



## **SPELTHORNE JOINT COMMITTEE – 20 March 2017**

### **Minutes: Annex 1**

#### **AGENDA ITEM 7**

##### **WRITTEN MEMBER QUESTIONS**

**1. Mr Robert Evans will ask the following question:**

“Residents are increasingly concerned about ‘cowboy’ companies running local car parks and issuing ‘parking tickets’. What action can Surrey and Spelthorne take together to restrict these companies?”

**Cllr Ian Harvey, Vice Chairman of Spelthorne Joint Committee and Leader of Spelthorne Borough Council, will give the following answer:**

“As Mr Evans is aware, neither Surrey County Council or Spelthorne Borough Council has any control over the activities on any privately owned site.”

#### **AGENDA ITEM 8**

##### **WRITTEN PUBLIC QUESTIONS**

**1. Mr Andrew McLuskey will ask the following question:**

“It has recently been reported that there are insufficient school places in Staines. Is that still the case and if so what action is being taken to remedy the situation?”

**Melanie Harris, SCC School Commissioning Officer NE Surrey, will give the following answer:**

“It is unclear from the question whether this refers to primary or secondary school places and the origin of the report of a place shortage is also not specified.

It is the legal responsibility of Surrey County Council to ensure that there are sufficient school places in its administrative area ie across Surrey. For

primary place provision we plan in smaller local areas within a borough; and for secondary places we provide them on a borough wide basis. The forecast demand is constantly reviewed throughout the year as new birth, housing or pupil movement trend data becomes available. We are currently planning up to the 2026/27 academic year for both phases.

There are currently 240 primary school places in the Staines and Laleham Planning area spread across four schools. The demand for September 2017 was 239 first preferences so we can meet this demand.

The future forecast demand, (based on the **current** available birth and housing data, and the three year trend of movement in and out of borough and planning area) is that this will be between 236 and 245 places. Therefore, potentially we could be short of around 5 Reception places per year in this area. However, it may be possible to make a reasonable offer of a school place to some families in the neighbouring planning area of Egham and Thorpe in Runnymede Borough. In this area, close to Staines, there is a school called The Hythe which is forecast to have current and future vacancies sufficient to accommodate Staines pupils living close to the bridge. As some Staines pupils have traditionally attended this school this appears to be a reasonable solution to the small deficit of places in Staines. Of course we are keeping this planning area under close review in case the demographics change significantly.

In terms of secondary places for 2017 we have a combined Published Admissions Number (PAN) of 1156 and the first preference demand for places was 1063, leaving a surplus of 93 places or three forms of entry. Many of these spare places are in Matthew Arnold School in Staines.

Looking to the future, the current forecast data indicates that we will have sufficient secondary places in Spelthorne until September 2020. We have planned to add more places into the Ashford area in 2018 thus increasing the borough PAN to 1216 and meeting the rising demand coming from Ashford primary schools. We also plan to expand Sunbury Manor School by 2020, again adding to the net number of places in the borough.

Our strategy is to supply places ready for the years when the demand rises so that we are not funding surplus places and schools are not carrying too many vacancies. This is the best use of public funding.

Further secondary places almost certainly will be required post 2020 and nearer the time we will analyse where the demand is most acute and will negotiate with appropriate schools as to which ones will expand. We do not anticipate requiring more than another four forms of entry (up to 140 places) before 2026 so there is no demonstrable requirement at present for a new school. A four form entry secondary school would not be operationally or financially viable. If there were ever the need for another school of at least 6 FE under the present legislation it would have to be a Free School or an academy and thus would not be managed (or probably even built) by Surrey County Council.”

## **2. Mr Kye Gbangbola will ask the following question:**

*“Question to Surrey CC Spelthorne Joint Meeting - Constituency Households, Flooding, and Landfill*

My question is with regard to the duty of care incumbent on Local Authorities such as Spelthorne BC and Surrey CC, as laid down in the Environmental Protection Act 1990: Part 2A. The 1990 Act requires Local Authorities to seek and deal with unacceptable risk posed by land in order for us all to have quality of life free of the significant risk of harm being caused.

Surrey CC wrote to certain residents in late November to say that the use of self closing airbricks and air brick covers may not be suitable for properties within 250 metres of a landfill site due to the requirement to maintain a ventilated subfloor area and the potential for the airbricks to restrict airflow. Hundreds of Surrey and Spelthorne residents had this equipment installed after the 2014 floods at considerable cost to the public purse; they are now to be replaced - again at the public's expense.

As we are all aware of the current Government squeeze on funding for Local Authorities and that there is a duty of care is to protect us all from *significant* harm then it follows that this remedial action would only be authorised if there is such a significant risk of harm: May I ask:

Exactly what that risk is, and what action Spelthorne BC is taking to protect residents of the Lavenders, South Lake land, Chertsey, which an Environment Agency 2010 report by Peter Brett Associates, Geotechnical Consultant, refers to the land as being an ‘Unacceptable Risk’; defined in the Act as ‘grounds for land to be considered contaminated under EPA Part 2A’, and other landfill within the Borough?”

**Cllr Ian Harvey, Vice Chairman of Spelthorne Joint Committee and Leader of Spelthorne Borough Council, will give the following answer:**

“Firstly I am sure my colleagues on this committee will join me in conveying our deepest sympathies to Mr Gbangbola and Ms Lawler on the tragic loss of their son Zane. I will endeavour to address Mr Gbangbola's question.

One aspect of Mr Gbangbola's question refers to duties under Part 2A of the Environmental Protection Act 1990 and he also asks what action in particular Spelthorne Borough Council is taking to protect residents of the Lavenders, South Lake land, Chertsey.

I would like to emphasise that Spelthorne Borough Council takes any potential risk very seriously. Under Part 2A of the Environmental Protection Act, the Council has made a strategic inspection of all land within its borough. It has done this through a review of readily available information such as historic and current maps to identify potential landfill sites. This review identified the Lavender's Pit South to be a closed landfill site in which with mineral

excavation occurred in the early to mid-1950's and filling completed by the end of 1971.

In 2010 a study was undertaken in relation to the erection of a relief lockkeeper's hut on the Thames side adjacent to the Lavender's Pit south landfill. This study prepared under the planning regime rather than the Part 2A regime, took a precautionary approach as the authors of the report did not have access to monitoring data for the landfill or any previous assessments. The authors consequently concluded that there was a moderate potential for ground gas generation but did not conclude that there was an unacceptable risk at this site.

Following the flooding in 2014, the Council prepared a desk study report to collate all information available and concluded that the Lavender's Pit South site should be kept under review pending information arising from the inquest relating to Zane Gbangbola's death. At the inquest hearing last year, additional information was presented from the Environment Agency and the landowner Brett Aggregates in respect to monitoring information for the site and for land to the north. The Environment Agency, having reviewed the monitoring information, concluded that it had found no data to suggest the presence of hazardous gases and in any event not at a level which might pose potential harm to life.

The Council under Part 2A of the Environmental Protection Act has undertaken to rewrite its Contaminated Land Inspection Strategy and this will be taken to Cabinet and then to Council in June and July 2017 respectively. The new strategy will look forward over the next five year period to 2022, and will set out the Council's strategic approach and priorities under Part 2A. The Council's approach to identifying and remedying potentially contaminated land will principally be via the development control process. The Council will also ensure the continued compliance and enforcement of the duties under Part 2A through both desk based strategic inspection and detailed inspection including intrusive investigation where necessary. Surrey County Council does not have any enforcement role in the regime.

Another aspect of Mr Gbangbola's question refers to letters from Surrey County Council about self-closing airbricks and airbrick covers. This precautionary measure was taken following advice from the Environment Agency that products which restrict airflow beneath a building's floor (such as self-closing airbricks or airbrick covers) may not be suitable for properties within 250 metres of a current or historical landfill site. The letters were sent to households which had installed self-closing airbricks or airbrick covers with a grant from the Government's Repair and Renew Grant scheme and were within 250 metres of a historic or current landfill site. There seems to be an assumption that the decision to offer residents financial help towards removal and replacement of the products would only be authorised if there was a significant risk of harm. In fact, the letters were sent and the financial contribution authorised only as a precaution. It was not due to a significant risk of harm or any specific incident which might trigger an investigation under Part 2A."

**3. Karen Howkins will ask the following question:**

“We would like Charlton Village to be recognised as an area of Spelthorne that requires a higher priority on road safety issues. Our questions to this committee are as follows:

- (i) Is not 7 accidents in 6 weeks along the same stretch of road sufficient to warrant urgent action from Surrey CC?
- (ii) If not what is the magic number or is it as Cllr Walsh told us only a death that will make a change?
- (iii) When will Surrey implement the traffic routing policy?
- (iv) When will they help us to STOP Eco Park vehicles consistently running through the Village?
- (v) When will Surrey CC sort out the Village flooding or does this have to wait until there is another accident before priority is given?
- (vi) When will Surrey CC start to consider their use of Preferred Suppliers when it is costing them in excess of 2½ the amount of other suppliers?”

**Nick Healey, SCC Area Highway Manager (NE), will give the following answer:**

“The Divisional Member for Laleham and Shepperton requested a feasibility study to investigate traffic speed and road safety in Charlton Village, following concerns that had been raised by residents. This feasibility study is now complete, and is included as part of the main agenda.

The study assesses evidence from traffic surveys and from the casualty history, before considering a number of options. The traffic survey evidence suggests a good level of compliance with the 30mph speed limit. There is no dominant pattern evident from the casualty history.

In view of the good level of compliance with the speed limit, and that the frequency of casualties is relatively low when compared to similar roads elsewhere in the County, no engineering measures are recommended at the present time.

In response to the specific points raised by Karen Howkins:

- i) Surrey County Council monitors Personal Injury Collisions in partnership with Surrey Police. Damage only incidents and near misses are not monitored or included in any assessment as there is no record of these. When there is a Personal Injury there is a legal obligation to report an Road Traffic Collision to Surrey Police, which means there is a consistent database for assessment and

comparison purposes. Every six months Surrey County Council's own Road Safety Team reviews new and existing patterns and clusters of Personal Injury Collisions with Surrey Police's Road Safety and Traffic Management Team. If a new pattern or cluster of Personal Injury Collisions were to emerge, this team would review the site and the circumstances of the collisions, and assess whether an engineering intervention might reduce the frequency of casualties. As the report on the main agenda details, there is no dominant pattern evidence from the casualty history. In view of this and the good level of compliance with 30mph speed limit, no engineering measures are recommended at the present time.

- ii) There is no threshold in terms of the number or nature of Personal Injury Collisions before a site is considered. Rather all new and existing clusters and patterns are prioritised to ensure the most needful sites are treated in any given Financial Year. In Spelthorne, for example, the A308 corridor was identified as having a high frequency of Personal Injury Collisions, and as a result a scheme was promoted to reduce the speed limit. Just to the south of Charlton Village, a pattern of Personal Injury Collisions was identified at the junction of Charlton Lane, Charlton Road and New Road, and as a result the 30mph speed limit was extended southwards and new traffic islands constructed.
- iii) Contained within the Eco Park construction project's Construction Environmental Management Plan that was submitted as part of the planning application is a requirement for construction traffic to use a particular route to and from the site via the main A244. In addition temporary warning signs have been installed since the start of the construction works to advise construction traffic drivers that the route they are currently on is not suitable for Eco Park construction traffic.

The principal contractor monitors construction traffic arriving and leaving the site paying attention to any vehicle that does not follow the designated route. Any driver that uses the incorrect route is spoken to whilst on site and if necessary contact is made with the company office to repeat this message. Where the same driver repeatedly uses the incorrect route then they are barred from delivering to the site. This action has been taken on a couple of occasions during the construction period. In addition after an incident of a number of concrete lorries repeatedly using the incorrect route on one particular day action was taken by the principal contractor and the supplier with all lorry drivers replaced with immediate effect. In addition the principal contractor makes every company, that either works at the site or makes deliveries to the site, aware of the correct route to the site via the A244.

At times construction traffic has used alternative routes such as through Charlton village due to the lorry loads being unsuitable to either negotiate the turn at the traffic signalled junction where Charlton Lane meets the A244 because of their length or width or

when the weight of the load is above the acceptable limit imposed by Network Rail on the Charlton Lane railway bridge.

- iv) Since construction of the Eco Park commenced the project Construction Environmental Management Plan has been implemented and enforced by the principal contractor supplemented by regular monitoring by both Suez and Surrey County Council Officers.
- v) Surrey County Council is aware of the ongoing flooding concern in Charlton Village. Some investigatory work has already been completed, but it is reported that the problem still persists. There are a number of flooding concerns in Spelthorne and across the County, and these are investigated in order of priority as resources allow. The flooding concern in Charlton Village is due to be investigated further, but unfortunately no timescales can be given at the present time.
- vi) All activities procured and commissioned by Surrey County Council's Highways Service are subject to competitive tendering processes. The price that was quoted by Highways for the white gates was a typical price from one of Surrey County Council's suppliers. If Surrey County Council had procured the gates, we would have sought a number of quotations from our supply chain to enable us to choose the most economical option."

**4. Michelle Redman will ask the following question:**

"The casualty history on the crash map is not complete & accurate. I have emailed the Area Highways Manager details of 53 year old Gordon White, a motorcyclist, who lost his life 20<sup>th</sup> June 2014, 6 days after a collision with a lorry on the Ashford Rd, Laleham. Another accident took place 2<sup>nd</sup> April 2015, involving a motorcyclist which we believe to be fatal, this is also not showing on the crash map. The Highways Manager is trying to help & find more information on the incidents.

Brett Aggregates are in support of the road being lowered as lorries will be coming in & out for about a year, whilst building the tunnel on the Ashford Rd. I have spoken with them regarding a contribution to this, & they may be open to discussion with the Council.

Could we please ask to have access to Ashford Rd crash reports, change signs to 30 mph & enforce with community speed watch? (This has been promised twice but has never happened.) Once we have all this information, would it be possible for us all to sit down to discuss?

A petition was raised, residents signed, in agreement, to request the speed limit to be reduced to 30mph. These people live next to this road & have to battle to get in & out of drives, not to mention traffic noise, as we are so close to the road. Residents are very willing to be involved with this, please support where we live to find a way to make us feel safe on the road we live."

**Nick Healey, SCC Area Highway Manager (NE), will give the following answer:**

“Casualty data is available to the general public through [www.crashmap.co.uk](http://www.crashmap.co.uk). This website provides the same information that Surrey County Council has access to, drawn from the Police’s database.

With regard to the speed limit, following a petition to the (then) Local Committee in March 2015 the Divisional Member for Staines South and Ashford West allocated funding for a speed assessment and feasibility study to investigate traffic speed in Ashford Road, and in particular whether the speed limit could be reduced to 30mph. This feasibility study is now complete, and is included in the main agenda.

The study assesses evidence from traffic surveys and from the casualty history, before considering a number of options. The traffic survey evidence suggests a good level of compliance with the 40mph speed limit. Traffic speeds are not low enough to reduce the speed limit just by changing signs. Significant traffic calming would be required to reduce traffic speeds to a level commensurate with a reduce speed limit.

The report assesses evidence from the casualty history, and explores a number of options that could be implemented to respond to specific observations.

Officers will review the findings of the feasibility study with the Divisional Member, to facilitate a decision on whether to take any of the options forwards for implementation.

The Community Speed Watch is an initiative promoted by Surrey Police. Residents would need to make a direct approach to Surrey Police on this matter.”

**5. Mr Ken Snaith will ask the following question:**

“Again referring to the rubbish left behind in Sheep Walk, Shepperton, following ditch clearing by SCC and remains part of a decision tracker it was stated at the last joint meeting that there are no funds available for this until the new financial year. As we will be in the new financial year in a few weeks time can I formally request on behalf of the Shepperton Residents Association that this is funded as a priority.

The minutes refers to a kind offer made by Cllr Griffiths to use her community group to do this, but post-meeting discussion indicated that the type and volumes of rubbish would not be able to be handled by that group.

A significant pile of clay and other material was fly-tipped on the Sheep Walk highway and subsequently removed by SCC. If funds can be found to remove third party rubbish why has there been such a delay in dealing with that left by SCC?”

**Nick Healey, SCC Area Highway Manager (NE), will give the following answer:**

“Surrey County Council is responsible for making safe any fly tip on the Public Highway, which occasionally necessitates removal of a fly tip by Surrey County Council, for which budget provision is made.

It is normal practice for the arisings from a ditch clearance to be left on the verge adjacent to a ditch, and for nature to be allowed to take its course. These arisings do not present a safety concern. Any removal of the ditch arisings would need to be funded by the Joint Committee.

A cost estimate has been obtained for the removal of the arisings from the ditch clearance, and this has been provided to the Divisional Member. A decision will need to be taken as to whether it is a high priority to clear the ditch arisings, when the Joint Committee’s Highways budgets for next Financial Year 2017-18 have been confirmed.”

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