

DRAFT

Minutes of the meeting of the
Waverley LOCAL COMMITTEE
 held at 10.00 am on 9 March 2018
 at Hale Institute Village Hall, Wings Road, Farnham GU9 0HW.

Surrey County Council Members:

- * Mrs Victoria Young (Chairman)
- * Mr Richard Hampson (Vice-Chairman)
- Mr David Harmer
- * Mr Andy MacLeod
- * Mr Peter Martin
- * Dr Andrew Povey
- Mr Wyatt Ramsdale
- * Mrs Penny Rivers
- * Mr Stephen Spence

Waverley Borough Council Members:

- * Cllr Carole Cockburn
- * Cllr James Edwards
- * Cllr Pat Frost
- * Cllr Jerry Hyman
- * Cllr Denise LeGal
- * Cllr Denis Leigh
- * Cllr David Round
- * Cllr Richard Seaborne
- * Cllr Liz Townsend

* In attendance

OPEN FORUM

Members of the public asked questions of the committee relating to Surrey County Council functions. Attached at Annex A are the questions and answers summarised.

1/18 APOLOGIES FOR ABSENCE [Item 1]

Apologies for absence had been received from the Chairman County Councillor Victoria Young, and County Councillors David Harmer and Wyatt Ramsdale.

2/18 MINUTES OF PREVIOUS MEETING [Item 2]

The minutes of the previous meeting were approved as a correct record of the meeting.

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3/18 DECLARATIONS OF INTEREST [Item 3]

County Councillor Stephen Spence declared a personal interest in Item 9 of the agenda, as he was a member of the Ramblers Association.

4/18 CHAIRMAN'S ANNOUNCEMENTS [Item 4]

There were no Chairman's Announcements made at the meeting.

5/18 PETITIONS [Item 5]

There were no petitions received for submission at this meeting.

6/18 PETITION RESPONSES: ROAD SAFETY OUTSIDE SCHOOLS IN WITLEY [Item 6]

Members considered a report responding to two petitions submitted to the Waverley Local Committee on 8 December 2017 requesting improvements to road safety in the surrounding areas of Witley Infant School, Barrow Hills and Chandler Junior Schools.

The Witley Parish Council clerk, alongside the local members County Councillor Peter Martin and Borough Councillor Denis Leigh, thanked the officers for the report and supported the proposals. Councillor Martin asked that if the highways schemes were progressed that a detailed consultation with residents be carried out beforehand.

The Waverley Local Committee agreed that the:

- (i) Measures set out in Tables 1 & 2 of the committee report be carried out, with the dropped kerb improvements carried out when funding is identified.
- (ii) Measures set out in paragraphs 3.3 & 3.6 of this report would be added to the list of possible future highway improvements in Waverley for prioritisation and consideration for future local committee funding.
- (iii) Safer Travel Team would work with the schools to take up more of the road safety education and training activities offered by the county council.

Reasons for decisions:

These proposed highway measures will help improve the road environment to encourage more walking, cycling and scooting to school. The proposals would therefore also help reduce congestion and driver frustration in the immediate area of these schools. The measures suggested would need to be prioritised alongside suggestions for other highway schemes across Waverley. The recommended school travel plan and road safety education improvements would also help to improve road safety and reduce reliance on the car for the school journey.

7/18 WRITTEN MEMBER QUESTIONS [Item 7]

There were no members questions submitted for this committee.

8/18 WRITTEN PUBLIC QUESTIONS [Item 8]

Four public questions were submitted to this committee. The questions, answers and supplementary questions are attached at Annex B.

9/18 RIGHT OF WAY: ALLEGED PUBLIC FOOTPATH BETWEEN NEW ROAD AND CLOCK BARN LANE, BUSBRIDGE [Item 9]

Members considered an application to recognise a public footpath between New Road and Clock Barn Lane in Busbridge.

Declarations of Interest: County Councillor Stephen Spence declared a personal interest in this item as a member of the Ramblers Association.

Officers in attendance: Debbie Prismall, Senior Countryside Access Officer

Mr Richard Flavell, who was objecting to the officer recommendation made the following points:

- At previous meetings the officer had stated that there was not sufficient evidence to meet the statutory obligations to make the order
- That there had been a barbed wire fence across the entrance to stop people using the pathway at a point in the last 20 years
- Previous cases had evidenced that public footpaths could not end at a cul-de-sac.
- That user evidence had not been reported correctly and that as the landowners they should not have to foot the bill for repairs.

The Countryside Access Officer introduced the report stating that recent legal advice was that public footpaths could end in cul-de-sacs, that none of the users remember a barbed wire fence across the footpath especially one that infringed their ability to use the footpath, and that the legal advice on which to consider the application was attached at Annex B of the report.

Member discussion: Key points:

1. It was a difficult application as there was diverging opinion on the evidence, and members could understand the viewpoints of both the applicant and the landowners. But overall the members were in support of the officer recommendation especially as there was a 6 week consultation period where objections could be received and assessed.

The Members voted on the officer recommendation, the result of which was 12 for the recommendation, 2 against and 1 abstention.

The Local Committee (Waverley) agreed that:

- (i) Public Footpath rights be recognised over the route shown B – C – D - E on drawing no. 3/1/3/H13a and that a Map Modification Order be made under sections 53 and 57 of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement. The route would be known as Public Footpath No. 602, Busbridge.

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- (ii) If objections are maintained to such an order, it would be submitted to the Secretary of State for Environment, Food and Rural Affairs for confirmation.
- (iii) Public Footpath rights are not recognised over the route shown A – B on drawing no. 3/1/3/H13a and as such no Map Modification Order be made.

Reasons for decision:

The evidence submitted in support of the application was considered insufficient to prove that public rights are established over A – B but sufficient to establish that public footpath rights are reasonably alleged to subsist over B – C – D - E, having been acquired under both statutory presumed dedication (under s.31(6) of the Highways Act 1980) and common law. It was considered that the landowners have not taken sufficient actions to demonstrate their lack of intention to dedicate the section B – C – D – E during the relevant period. Therefore, a Map Modification Order to modify the Definitive Map and Statement by the addition of a public footpath as described above should be made under s. 53 of the WCA 1981.

10/18 CABINET MEMBER FOR HIGHWAYS: UPDATE [Item 10]

Declarations of Interest: None

Cabinet Member in attendance: Surrey County Council Cabinet Member for Highways, Cllr Colin Kemp

Report Author introduction:

1. This was a follow up meeting, having attended the September committee, to update the members on the overall highways programme for the Waverley area, and discuss the process for identifying the schemes for the 2018/19 and future programmes, to start discussions on individual roads. The Cabinet Member mentioned that in future reports there would have more detail on when roads were deferred, and for the future schemes annex would include the current priority rating for information.
2. It was understood that there was not enough funding to do everything that members and residents wanted to do, but that the increased local committee funding, and the additional £5million to help address the impacts of the cold weather was helpful.
3. In addition, local county councillors were being given £7,500 to spend on local highways items to empower them to support local residents. The criteria for this was currently being finalised and would be with members as soon as possible, with a menu of prices for different types of highways items.

Parish Council representatives had been invited to raise questions with the Cabinet Member on this item, the following were the key points:

1. Witley Parish Council representative asked what the timescales were for engaging on the scheme lists. The Cabinet Member stated that comments on the 2018/19 list were needed ASAP, comments on the 2019/2020 lists by June, and that the £5million to address cold weather would be an evolving list.
2. Haslemere Town Council Chairman asked who was responsible for potholes arising where utility companies had been working. The Cabinet Member responded stating that utility companies were required to repair the road, but SCC paid for any consequential damage.
3. Dunsfold Parish Council Chairman asked what the process was for engaging with the Cabinet Member on key roads in the parish and getting them onto the programme. The Cabinet Member responded stating that the link was through the county councillor for the area. Any correspondence to him needed to also be copied to the local county councillor.
4. Elstead Parish Council Chairman asked whether the £7,500 county councillor funding could be used for footpaths and bridleways improvements. The Cabinet Member responded stating that the criteria was soon to be finalised, and he would publicise this at that point.

Member discussion: Key points:

1. Members were in support of the delegated funding to local committees and the county councillors, but requested that the menu of options be properly costed, as previously the costs had not translated into practice when requested. The Cabinet Member agreed with this, but stated that members needed to be aware of their environment, the same scheme on a larger road would cost more than a smaller road as there might be additional costs involved.
2. Members commended the Cabinet Member on the communication that took place on works during the cold weather, the information was much better than previous years and showed leadership and an understanding of what residents needed. The Cabinet Member thanked members and stated that yes the work that took place happened in the same way as previous years but the communication was the big difference this year.
3. Members discussed the current Government bidding round for funding for infrastructure, and the Wrecclesham Relief Road, and who was responsible for coordinating the work. The Cabinet Member stated that the Government was asking for proposals for up to £100million to improve the economy, and that a number of schemes were being considered for submission from Surrey County Council, the Wrecclesham Relief Road being one. The decision would be made by the Leader, Deputy Leader and the Cabinet Member for Highways.
4. Members asked for clarity about the different pots of funding that was available to local committees and councillors.

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The Waverley Local Committee agreed to note the report, following the comments made for consideration by the Cabinet Member for Highways.

11/18 HIGHWAYS UPDATE (EXECUTIVE FUNCTION) [Item 11]

Declarations of Interest: None

Officers in attendance: John Hilder, South West Area Highways Manager and Adrian Selby, Maintenance Engineer for South West Surrey.

Member discussion: Key points:

1. There was some confusion as to which of the funds needed to be spent within 2017/18 and which could be rolled over into 2018/19. It was agreed that there would be communication making it more transparent coming to members.
2. There was also confusion about how the s106 monies was identified within the report, the Area Highways Manager stated that he was finding out the latest figures currently.
3. There was a discussion about the highways schemes that would be required to alleviate the traffic within Farnham. It was noted that the sums needed to address this outweighed the funding for the local committee. The Area Highways Manager agreed but mentioned two schemes that Surrey County Council was considering submitting for the current round of Government funding, if selected these could fundamentally change traffic patterns in Farnham, but unlikely to be started before 2025.

The Local Committee (Waverley) agreed:

- (i) To note the capital works being progressed during 2017/18
- (ii) To note the ongoing revenue works being carried out.
- (iii) To delegate to the Area Highway Manager, in consultation with the Chairman and Vice Chairman and Divisional Member, the ability to resolve any problems encountered to facilitate scheme delivery throughout the year.
- (iv) The highways budget for 2018/19 be utilised as set out in the committee report.

Reasons for decision:

This enables the area highways team to progress highways works within the 2018/19 financial year.

12/18 LOCAL COMMITTEE DECISION TRACKER (FOR INFORMATION) [Item 12]

Declarations of Interest: None

Officers in attendance: Michelle Collins, Partnerships Lead (West Surrey)

The Waverley Local Committee agreed to remove the following items off the decision tracker, as they had been completed:

- Petition relating to the Fox Pub, following the response at the last committee

- That the report on the proposed rights of way considered earlier was brought to this committee
- That a report on the road safety outside schools has come to this committee
- That a report on the highways schemes for 2017/18 has come to this committee.

13/18 LOCAL COMMITTEE FORWARD PROGRAMME 2017-18 [Item 13]

Declarations of Interest: None

Officers in attendance: Michelle Collins, Partnership Lead (West Surrey)

The Waverley Local Committee agreed the forward programme, with a report to a future meeting relating to general infrastructure across the borough being added to the forward programme.

14/18 DATE OF NEXT MEETING [Item 14]

The next meeting of the Waverley Local Committee is due to take place on 29 June 2018, at Waverley Borough Council, Godalming.

Meeting ended at: 12.10pm

Chairman

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