

**DRAFT**

Minutes of the meeting of the  
**Tandridge LOCAL COMMITTEE**  
 held at 10.15 am on 22 June 2018  
 at Tandridge District Council offices, Station Road East, Oxted, RH8 0BT.

**Surrey County Council Members:**

- \* Mrs Rose Thorn (Chairman)
- \* Mr Cameron McIntosh (Vice-Chairman)
- \* Mr Chris Botten
- \* Mr David Hodge CBE
- \* Mr David Lee
- \* Mrs Lesley Steeds

**Borough / District Members:**

- \* District Councillor Pat Cannon
- \* District Councillor Nick Childs
- \* District Councillor Michael Cooper
- \* District Councillor Martin Fisher
- \* District Councillor Simon Morrow
- \* District Councillor Sir Nicholas White

\* In attendance

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**13/18 APOLOGIES FOR ABSENCE [Item 1]**

Apologies received from Cllr Simon Morrow and Cllr Martin Fisher.

**14/18 MINUTES OF PREVIOUS MEETING [Item 2]**

The minutes from the previous meeting on the 20 April 2018 were agreed as a true record and signed by the Chairman.

**15/18 DECLARATIONS OF INTEREST [Item 3]**

None received.

**16/18 PETITIONS [Item 4]**

**Declarations of Interest:** None

**Officers attending:** Zena Curry, Area Highways Manager

The lead petitioner Mr John Fairclough, Chairman of Charters Village Residents Association presented the petition. He told the committee that concerns regarding speed on this road were first raised by FAST (Felcourt Against Speeding Traffic in 2012, and a petition was brought to the Local Committee in 2014 requesting traffic calming measures on the road. Due to the elderly people leaving at Charters Village they often struggle with crossing

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the road to the bus stop and it is of great concern that the speeds are too fast, there needs to be a physical change in order to make drivers reduce their speeds. He suggested that painting hatching to reduce the width of the road may reduce the speeds on this road.

The Area Highways Officer, thanked the lead petitioner for their attendance and for the work they had done on their petition and for considering lower cost options. For comparison purposes for average speeds, the calculation does not include the speeds above the 85<sup>th</sup> percentile. The Area Highways Manager was aware that work was being done to look at the accessibility of bus stops and she would look into this bus stop to see where it is placed on the programme.

### **Members Discussion- Key Points**

The following points were raised:

- The Divisional Member confirmed she would support any speed reductions on this road, not just for Charters Village but for all residents in the area. Whilst she appreciated the budget constraints of the Committee, she asked if she could use some of her Member Highway Fund to install a sign warning drivers to look out for elderly people.
- Would all residents to sign the petition set up by a SCC Member for fairer funding in Surrey. Funding for Highways for Surrey from central Government was £11million lower compared with neighbouring Counties. Should the petition reach 100,000 signatures will be debated in the House of Commons.
- Concerns over the pavement from Charters Village to the bus stop and whether the road is gritted during the winter. The Officer advised she would also look into the gritting of the road and also the pavement programme.
- Whether the developer could be asked to fund improvements. The Officer advised that the layout and speeds of the road would have been taken into consideration when the when planning permission granted. Mrs Lesley Steeds confirmed she was aware that the S106 funding was very small for this site but she had spoken to the Director of the Village and £5000 was previously ring fenced for if improvements were required. She was aware that a planning application was put forward for a further 36 units which would mean CIL funding could be available.

### **Resolution**

Local Committee (Tandridge)

- (i) NOTED the Officer's response

## **17/18 FORMAL PUBLIC QUESTIONS [Item 5]**

One formal public question had been received. The response was provided in the supplementary papers.

Cllr Nicole Morrigan attended on behalf of Caterham Valley Parish Council. She felt there had been a misunderstanding in the response as the request was for a pelican crossing where a button needed to be pushed and not a re phasing of the lights.

### **Members Discussion – Key Points**

The following points were raised:

- The Divisional Member, Mr David Lee agreed that the request would not be to stop the flow of traffic. He would like to have a discussion with officers regarding a box junction/keep clear.
- Would the Parish would be willing to put in any of their own funds in order to move a scheme forward. The Parish Councillor confirmed she would discuss at a council meeting to see if this was possible.

The Officer confirmed she would look into the proposal for a push button crossing if it could be part funded. Although this would not be a full feasibility study which would take into consideration full cost it would be a broad figure to base a discussion for joint funding on.

### **Resolution**

The Local Committee NOTED the response.

### **18/18 MEMBERS QUESTIONS [Item 6]**

No formal Member questions received.

### **19/18 DECISION TRACKER (FOR INFORMATION) [Item 7]**

**Declarations of Interest:** None

**Officer attending:** Sarah Woodworth, Partnership Committee Officer

**Petitions, Public Questions, Statements:** None

The Officer introduced the item explaining that this document monitors progress against the decisions that the Local Committee has made.

### **Member Discussion – Key Points**

The following points were raised:

- Mr Chris Botten offered to speak with the District to assist with releasing the funds from S106 for a crossing point on Banstead Road.
- The 'keep left' signs in Blindley Heath near the request for a crossing were still missing.
- Concern that the speed table in Dormansland was desperately needed and the Parish have offered £12,500 towards the scheme. The Area Highways Manager advised that there is not the current level of funding required for this scheme however it remains on the list should further funding become available.

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- The Rook Lane scheme update is missing from the end of the Banstead Road update. The Area Highways Manager confirmed that it had not been forgotten and apologised as appeared to be an admin error from the tracker. Mr Botten, Cllr Cannon and the Area Highways Manager would meet outside of the meeting to discuss the scheme further.

The Committee agreed that the two items marked as closed, the on street parking enforcement report and the Farleigh road crossing point be removed from the tracker as complete.

### Resolution

- (i) The Local Committee (Tandridge) NOTED the contents of the report and;
- (ii) Agreed to remove the closed items detailed above from the tracker.

## **20/18 ALLEGED PUBLIC RIGHTS OF WAY BETWEEN BLUEHOUSE LANE AND SILKHAM ROAD, OXTED (OTHER COUNTY COUNCIL FUNCTION) [Item 8]**

**Declaration of Interest:** None

**Officer attending:** Debbie Prismall, Senior Countryside Access Officer

### **Public Speakers:**

Mrs Jackie Wren spoke in support of the application, and made the following points:

- This was a popular path with a variety of users such as school children, dog walkers, runners and those enjoying the countryside.
- 70 residents gave evidence that they had used the paths, some of which for 40 years.
- It provided beautiful walks and enjoyed by many local residents.

Mr Berryman spoke in objection as the land owner and farmer of the field L-N. He made the following points:

- He bought the land in 2012, and confirmed when purchased with the County Council that there was no right of way across the land.
- Shortly after buying the farm, he cleared the land and erected fences all around the field to keep his livestock safe. Mr Berryman stated that before the land may have looked unused but since 2012 it has been part of his farm.
- As he does not live on the site he cannot always tell people that the land is private but when he does he is often met with hostility.
- A young calf was hurt and killed and he suspected that a dog being walked across the land may have frightened the cows and the calf was pushed into the fence.

Ms Katie Lamb (representing Mr Charlie Tory and Oxted Residential Ltd) spoke in objection and made the following points:

- The report does not give a balanced view.
- The fences had been regularly cut and damaged so people were trespassing on the land.
- The user evidence forms are not credible as many of those were not listed on the electoral roll or prepared to provide evidence in an appeal hearing.
- The applicant is part of a political group, OLRG who are against development in Oxted so wish to bring the application forward to stop development in the local area.
- Mr Tory had been unable to attend due to personal reasons, and officers had declined the request to defer the decision.

The applicant Mr Peter Giles took the opportunity to respond to the objections raised. He made the following points:

- For the middle field to be cleared by the farmer, machinery would have been required to enter at point L and therefore fencing would not have been erected at this time.
- Should a planning permission be given for a development the footpath could be diverted, so to stop any building work would not be a reason for the application.
- The objectors raise assertions that local residents are lying on their forms and not following the Countryside code. Regarding the land registry details these did not give information of those who were renting property.

The Officer responded to the points raised. She stated that from those who completed the user evidence forms, 10 were interviewed by officers. The county council is bound by legislation not to consider matters of safety or convenience when considering an alleged right of way application. The County Council had deferred this decision from the March meeting as the objector submitted a statement which had to be investigated by officers, and advice from the legal department at Surrey was sought. As the decision had already been deferred once and all notified of this June date on 1 February, officers considered that those wishing to speak had sufficient notice of the timing of the meeting, and had been advised that a statement could be read out on their behalf if they were unable to attend in person. The Officer reiterated that if Members decided on the evidence to make an order this decision would be the start of the legal process. There would be a further 6 week consultation period for objections to be raised before being submitted to the Secretary of State for a possible public inquiry, where an inspector would determine the case.

### **Members Discussion: Key Points**

- Members agreed they felt great sympathy for the farmer and his situation.
- Members noted they were bound by the legislation to consider whether the public had acquired rights over the past 20 years and they

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did not consider that they had sufficient legal ground to overturn the officer's recommendations in this regard.

### **Resolution**

The matter was put to the vote with a show of hands.

Members in favour of recommendations (i) and (ii) : 10

Members opposed to recommendations (i) and (ii): 0

Members abstaining: 0

The Local Committee (Tandridge) AGREED that:

- (i) Public Footpath rights are recognised over the routes shown on Drawing no. 3/1/31/H11a as:
  - a) Claimed footpath no. 612 between points A – A1 - B – C – D – E – L – M – K – N – F
  - b) Claimed footpath no. 613 between points G – H – D and E – I – I1 – J
  - c) Claimed footpath no. 614 between points H – C and B – I

and that a MMO under sections 53 and 57 of the Wildlife and Countryside Act 1981 be made to modify the Definitive Map and Statement for Surrey.

- (ii) In the event of the County Council being directed to make a MMO by the Secretary of State following an appeal by the claimant, the County Council as surveying authority will adopt a neutral stance at any Public Inquiry or Hearing, making all the evidence available to help the inspector determine the case.

### Reasons for recommendation

The County Council has a duty under Section 53 of the Wildlife and Countryside Act 1981 (WCA1981) to modify the Definitive Map and Statement (DMS) if it discovers evidence which on balance supports a modification.

### **21/18 OXTED CHALKPIT, CHALKPIT LANE, OXTED (DECISION - SERVICE MONITORING AND ISSUES OF LOCAL CONCERN) [Item 9]**

As the Chairman is a member of the SCC Planning and Regulatory Committee, which is due to consider the issues around the Chalkpit in the near future, she handed over to the Vice- Chairman and left the room for the duration of this item.

**Declarations of Interest:** None

**Officer attending:** Caroline Smith, Planning Development Manager

**Petition: Public Questions, Statements: None**

The Vice-Chairman welcomed Woldingham Parish Council to the meeting, and thanked them for attending for this item. The Vice-Chairman reminded Members that as this is a current planning application they must be mindful of the questions asked of the Officer as she will not be able to express an opinion only be able to respond to questions of fact. The Local Committee has no status in respect of the determination of the application, and consideration of the merits or otherwise are solely a matter for the Planning and Regulatory Committee.

The Officer introduced the report, stating that the application for a ROMP is to modernise the planning conditions attached to the permission for the quarry and therefore cannot be refused. The quarry operators have permission to operate there.

There has been delay hearing the item at the Planning and Regulatory Committee as further evidence is sought from the applicant as to the impact of their operation. Whilst the time taken to agree this is regrettable, SCC need to ensure that the decision made does not affect the asset value of the site nor future economic viability.

**Members Discussion- Key Points**

The following points were raised:

- Mr Cameron McIntosh, Divisional Member expressed that he does appreciate the frustrations of the local residents but also understands the complex constraints that the county council are bound by, as they have to work within the set guidelines set by law. There are currently no conditions in place to limit the number of vehicle movements, following the Environment Agency's decision to increase the amount of permitted infilling, and he is working hard to ensure that there is something in place to limit the local impact on residents.
- Whether the Environment Agency consult with SCC before agreeing to double the tonnage. The Officer confirmed that they did not, however nor were they obliged to.
- Concerns were raised that the counters were not in place to monitor and deal with what had been imposed on local residents and Surrey.
- Members were frustrated that the Environment Agency had determined this without consultation, and urged the MP to do more to both encourage the EA to reconsider this decision, and to take forward the wider issues around ROMP legislation in parliament
- In relation to recommendation ii, members asked how the width restrictor would improve the matter. The Officer advised that at the moment there is no physical width restrictor, only a sign which local residents state is being ignored as lorries travel down from The Ridge. Should a restrictor be put in place SCC would need to ensure it is a restriction that can be objectively defended at an enquiry. Whilst there is no evidence to suggest they are lorries travelling to the quarry, if they are indeed travelling to the quarry by that route, they are in breach of the conditions of the Traffic Regulation Order.
- The Committee were advised by the Chairman of Woldingham Residents Association that the signs at the top of Chalkpit Lane advising of a width restriction had been turned around. The Area

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Highways Manager advised that she would send someone to the site and rectify.

### **Resolution**

The Local Committee (Tandridge):

- (i) NOTED the contents of the report.
- (ii) AGREED to add a feasibility study to the Integrated Transport Schemes (ITS) list for consideration for future funding. The feasibility study would investigate the possibility of installing a physical width restriction on Chalkpit Lane between the chalkpit entrance and The Ridge.

### **22/18 A25 GODSTONE ROAD, BLETCHINGLEY, SPEED LIMIT REVIEW (DECISION -EXECUTIVE FUNCTIONS) [Item 10]**

Item deferred by the Chairman so that officers can provide further information.

### **23/18 HIGHWAYS SCHEMES UPDATE (INFORMATION - SERVICE MONITORING AND ISSUES OF LOCAL CONCERN) [Item 11]**

**Declarations of Interest:** None

**Officer attending:** Zena Curry, Area Highways Manager

**Petitions, Public Questions, Statements:** None

### **Members Discussion – Key Points**

- Mrs Lesley Steeds, asked for clarification to 2.1 on p62 with regards to culverts being covered by a central budget as she was using her Highways allocation on Bones Lane. The Area Highway Manager advised that the culvert on Bones Lane needed to be reinforced and therefore would not currently meet the criteria for the major projects budget so Divisional Members asked to use their allocation to maintain it.

### **Resolution**

The Local Committee (Tandridge) NOTED the contents of the report.

### **24/18 ON STREET PARKING ENFORCEMENT UPDATE (SERVICE MONITORING AND ISSUES OF LOCAL CONCERN) [Item 12]**

**Officer attending:** David Curl, Parking Team Manager

**Public Questions, Petitions and Statements:** None

The Parking Team Manager advised that unfortunately an officer from Reigate and Banstead Borough Council was not able to attend the meeting. The current agency agreements for on- street parking enforcement will end on the 31 December 2018. The Surrey County Council Cabinet Member, Colin Kemp is currently in discussion with Tandridge District Council Officers to discuss future arrangements.

#### **Members discussion- Key points**

- Mr Chris Botten advised that his motion to Tandridge District Council of no confidence in the current arrangements had passed unanimously. He felt new arrangements need to meet local need.
- A question was raised with regards to the number of visits and tickets issues which would suggest the way enforcement officers carry out their routes, appeared to not be most effective. This led to the feeling that many residents would take the risk that they would not be ticketed and could park where they liked as unlikely to be caught.
- An additional recommendation was proposed by Chris Botten and seconded by Michael Cooper.

#### **Resolution**

The Local Committee (Tandridge):

- (i) NOTED the contents of the report
- (ii) **AGREED to express their concerns at the lack of flexibility and responsiveness to local need of the current on street parking enforcement arrangements, and resolves to endorse the District Councils motion of no confidence.**

#### **25/18 LOCAL COMMITTEE COMMUNITY SAFETY FUNDING AND REPRESENTATION ON TASK GROUPS AND EXTERNAL BODIES (EXECUTIVE FUNCTION)) [Item 13]**

**Declaration of Interest:** None

**Officer attending:** Sarah Woodworth, Partnership Committee Officer

**Public questions, Petitions and Statements:** None

The Officer introduced the report, stating that this is a standing item at the start of each municipal year.

#### **Resolution**

The Local Committee (Tandridge):

- (i) **AGREED** that the committee's delegated community safety budget of £3000 for 2018/19 be retained by the Community Partnership Team, on behalf of the Local/Joint Committee, and that the Community Safety Partnership and/or other local organisations be

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invited to submit proposals for funding that meet the criteria and principles set out at paragraph 2.4 of this report.

- (ii) AGREED the authority be delegated to the Community Safety Manager, in consultation with the Chairman and Vice-Chairman of the local committee, to authorise the expenditure of the community safety budget in accordance with the criteria and principles stated at paragraph 2.4 of this report.
- (iii) AGREED the committee receives updates on the project(s) funded, the outcomes and the impact it has achieved.
- (iv) APPROVED **Rose Thorn represent the committee** on the East Surrey Community Safety Partnership, as set out in paragraph 2.8.

Meeting ended at: 12:43pm

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**Chairman**