



**SURREY COUNTY COUNCIL
LOCAL COMMITTEE EPSOM & EWELL
16 September 2019**

PUBLIC QUESTIONS AND STATEMENTS

Question 1 – James and Donna Caird

Re: Abelea Green Proposed relaxation of parking restrictions

Can the Committee confirm how many parking wardens will be in attendance of St Margaret Drive to manage the safety concerns we have.

Officer Response:

The role of Civil Enforcement Officers is to monitor compliance with parking restrictions, not to monitor driver behaviour and they will carry out this role in the same way as at any site. Parents who drive their children to and from school routinely park on public roads in the vast majority of cases. From a technical point of view it is quite possible to provide parking opportunities that conform to the relevant safety standards. It is the responsibility of the driver to drive and park responsibly and it is the responsibility of parents and guardians to ensure that their children behave appropriately while in their care during the school run. The Council cannot be held liable for the decisions of road users, and does not supervise road users in their use of the road either outside schools or in any other context.

Question 2 – Mrs J Chapman

Re: Access for emergency vehicles

- (a) My husband and I are seniors living with complex medical needs emergency medical assistance is sometimes required and inevitably as my husband's long term illnesses progress will need Ambulance assistance more frequently. In the event of the local Committee going ahead with alterations to the parking restrictions in Abelea Green, what reassurance and measures will be implemented to ensure ambulance access to my home, or even getting my car out to A and E as was needed last month mid-afternoon could be possible. These life threatening possibilities are giving me very grave concern.
- (b) In view of the recent announcement regarding the expansion of the Epsom Deanery, can the local committee explain what impact this will have on the volume of cars coming into Epsom and in theory how many more out of borough children will be eligible to attend St Joseph's primary school?

Officer Response:

- (a) We're sorry to hear about your health issues and appreciate that the proposed changes in the parking restrictions are causing you concern. However, from a technical point of view it is quite possible to introduce parking opportunities in St Margaret Drive and / or St Elizabeth Drive that conform to the relevant standards, that do not obstruct through traffic, and that do not obstruct visibility to and from junctions.
- (b) The admission policy for the school can be viewed [here](#). First priority for admission is for children of practicing Catholics resident in the parish of Epsom, if the School still has empty places, after siblings of existing pupils are considered, they may take other

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catholic children with priority being given to those closest to the School up to the Published Admission Number. The size of the Deanery should have no impact on how many out of borough children attend the School.

Question 3 –

Re: Parking on Abelea Green

Anonymous

Given the close proximity of Abelea Green to Epsom town centre, the Brewers Fayre, Premier Inn, Epsom hospital, the MRI centre at The Clock House, the Dentist, St Martins Primary, Rosebery Secondary, etc.

Can the Local Committee please detail the measures that will be implemented to ensure exclusive rights over the proposed parking spaces on our estate roads for the parents of St Joseph's School?

Graham Smith

How it is proposed to form the new parking restrictions in order that the intended objective is met without turning the area into an ancillary car park for Epsom town centre or railway station?

I would also like it noted that this situation appears to be one of the schools making by having restrictive enrolment criteria, thus increasing its catchment area. Being the parent of two primary school aged children I would willingly walk my children to the school however children from further afield are given priority.

Officer response:

The proposal being considered by the Committee is to have no waiting Monday to Friday 9.30-11am and 1-2.30pm, as well as no waiting on Saturday 8.30am-6.30pm (the current times). This will still be a single yellow line rather than time limited parking bays, as it is difficult to prescribe a return period when everybody has different abilities when it comes to walking to and from the school.

These times are unlikely to benefit any other user, other than parents for the school, as parking will only be allowed up to 9.30am for morning drop off, between 11am and 1pm for lunch time pick up and after 2.30 for afternoon pick up - not at all during the day on Saturday.

We cannot stop anybody else from being able to use the parking spaces, as it is a public highway and all users will have the same rights.

Question 4 – Epsom resident

Re: Actions to resolve parking issues at St Joseph's School

It is clear that all department budgets in SCC and EEBC are under enormous pressure. It has been noted it was difficult to finance the request to review additional parking to meet the needs for St Joseph's school. In view of the local committee's work to support this School, the residents would be interested to see the details of all the actions implemented to solve this matter. Could the local committee please list these actions?

Officer response:

A full report on the actions taken to address the concerns around road safety in the vicinity of St Joseph's School was submitted to the previous meeting of the Committee in June and can be viewed [here](#). At that meeting, the Committee agreed to allocate £5,000 to a feasibility

study, to consider what measures to mitigate the issues may be appropriate in Whitehorse Drive and Rosebank. It was also agreed, that the provision of additional park and stride opportunities, by the relaxation of parking restrictions in Abelea Green, would be added to the parking review to be considered at this meeting. There is little additional cost incurred by adding this to the review and additional parking provision is not part of the feasibility study.

Question 5 – Epsom resident
Re: School security

Following the attacks on places of worship throughout the world and the murder of a Catholic priest in France the UK Home Office made security grants available.

St. Joseph's Church Epsom applied for a grant and in September 2016 a Home Office Security Report advised St Joseph's Catholic Church Epsom to install a lockable gate between the Church and School. Can the Local Committee confirm whether the other recommendations have been implemented?

Officer response:

This question should be addressed to the Diocese, the School or the Home Office.

Question 6 – Epsom resident
Re: School Bus Provision

St Joseph's School must accept some responsibility for a higher number of cars than most schools due to their extensive admissions policy. If St Joseph's were to provide a school bus specifically for out of borough children this would help reduce congestion and pollution.

What actions can be taken by the local committee to persuade or influence the school and diocese to provide a bus service for out of borough children?

Officer response:

The County Council's Home to School Transport Policy for 4-16 year olds for 2019/20, including children attending schools on grounds of religion or belief can be viewed [here](#). Any additional transport provision outside this policy would need to operate on a commercial basis. There are already a number of commercial bus and train services which link to Epsom town centre, which parents and children could use to travel to and from the school from the wider area, should they wish to use them. The [868 service](#) to the School already operates on school days covering Worcester Park, Stoneleigh, Kingston Road, Ruxley Lane, West Ewell and Longmead. The Committee supports and encourages the use of sustainable transport options.

Question 7 – Epsom resident
Re: School Travel Plan

Decision Notice 10(ii) Abelea Green

Residents of Abelea Green are disappointed and concerned that they weren't given prior notice that they would be scrutinised, yet again, by St. Joseph's Primary School in its investigation and denied the opportunity to respond before the committee voted for the above. The Committee will remember the Surrey Briefing Report of December 2013 on Abelea Green to the Committee.

The roads below all have distances closer to White Horse Drive than Abelea Green's 328m.

Orchard Gardens	82m from White Horse Drive (WHD)
Westlands Ct.	182m from WHD

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Whitmores Close	176m from WHD use of pedestrian crossing lights
Hylands Close	176m from WHD use of pedestrian crossing lights
Elmslie Close	216m from WHD use of pedestrian crossing lights
Elm Grove	in WHD
Dudley Grove	in WHD

The Committee could, using this logic, allow St Martin's Primary School to have parent parking on these roads as well and any other nearby roads to St Martins. This could free up even more spaces. We appear to be moving towards parked cars everywhere in Epsom. St Martin's School has however, a sustainable Admissions Policy and School Travel Plan, it copes without the need for additional parking and it has three forms of entry, not two.

Please see the recent photograph of the Dorking Road junction with Abelea Green, taken on a school day at 8.33am. This junction, is an accident hot spot as is the BP junction, please see crashmap.co.uk.



Will the Committee please help St Joseph's School Epsom devise a sustainable travel plan?

Officer response:

The Committee did not decide to make any changes to parking at the meeting in June, it just requested that a proposal should be included in the Parking Review which is to be considered at this meeting, where residents have the opportunity to ask questions. Should the Committee agree to advertise this proposal residents may also send comments during the period of the statutory advert, before a final decision is made.

In the majority of cases, the Local Committee considers and promotes changes to parking and waiting restrictions in response to requests from the community. If requests were to be received to change parking restrictions in the other roads mentioned, or indeed in any other road in Epsom & Ewell, the Local Committee would follow the same process for considering the requests and promoting any changes, if considered appropriate. This process includes a technical appraisal, statutory consultation, opportunities for representations by supporters and opponents of any proposed change, and ultimately the decision to proceed (or not). There are proposals included in the Parking Review for Whitehorse Drive, Elm Grove and Dudley Grove.

St Joseph's School has advice on travelling to the School on its [website](#) Surrey County Council does not provide detailed recommendations to schools regarding travel arrangements for the school run. It provides advice to schools to assist in the formulation of travel plans, but this is not by way of detailed recommendations that we expect schools to comply with. It is schools that draft, own, and are responsible for encouraging compliance with their travel plans and any questions about the Plan should be directed to the School.

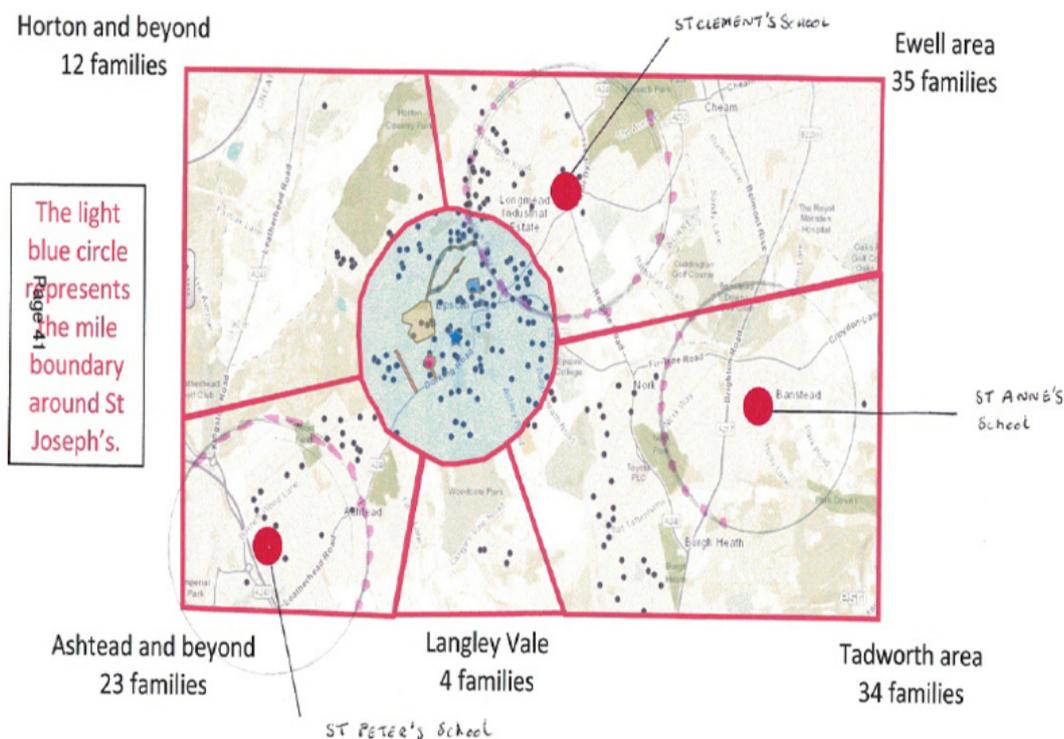
Question 8 – Epsom resident**Re: Abelea Green relaxation of parking - Effect on South Street**

From St Joseph's School's own investigation figures there are 846 parking spaces in the area, which are used by other parents as well at various times. Using the school's figures there are: -

116 parking spaces available AM and 105 parking spaces PM so both the AM and PM available parking spaces exceed the number of dots counted outside the inner red circle.

Many of the families are from outside the borough and parish. The three other diocesan primary schools are included on this image.

Map showing postcodes of families living more than a mile from St Joseph's



These three schools have many non-Catholic faith pupils attending them, because Catholic faith parents do not choose these schools.

Maintained Surrey Admissions Authority Schools all have sustainable School Travel Plans with nearest school admissions criteria, which reduces car use.

Will the Committee please be aware of the increasing trend of nitrogen dioxide to unacceptable levels in the part of South Street closest to Epsom Town Centre when they consider providing parking on roads for schools, which will only encourage more admissions from outside the borough?

Officer response:

Epsom & Ewell Borough Council are responsible for Air Quality Management and Monitoring. The latest published report published in 2018 can be viewed [here](#). This is the first year in which air quality monitoring has taken place in South Street and there is no indication that the levels on NO² are unacceptable.

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Question 9 – Sue Niemira

Re: Access to St Joseph's School

I would like to suggest that the traffic problems caused by St Joseph's School could be solved by either altering their admissions policy to just take children from the surrounding area - therefore less cars, fitter children and no problem to solve.

The second suggestion would mean that the school rather than the residents would have to foot the bill, but is a solution that I have seen work for other schools and definitely works in the United States and this is for them to purchase a small coach which would pick up the children out of the borough at a designated time and safe place and drive them to the school. There is a turning point on Roseberry which is large enough for a small coach. The driver would need to be DBS checked. This solution would render all of the other solutions and cost unnecessary. Children within the area on the whole could walk and those that couldn't would not cause disruption and the current system could work. This would keep the air for those of us who live in your borough cleaner, the streets less clogged and safer for everyone who lives and votes here.

Why are residents of Epsom being asked to solve this problem for a school where at least half of the pupils come from out of borough - I would submit that this is for the school to solve and not your constituents and in a way which will benefit the community and environment as a whole.

Officer response:

St Joseph's School is a voluntary aided school and as such the admissions policy is a matter for the school governing body. Details of the current admissions policy can be viewed [here](#).

Please see the response to question 6 in relation to the provision of a school bus.

Question 10 – Mr & Mrs Pallin

Re: Parking Abelea Green

St Joseph's school Epsom has submitted a petition to the Council asking for the "yellow lines around the Abelea Green to be relaxed".

We are Raven tenants on the Abelea Green estate and are concerned over the pollution that will develop over time if this proposal is enacted. A number of residents here suffer with COPD and this was due to the pollution from the Dorking Road. It would be even more polluted if your plan is carried out.

We have lived here for 22 years and have seen numerous ideas of this nature tried before, and none proved satisfactory. Most of the tenants here are in their eighties and regularly have ambulances collecting them for transport to hospitals. Any obstruction to the exit on the estate could prove fatal. We also recall the last time this type of thing was tried some years ago, we found drivers having to reverse into our car park in order to face the direction of the exit, which in turn made leaving difficult and caused long delays.

I am sure there is a solution to the St Joseph's problem, but this is not the one.

Officer response:

Only a limited number of spaces are proposed for relaxation of restrictions. From a technical point of view it is quite possible to introduce parking opportunities in St Margaret Drive and / or St Elizabeth Drive that conform to the relevant standards, that do not obstruct through traffic, and that do not obstruct visibility to and from junctions. Please see response to question 8 in response to air pollution.

Question 11 – Anonymous**Re: Parking Abelea Green**

Given that the Council, Highways and St Joseph's School have all openly stated that they are unable to dictate to parents and guardians which way they travel to School, and the fact the School are unable to control the number of school cars that will want to park on the Abelea Green Estate roads, can the Local Committee confirm that they will be responsible for the inevitable trespass on our private land and that they will protect, maintain and reimburse the management company for the damage as a consequence of allowing parking?

Officer response:

The Abelea Green Estate roads are public highway and as such open to all. Trespass is a matter for the landowner and the County Council cannot be held responsible for the actions of private individuals.

Question 12 – Anonymous**Re: school travel plan**

I thank the Councillors and Officers for their hard work and the time dedicated to getting children to School safely in line with central government policies on fitness, wellbeing and obesity. I fully understand that in reviewing this issue recommendations can be made and this committee cannot enforce that the recommendations are implemented.

Can the Local Committee please detail all the actions taken by St Joseph's Primary School to support the Council in resolving this issue, and in particular please set out and detail the number of recommendations made by the Highways Officer and the School Travel plan team and the actual number of recommendations the School have implemented?

Officer response:

Please see the responses to questions 4 and 7.

Question 13 – Resident**Re: relaxation of parking restrictions**

The residents at Abelea Green have spent so much time and money to finally end the dispute with the Diocese. The Diocese have formally agreed that the School have never had a right to use the private road. The school were instructed by SCC to remove St Margaret Drive from the School travel plan in 2013. In the event that the new proposal be implemented there are no guarantees that St Joseph's parents will secure these proposed parking spaces.

Given that the Local Committee are aware that any form of trespass on private land, the private road and private green at Abelea Green puts AGMC and the Diocese back into dispute. And based on the reassurance from Councillors that should trespassing occur the Council would immediately revert back to the original parking restrictions.

Could the council please set out in detail, how this would work, detailing how this will be measured and the trigger point whereby these new relaxed parking times will be revoked along with the timeline, so that legal action can be prevented?

Officer response:

Please see the response to question 11. Any decision to change restrictions would need to follow the usual parking review process.

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Question 14 – Cllr Steven McCormick

Re: Parking Abelea Green

During the last local committee meeting (24th June 2019) proposals for the relaxation of parking for a limited time period, at the start and end of the school day, on parts of Abelea Green estate was proposed, to allow additional park and stride locations:

- a. Why was Abelea Green targeted for this review which would only seek to encourage more traffic into an already heavily congested area?
- b. Why weren't other roads higher up the Dorking Road considered for the parking review such as Elmslie Close, Hylands Mews, Westlands Court, Ebbisham Road, Castle Road, Woodcote side?
- c. Have the impacts to the areas already critical air quality been considered and the impact this will have on resident's health and quality of life with the increased traffic?
- d. How does the Borough aim to cover this additional enforcement area to ensure compliance?
- e. Have the road safety issues inherent with parents and children walking up a busy main road?

Officer response:

a and b – please see response to question 7

c - please see response to question 8

d - please see response to question 1

e - Whilst the County Council takes matters of road safety very seriously, it is a matter for parents to decide on the safety of routes when deciding on the available options for children travelling to school. Access to many schools across the County require walking beside busy main roads and there would be no need to cross.

Question 15 – Stuart West

Re: Abelea Green

Now we have the report which suggests there could be as little as 7 spaces available in our estate, in what way does the committee feel this will make significant improvement to St Joseph's situation?

Spaces cannot be targeted to school parents but relaxation will allow cars to park, visiting the hospital, local dentists and to go shopping, the very reason why restrictions were put in this estate at the outset. In addition, if we accept the proposal, when cars turn into the estate to see if spaces are available and they are not, they are likely to turn round in the Haywain car park to go back out on the A24 which is in itself a cause for safety concern.

At a meeting of the Environment and Safe Communities committee on the 23rd July, chaired by Cllr Dallen, it was agreed reducing emissions in the borough is a priority.

With that recent and important decision, surely we should challenge St Josephs to reduce the number of cars coming to the school? They need to encourage parents to attend their local catholic schools rather than this Catholic school of choice, car share rather than have the one parent with one child scenario, or have minibus collection points in Ashted and Tadworth for pupils from outside our borough. The council could follow up and monitor their direct progress as part of this ongoing review. But let's be clear their situation is no worse than other schools in the borough and better than some. Increasing provision for car access is unacceptable, given the Environment Committee decision.

Can the residents of Epsom and our estate have assurance that you plan to restrict reliance on the car and will reduce emissions in our borough and that this will be the first priority before considering further parking provision here in our Estate and elsewhere?

Officer response:

The spaces identified for inclusion in the parking review have been identified in response to a request for this area to be included in the parking review and are in locations where is considered safe.

The admission criteria and the school travel plan are a matter for the School and these questions should be addressed to them.

The Committee would always encourage residents to use sustainable transport options before driving.

Question 16 – Debbie West

Re: St Joseph’s School Admissions

Is the Committee aware that 40% of this year’s intake to St. Joseph’s Primary, Epsom, live outside of the Borough? I understand that the Deanery boundaries have altered recently, meaning that the school’s admissions area is widening to include areas even further away from Epsom & Ewell Borough, so the percentage of places going to out-Borough pupils is likely to increase from 2020 with resulting congestion on our roads.

St. Joseph’s admissions policy of allocating places to pupils living outside the Borough inevitably means that parents will be more likely to use cars to transport their child/children to school.

This is in contrast to other primary schools close to Epsom Town centre, which are community schools and admit pupils who live closest; resulting in more pupils being able to walk to school.

Given the parking, safety and emissions problems are being exacerbated by this School, would it be more appropriate for St Joseph’s to provide drop off or parking on their own land rather than expect the residents of surrounding roads, who you represent, to suffer the consequences?

Officer response:

Please see the response to question 9. Increasing parking or drop off provision at the School will encourage more traffic to use Rosebank which is already congested.

Question 17 – Colin Taylor

Re: Parking review

Referring to agenda item 8, drawing 50, please confirm that this applies to Hookfield rather than Hookwood and that if and when the marked bay outside 121 is revoked, parking restrictions would apply from 09.30 am to 11.30 am and not 09.30 to 11.30 pm as stated in the drawing key.

Officer response:

Apologies for the error in the report, you are correct. An amendment has been published in the supplementary agenda.

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Question 18 – Cllr Steven McCormick

Re: Wilmerhatch Lane

Driving down Wilmerhatch lane where it takes a sharp right bend and becomes Woodcote Green Road a safety concern has been raised. The junction with Woodcote Green Road and Hylands road, which follows, has limited visibility and there are no hazard warning signs showing this junction in the earlier sections of road when you are coming down the road from the Wilmerhatch Lane direction.

This is a very popular cyclist's route and at the weekends cycle traffic is busy. Visibility on the corner and just before Hylands Road is poor with over hanging trees and this section of road suffers from very poor left hand side road surface. It causes a safety concern for motorists coming out of Hylands Road and also for cyclists descending Woodcote Green Road.

- a. Why is there no hazard warning triangle prior to the start of Woodcote Green road warning of the junction of Hylands Road?
- b. Is there an option to place a circular mirror opposite the junction of Hylands Road to provide a view both into the road and for motorists venturing out of the road?
- c. Are there any additional steps that can be taken to improve safety and visibility in this section of road?

Officer response:

- a. The casualty history for the junction of Hylands Road and Woodcote Green Road is very good, with no casualties on record for the past 20 years – see www.crashmap.co.uk for access to the Police record of road casualties. By contrast there has been three serious casualties at the junction of Woodcote Side and Wilmerhatch Lane in the last three years alone. There is no evidence to justify the prioritisation of significant expenditure at the junction with Hylands Road.
- b. We do not allow new mirrors to be put on the Highway for reasons set out on our website here: <https://www.surreycc.gov.uk/roads-and-transport/policies-plans-consultations/policies-and-plans/traffic-policy-and-good-practice/mirrors-on-the-highway>
- c. It may be possible to improve visibility by cutting back the vegetation on the approach to Hylands Road from Wilmerhatch Lane. Officers will investigate what scope there might be to cut back the vegetation and what funding might be available for this.

Question 19 – Cllr Steven McCormick

Re: Madans Walk

The road known as Madans Walk that crosses Avenue road to become a footpath is causing concern with pedestrian safety given the increased volume of road traffic now using Avenue road as a cut through.

What options could be considered to improve pedestrian safety as they cross from Madans Way (road) across Avenue Road to the footpath?

Officer response:

It would not be possible to install a pedestrian crossing on the desire line between Madans Walk to the alleyway, as this would obstruct the vehicle entrance to Madans Walk. This means that any pedestrian crossing would be away from the desire line, and therefore unlikely to be used – depending on how far from the desire line the crossing would need to

be sited. It may be feasible to slow drivers' approach speeds to the crossing point using road tables. Either a new pedestrian crossing or traffic calming would be expensive and Committee would need to weigh the priority of this investment carefully against other priorities. There were two fatal incidents in Avenue Road in 2001 and 2002 – one involved a pedestrian and was very close to the existing pedestrian crossing at the Worple Road end of the Avenue Road – the other involved a pedestrian crossing between Jackson Close and Woodcote Road. These are the only two incidents involving casualties on Avenue Road for the past 20 years. Neither incident was at or near Madans Walk.

Question 20 – Michael Arthur
Re: Operation Horizon 2

I note on the link within the agenda that scheme CW 3068 (East Street and Epsom Road) is planned to be undertaken this financial year, ie. just over 6 months' time. In view of the delays which have occurred in the past in getting this most needed scheme completed could I have assurance that the proposals will be adhered to?

Officer response:

We are aware that a major gas main replacement project is being planned for East Street. Therefore any resurfacing of East Street would need to follow this project.

Question 21 – Michael Arthur
Re: High Street East, Epsom

The road surface including the junctions to East Street, Upper High Street and Church Street is in a bad deteriorated state not at all conducive to promoting smooth cycling.

I note that this location is not programmed for any works. Is there any way in which a resurfacing scheme may be urgently promoted?

Officer response:

The Local Committee could allocate funding for these areas next Financial Year 2020-21 if they were to be a priority for the Local Committee.

STATEMENT:

Residents of Abelea Green
Re: Road Safety Outside St Joseph's Roman Catholic Primary School, Rosebank, Epsom

We are residents of Abelea Green, we are not lawyers.

We have though been advised that we must now write directly to the Local Committee as a matter of urgency to formally ask the LC to withdraw the "unsafe" proposal to relax parking at Abelea Green from the forthcoming parking review 16 September 2019 Local Committee.

1. **RESIDENTS' PETITION - 10 DECEMBER 2018.** We are advised that the significant objections by the residents, the homeowners/landowners of the Private Green and Private Lands, and of the individual private properties at Abelea Green need to be properly considered as in the petition to the committee December 2018, in the Independent Consultation by the Divisional Member as per 24 June 2019 Local Committee and here again as in this report and otherwise.

2. We are advised to acknowledge that the 24 June 2019 LC was a new Local Committee, following local elections, and that some members may not have been up to speed with case

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history.

3. We recognise that as councillors you will see many parking requests.

On the face of it, this may seem a simple request by a primary school for more parking spaces. It is not.

This proposal is “unsafe”. The proposal creates significantly more issues, safety, practical, legal and or otherwise than it resolves.

The proposal does not provide this school and or their parents with a safe and or sustainable travel solution, whether for now, or in the future, to the contrary.

With respect it is a waste of valuable public money. It is an unsafe proposal. It creates a toxic mix of cars, children, pollution, hostile and or frustrated school parents, anti-social driving, parking behaviours including at times intimidating if anyone dare ask parents not to trespass/block exits.

In summary, we are advised to write to you to point out once again, the significant practical, safety, legal and or other unintended consequences, risks and liabilities arising from this proposal, for all parties, all of which are unavoidable in law and which cannot be ignored.

On this basis alone, we are advised to respectfully request that the proposal be withdrawn from the parking review on 16 September 2019 without further ado.

2. Practical Issues

2.1 There is no guarantee spaces will be available for St Joseph’s parents even if parking is relaxed for limited periods at Abelea Green. High demand for short stay parking from mini cabs, hospital visitors, trades, lorries, part time cleaners, carers and other visitors, short term town visitors/shoppers, other schools, over flow from Haywain etc.

2.2 There are no turning circles on this no through road estate. The houses are very close to the narrow pavements and roads.

2.3 When the school parents were unlawfully using St Margaret Drive, they turned in the small private driveways, in the private car park of the Housing Association Retirement Home/s in the private car park of The Haywain queuing/blocking exit to/from the estate and or parked on the private road

- no regard for trespass on and or damage to private property - nor for the legal property rights and obligations of the private landowners of Abelea Green, the private properties all as on file at Land Registry, as for any other private land/property owners whether SCC or our residents.

2.4 The parents often parked unlawfully on pavements, blocking pedestrian traffic, including elderly and or vulnerable residents and or our own parents walking their children to/from school. Some took to walking in the roads to get by the school parents, others wouldn’t go out at school times because of the hostile attitude of some. Insufficient resources of traffic wardens.

2.5 Parents trespassed all over our Private Green Private Lands Private Road, using it as if a public park ignoring all the private property/trespass signs. If anyone dared to ask the parents to stop blocking private driveways, pavements, to stop trespass on privates lands they would be met with a tirade of hostility by some, with a few clearly upset, as were our residents.

2.6 Some parked on the private single track road across our private green for use by the church only, damaging the verges of our private green and blocking access for emergency vehicles to the church.

2.7 The private road to the church like the estate roads must be kept clear for emergency vehicles. There have been occasions when, because of school traffic on the estate, carers and or relatives of elderly and or emergency vehicles have been unable to easily get in or out of the estate to the private homes of elderly or ill residents at school times.

2.8 There is a **high percentage of elderly and or vulnerable adults living on this estate who with our other residents we are advised have a right to have their objections and interests fully represented by our local committee** and so we respectfully request that full consideration is now given, without any further delay, to numerous objections of our residents as per the petition to the Local Committee December 2018, in the County Councillor's Independent Consultation referred to LC June 2019 and as again in this report and otherwise.

2.9 This primary school probably brings more cars into this borough than any other primary School because of its extensive catchment area which is set to increase putting additional pressure on our local roads at school times, yet the majority of our Epsom children, who walk past the queuing traffic, do not qualify for admission to this school. There are other solutions available to this school as at other diocesan and SCC schools throughout the County.

In 2002, this school decided to double its intake, applying piecemeal for planning, thus avoiding triggering a school travel review. Refer LC/ Dec 2013.

2.10 **In 2013 SCC advised this school to take St Margaret Drive out of its school travel plan as recorded at the Local Committee of December 2013 when those councillors rejected another attempt by this school and or diocesan representatives to relax parking at Abelea Green.** This school has had years to conform with its own legal obligations regarding proper access to its school which is from Rosebank as on file at Land Registry and to put in place a proper and sustainable travel plan. **For the avoidance of doubt this school never had any access from St Margaret Drive. If in any doubt, refer to SCC legal department and or to Land Registry.**

It makes no sense to spend limited public money on this piecemeal and unworkable proposal by this school and its parents many of whom do not live in the borough, when there are other far more appropriate no cost or low cost sustainable travel solutions available to this school, as in practice at many other primary schools throughout the diocese and the county.

We are advised to request that this proposal to relax parking be dismissed and this school and or the diocese to which the school is accountable be advised by SCC to put in place alternative arrangements including though not limited to extending drop off pick up times. Any additional staff costs would be minimal and the diocese has the resources to meet such. Creating more parking spaces as proposed does not address this school's long standing travel planning issues nor any expansion plans now or in future.

3. Legal

3.1 Before bringing this school traffic back on to the Abelea Green Estate, the at times dangerous and or anti-social driving, anti-social parking , anti-social behaviour, including though not limited to trespass in private driveways, damage to private lands/verges private property, abuse and hostility, **our elected representatives are respectfully asked to consider the unintended consequences, risks and liabilities arising for all parties, as a result of this unworkable proposal, all of which are unavoidable in law.**

3.2 Unfortunately, this local committee is at risk of being party to unintentionally recreating private legal dispute/s which it has taken years and at great cost for AGMC the management

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company and its residents to resolve, given the determination of certain diocesan representative/s, and or others, to vigorously assert, and or seek to establish, including latterly via its appointed diocesan solicitors, legal rights to which they, the school and or church and or diocese and or others always knew they were not entitled, all of which can be evidenced including though not limited to as onfile at Land Registry.

3.3 The management company and its volunteer directors given their fiduciary duties had no choice but to seek irrefutable expert legal counsel opinion, openly shared with the diocese and its solicitors and others, at the same time as individual residents were seeking their own independent legal advice. This confirmed what was always known but which the diocese and or church and or school for years sought to rebut and still continued to rebut which was that there was no legal right of way from St Margaret Drive to the school nor ever had been, as in all the title deeds on file at Land Registry.

3.4 Notwithstanding this the various diocesan representatives including latterly via its diocesan solicitors sought to assert a right of way to which they knew they were not entitled. Evidence will be adduced. Case history on file at EEBC shows various attempts including when the church tried to build car parking on the private green, take down the church gates all of which can be evidenced. On numerous occasions the school and or church and or diocesan representative/s have sought to persuade and or cajole and or bully and or intimidate directly or otherwise property/land owners, some elderly and or vulnerable, almost all uninitiated in the complexities of property law, into agreeing to give up valuable property rights, offering to pay the legal fees to make the changes at Land Registry. Always to the detriment of those property owners only to the benefit of the diocese and or school and or otherwise, without any caution at all as to seeking their own independent advice.

3.5 This simply cannot be right by any normal standards of reasonable behaviour and has been referred. The previous local committees and or local councillors have been advised of this since at least 2012 if not earlier.

3.6 Only after the diocesan representatives were ultimately unable to sustain their always unsustainable legal position, did the diocese and or school and or diocesan representatives finally decide to stop their unlawful access from St Margaret Drive to this school, and do what the Diocese and or school and or church always knew they were obliged to do which was to conform with their own legal obligations in respect of legal access to the school site on Rosebank as on file at Land Registry. This was the decision of the diocesan representatives after years of unsustainable legally unsafe assertions, undeclared conflict of interest/s of certain person/s which emerged and which on advice are referred for investigation.

3.7 Security advice was given to the church in 2016 to re install the black gate to enable the church to secure its own site which the church did as instructed by its diocesan representatives although unfortunately the church attempted to blame this on a few residents creating utter confusion for school parents and yet more hostility towards the local community.

Separately security advice was given to Abelea Green following incidents of a criminal nature at the English Heritage Ice House and Nature Reserve on our Private Lands. Non residents were entering the estate including at night either trespassing through the church to private green and or over our private green from the Dorking Road.

3.8 Police advised Abelea Green amongst other measures to secure the private lands and homes in accordance with the various title deeds rights and obligations as on file at Land Registry. Also as in accordance with other obligations as any landowner/property owner is obliged to do whether the diocese, church, school, SCC, Abelea Green residents or indeed school parents.

3.9 We are advised to remind the Local Committee of matters as previously put before our councillors over the years, some of whom unfortunately have inadvertently or otherwise allowed themselves to become caught by seemingly simple requests, and or mis information, as can be evidenced, without necessarily being aware of the history and or conflict of interest and or of the unintended consequences risks and liabilities arising therefrom and or without proper consultation with the residents.

3.10 In legal and practical terms, when these parents can't find a parking space at Abelea Green which is inevitable, due to competition for parking spaces even for short stay, (or even if they can find a space) the parents will inevitably trespass again either to turn on private property to exit the estate and or trespass on the private road and or on the private green, and thereby at the same time, put the diocese once more in breach of its own legal obligations in respect of Abelea Green as on file at Land Registry.

3.11 By creating more parking spaces it does not resolve the long standing school travel planning issues nor lack of transparency in its expansion plans (refer to December 2013 Local Committee) and only creates more cars and more pollution in Epsom and is contrary to policies adopted by SCC and councils up and down the country.

3.12 SCC says it cannot control this school as the school is accountable only to the Diocese and that SCC and the school cannot control the parents. However, there are many good schools in the diocese and county which do manage themselves effectively and implement sustainable travel plans, reward good behaviour, encourage sustainable travel health benefits for their pupils. This school is a national teaching academy purporting to promote British values. It is not unreasonable to expect this school to teach and promote civic responsibility including respect for Land Registry, for private lands and other people's private properties which it clearly seems is not happening.

3.13 So this being the case (3.12), we are advised to formally ask just exactly how does the Local Committee propose that given that neither SCC nor the school can apparently control these unsafe anti-social behaviours, just how are we as residents, and private landowners and property owners homeowners expected to be able preserve and protect our private lands, properties and legal rights from the unintended consequences risks and liabilities arising from this proposed relaxation of parking, all of which are unavoidable in law?

3.14 And following your proposal for this relaxation of parking, how does the Local Committee propose the safety, security and wellbeing of our residents, the legal and practical risks for the parties, including for our elderly residents, for those who are ill or vulnerable, young children their families, other residents, protect themselves, their private homes and private lands, against this trespass, anti-social driving anti-social parking and anti-social behaviour, given that the local committee proposes to put forward relaxation of parking into the parking review in September 2019?

3.15 Common sense will tell you that this is not a sustainable solution for the current intake at this school, let alone for the increase in pupil numbers at this school including from its extensive catchment area with significant and increasing numbers from outside of the borough in recent years and in future.

3.16 We are advised that as private property and private landowners AGMC and its volunteer resident directors and the residents themselves, are obliged in law to protect preserve and uphold the legal integrity and values of the private green, private road and private lands, the freehold of which is owned by the residents and of the individual private properties, all as on file at Land Registry. This is no different for any private landowner/property owner whether AGMC and the residents, or the Diocese or SCC, nor it any different for any school parent who is a property owner.

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If or when this school properly explains to its parents that there never was any right of way over the private lands at Abelea Green, (as was always known, regardless of what the parents may have previously been told), most reasonable people will settle down and accept such, show due respect for others property just as they would wish respect to be shown for their own properties.

Most reasonable people would not expect or seek to persuade anyone to facilitate trespass and or go against their own irrefutable leading counsel expert advice and other legal advice in general.

3.17 We respectfully urge the Local Committee to withdraw this proposal from the next parking review without further ado and to represent and support your residents in respecting and upholding the various property title deeds and legal agreements as on file at Land Registry under the Laws of England & Wales for the benefit of all parties, as without such respect for Land Registry the fabric of civic society is put at risk.

3.18 Of the 70 proposals in September 2019 Parking Review, this is the only proposal which creates more parking spaces. All the others are about reducing parking. What is the logic of that? It makes no sense. This is the school which has plenty other options available to it. **In closing, given the number of parking spaces involved, the unlikelihood of parents being able to access them, the use of public money and high potential of placing residents in a personally and legally vulnerable position, we are advised by way of this report to formally request the Local Committee to withdraw the proposal to relax parking at Abelea Green from the September 2019 parking review.**

We are further advised to formally request the local committee and or SCC to advise this school and or the diocese responsible for this school to review and put in place a sustainable travel plan as at other schools in the diocese and in Surrey.

We sincerely trust this unworkable proposal to relax parking at St Margaret Drive and St Elizabeth Drive will now be withdrawn without further ado.

You will appreciate that for legal and other reasons and to protect the wellbeing of our residents, legal integrity of our private lands and private properties here at Abelea Green, we are advised there will be no alternative but to vigorously oppose any proposal to relax parking at Abelea Green, which we sincerely trust will not be necessary.

Please withdraw this ill conceived proposal which does not resolve this school's travel plan issues and which is a further waste of public money.

We thank you in advance for your work and your careful attention to this matter.

for and on behalf of the residents of Abelea Green