

**SURREY COUNTY COUNCIL****CABINET MEMBER FOR TRANSPORT, HIGHWAYS AND ENVIRONMENT****DATE: 9 JULY 2013****LEAD OFFICER: IAIN REEVE – ASSISTANT DIRECTOR STRATEGY, TRANSPORT AND PLANNING****SUBJECT: REQUEST TO ADOPT A STRIP OF LAND AT HORLEY ROAD REDHILL****SUMMARY OF ISSUE**

Transport Development Planning wishes to enter into a Deed of Dedication with a developer associated with a development in Surrey as set out in Annex 1.

In line with Surrey County Council's current policy on adoption, the Cabinet Member, under the Scheme of Delegation, is asked to give authority to adopt the strip of land secured as set out in Annex 1.

**RECOMMENDATIONS**

It is recommended that the Cabinet Member, under the Scheme of Delegation and in line with Surrey County Council's current policy, authorise the dedication of the strip of land to become publicly maintainable highway as set out in Annex 1 of the submitted report.

**REASON FOR RECOMMENDATIONS**

The request set out in Annex 1 fully meets Surrey County Council's current policy on road adoption.

**DETAILS**

1. Under Section 72 of the Highway Act 1980 a highway authority may widen any highway for which they are highway authority and may for that purpose agree with a person having power in that behalf for the dedication of adjoining land as part of a highway.
2. Attached as Annex 1 is a request to enter into a S72 Deed of Dedication, at the Former Causeway Public House Horley Road Redhill RH1 5AL. This relates to a development involving the demolition of the former Causeway Public House and the erection of 28 dwellings. The planning permission is subject to a S106 obligation which dictates that no dwellings can be occupied until the land in question has been laid to grass verge and dedicated to Surrey County Council as highway authority for a proposed highway improvement scheme at the junction of Horley Road with Three Arch Road, Redhill.

3. The land was requested by the highway authority to enable a highway improvement scheme to be progressed at the Three Arch Road / Horley Road A23 junction. This highway improvement scheme is to be funded via money secured as part of the Horley Masterplan and detailed design of the scheme is programmed for early 2014.

#### **CONSULTATION**

4. Full consultation has taken place as part of the planning process.
5. The Asset Strategy Partner for Acquisitions and Disposals in Property Services has been consulted and has instructed Legal Services to proceed with dedicating the land as public Highway, subject to the authorisation sought in this report.

#### **RISK MANAGEMENT AND IMPLICATIONS**

6. If the strip of land is not secured the quality of the junction improvements scheme will be compromised.

#### **FINANCIAL AND VALUE FOR MONEY IMPLICATIONS**

7. All costs associated with the proposed dedication will be fully met by the developer involved.
8. The additional area of 57m x 3m will require grass cutting and thus place a small additional maintenance liability on the County Council. However it will enable a much better highway improvement scheme to be implemented, and will only be until the junction is delivered in 2019/2020.

#### **SECTION 151 OFFICER COMMENTARY**

9. The Section 151 Officer confirms that all material financial and business issues and risks have been considered in this report.

#### **LEGAL IMPLICATIONS – MONITORING OFFICER**

10. A refusal to enter into the Deed of Dedication would result in an existing S106 Agreement being amended, the costs of which would have to be met by the County Council.

#### **EQUALITIES AND DIVERSITY**

11. There are no equalities implications associated with this Deed of Dedication.

#### **CLIMATE CHANGE/CARBON EMISSIONS IMPLICATIONS**

12. The County Council attaches great importance to being environmentally aware and wishes to show leadership in cutting carbon emissions and tackling climate change.

<b>WHAT HAPPENS NEXT:</b>
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13. Legal Services will be instructed to enter into a Section 72 Deed of Dedication with Inland Homes to dedicate the strip of land to Highway.
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**Contact Officer:**

Kerry James, Principal Transport Development Planning Officer – 020 8541 9816

**Consulted:**

Wide consultation as part of the planning process  
Steve Evans – Surrey County Council Asset Strategy Partner

**Annexes:**

Annex 1 – Location Plan, Agreement Plan

**Sources/background papers:**

Highways Act 1980 – Section 72.

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