some had a licence to use this from Albury Estate they were very concerned that said licence could be withdrawn at any time. It appears that residents paid for the pleasure of exercising this licence. Day to day access for some was therefore often from Row Lane to the east past Robinswood rather than along Ride Lane although one resident noted that he did not have a right to drive across this access. Examination of the Title deeds show that all residents of Mayorhouse Lane have a recorded private right of access from the east past Robinswood except for Mr and Mrs Noon.

- 3.5 One resident of Mayorhouse Lane claimed that rather than driving from Row Lane he sometimes accessed his property by driving up Ride Lane from Farley Green, sometimes in a Land Rover and sometimes in the past by a horse drawn carriage. This was his only access by right due to the alternative access from the west being by licence from Albury Estate.

4 CONCLUSIONS

- 4.1 As a result of careful inspections of the above byways on the ground and the information acquired from Consultations and the site meeting, it is clear that a blanket TRO across the entirety of the five byways in question is neither feasible nor desirable. There was general support for the closure of Ride Lane and Pithouse Lane subject to existing private rights being maintained or continuing public access for those properties that had no alternative access. In such circumstances codes to the combination locks could be provided for those small numbers of residents or frontagers who had need of them. This has been done successfully elsewhere in the County.
- 4.2 Given the regular access required to the properties along Mayorhouse Lane (B-G) and the good condition of the way it is proposed that this should not be subject to a TRO.
- 4.3 Pithouse Lane would benefit from the closure from both a maintenance and safety point of view. Only one frontager has claimed that they require access. This could be achieved by providing the code to the combination locks and they have agreed they are amenable to this.
- 4.4 Ride Lane is the longest route here and has a large number of junctions with other rights of way; it also provides direct access to a number of properties. It is proposed that most of this route is made subject to a TRO except for short stretches at each end between A-A1, D-E and a small cross-over section to access Mayorhouse Lane between B1-B2 as shown on plan 3/1/52/H31a.
- 4.5 In order to accommodate the above private access requirements it is proposed that the following manually operated structures should be installed as enforcement measures, should a TRO be made:

Point and description	Photograph
A1: Field gate, gap (of 1500mm/4'11") and stumps	 A photograph showing a dirt path that curves through a green field. In the background, there is a large, multi-story building with a stone or brick facade. The sky is overcast.
B1: 2 Lockable bollards, leaving a gap (of 1500mm/4'11")	 A photograph of a narrow dirt path winding through a dense wooded area. The path is covered with fallen leaves and branches. The trees are lush green.
B2: 2 Lockable bollards leaving a gap (of 1500mm/4'11") and stumps	 A photograph of a dirt path through a wooded area, similar to the one in B1. The path is wider and shows more signs of use, with visible tire tracks. The surrounding vegetation is dense and green.

<p>C1: Field gate, gap (of 1500mm/4'11") and stumps</p>	
<p>F1: Field gate, gap (of 1500mm/4'11") and stumps</p>	

4.6 The standard width of a field gate would be 10' except where greater width might be required for access by larger agricultural vehicles. Each gate or set of bollards would be secured by a combination lock and codes provided to allow access where required.

4.7 In order to prevent illegal and informal access onto the controlled sections it is also anticipated that non-removable stumps may need to be inserted may also be required at or around E, D, F1 and C1.

4.8 The Council is satisfied that our duty to public safety, to prevent damage and to preserve or improve the amenities of the area is sufficient for us to 'prevent' public access. Our duties and powers regarding this are outlined in paras. 1.7-1.8 above. In this case, those parties who require vehicular access under s. 3(1) would be provided with the code to the combination lock(s) to allow them to bypass any structures.

5 OPTIONS

5.1 Option 1: It is the Officer's recommendation that a Notice of Intention to make a TRO prohibiting all vehicles over 1500mm (4ft 11ins) width be published. A width restriction of 1500mm (4ft 11ins) will effectively exclude all motor vehicles, except quad- and motorbikes, whilst permitting use by many horse drawn carriages. We recommend that this TRO should apply to the following sections shown on plan 3/1/52/H31a:

A1-B1	BOAT 507(Albury)	Ride Lane
B2-C-C1-D	BOATs 507 (Albury and Wonersh)	Ride Lane
C-F1-F	BOATs 509 (Albury) and	Pithouse Lane

	517 (Wonersh	
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Structures would be installed as outlined in para. 4.5-4.7.

- 5.2 Option 2: The committee could decide that the Traffic Regulation Order apply to a greater or lesser extent of the ways consulted upon or that different structures are installed. If so, committee's reasoning should be a matter of record.
- 5.3 Option 3: To do nothing. The condition of the route is likely to further deteriorate and the problems caused by it at Farley Green at likely to continue. In addition the matter of safety along Ride Lane in particular will not have been addressed.

6 FINANCIAL AND VALUE FOR MONEY IMPLICATIONS

- 6.1 If a Notice of Intention to make a TRO is published this would incur administrative and advertising costs of approximately £3,000. In addition, barriers, traffic signs and installation costs in the region of £3,770 permitting use by vehicles narrower than 1500mm (4'11") would need to be met.
- 6.2 Due to current financial restrictions the Countryside Access team would be unable to pursue this matter to and beyond this decision without securing this funding from some other source. It is understood that both the Local Committee and Albury Parish Council will contribute to fund the remainder of the work.
- 6.3 S. 54(7) of the Wildlife and Countryside Act 1981 does not:
- "...oblige a highway authority to provide, on a way shown in a definitive map and statement as a BOAT, a metalled carriage-way or a carriage-way which is by any other means provided with a surface suitable for the passage of vehicles".*
- 6.4 A BOAT is defined by s. 66(1) of the above Act as a *"highway over which the public have a right of way for vehicular and all other kinds of traffic, but which is used by the public mainly for the purpose for which footpaths and bridleways are so used"*.
- 6.5 At the current time the Countryside Access team maintains BOATs only to a standard suitable for a bridleway and no monies are available to undertake substantial repairs along these routes. It is clear that even if extensive maintenance were undertaken, this would not solve the issues of safety to the public and that this would not be in itself an acceptable or long term solution.

7 EQUALITIES AND DIVERSITY IMPLICATIONS

- 7.1 The TRO will prevent further damage to the surface and make it safer for all other users.
- 7.2 Motorised vehicles and some horse drawn carriages over 1500mm (4ft 11ins) wide will be restricted.
- 7.3 Keys will be provided to those residents and other persons who have reasonable need of access to the closed sections.

8 CRIME AND DISORDER IMPLICATIONS

8.1 Surrey police have no objection to the proposed TRO.

9 REASONS FOR RECOMMENDATIONS

9.1 Officers do not have delegated powers to make or advertise TROs. Officers support the decision to make a TRO because it would meet Surrey County Council Policy and would protect the durability of the byway by preventing damage to the road and prevent danger to users.

10 WHAT HAPPENS NEXT

10.1 Should Members decide to proceed with the TRO, a Notice of Intention to make a Traffic Regulation Order will be published in a local newspaper and on site and all interested parties and user groups will be notified in accordance with the Local Authorities' Traffic Orders (Procedure) Regulations 1996².

10.2 Where significant (and relevant) objections are received to an advertised proposal to make an Order it will be decided in consultation with the divisional member, and the Planning and Regulatory Committee Chairman/Vice Chairman whether the Traffic Regulation Order may be made.

10.3 The Officer with delegated authority in consultation with the Divisional member and the Planning and Regulatory Committee Chairman/Vice Chairman may decide whether to accede to any unresolved objections and decide whether the TRO may be made either with or without modifications, with due regard to the provisions of the 1996 Regulations referred to above.

10.4 Where substantial (and relevant) objections are received, or significant modifications proposed, the Officer with delegated authority in consultation with the Divisional member and the Planning and Regulatory Committee Chairman/Vice Chairman, may refer the decision on whether the TRO be made back to the Planning and Regulatory Committee. Alternatively they could decide that a public inquiry be held by an independent inspector to decide the matter. The costs of this would be in the region of £2-3000. Guidance regarding how such an inquiry would be held can be found in the 1996 regulations already referred to.

LEAD and CONTACT OFFICER:	Daniel Williams, Countryside Access Officer
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BACKGROUND PAPERS:	Available to view at Countryside Access offices, Mellow Depot, Guildford by appointment

² The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Web address - <http://www.legislation.gov.uk/ukxi/1996/2489/contents/made>

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