



SURREY COUNTY COUNCIL
LOCAL COMMITTEE (RUNNYMEDE)

WRITTEN PUBLIC QUESTIONS

8 July 2013

1. Question from Mr Nigel Eastment of the Chobham Society:

SCC unanimously resolved on 19/3/13 "To use its power to protect Surrey's Green Belt".

The Chobham Society wholly endorses this resolution.

Runnymede Borough Council's draft Local Plan is inconsistent with the resolved position of SCC as it does not protect Surrey's Green Belt, removing, as it does, several hundred acres from the Green Belt at the DERA site to facilitate development.

There is strong popular support for SCC's landmark resolution as demonstrated by CPRE Surrey's e-petition regarding this matter, administered by MySociety through the RBC website, which has comfortably passed the threshold number of signatures required to ensure a debate in Full Council at RBC regarding removing any of the DERA site from the Green Belt.

- "What action does the Runnymede Local Committee propose taking in prosecuting SCC's resolved policy of using its power to protect this part of Surrey's Green Belt, and will this include making a timely representation to Runnymede Borough Council raising a 'strong objection' to removing the land at the DERA site from the Green Belt?"

The Chairman has given the following response on behalf of the Committee:

At its meeting on 19 March 2013, the County Council unanimously resolved to use its power to protect Surrey's Green Belt, support the National Planning Policy Framework (section 9 – paragraphs 79 to 92) and the Government's policy of protecting the Green Belt, to make Surrey's MPs and the County's Districts and Boroughs aware of this resolution and for any Green Belt development in the County to be in line with the needs and wishes of Surrey residents.

Under the National Planning Policy Framework, it is for the Districts and Boroughs to set Green Belt boundaries in their Local Plans with local consultation and independent examination of any proposed changes.

Runnymede Borough Council is currently preparing its new Local Plan and recently consulted on a draft Pre-Submission version of its Core Strategy. Balancing the need for housing and employment growth and the need to protect the Green Belt is a matter to be decided at the local level through the Runnymede Local Plan.

2. Question from Mr Raj Shourie, Royal Holloway College, National Trust (Runnymede) and the War Graves Commission regarding Coopers Hill Lane:

Can the chair please explain why the Chair has chosen to ignore the democratic process and not have the S129A Highways Act Gate Order Application (for Coopers Hill Lane) discussed at the Local Area Committee on 1 July, given that 1) it was requested by County Councillor Heath; 2) the application is from four residents of the Lane, is supported by all six Englefield Green councillors, by the local police officer and by the Metropolitan Police Aviation team; and 3) members were misdirected by SCC Highways at the September 2012 Local Committee, as to the issue of setting a "precedent" and misinformed as to the facts on actual fly tip and criminal incidents resulting in a narrow defeat for the application."

The chairman has given the following response on behalf of the Committee:

The chairman has not chosen to ignore the democratic process. The matter of allowing a gate to be placed in Coopers Hill Lane has been previously considered by the Local Committee and the Committee's decision was not to support the application for this - that was the democratic outcome. The chairman of the Local Committee has the delegated authority to reasonably determine what matters are brought before the Committee. Where Committee has previously made a decision, it is normal for the chairman and vice chairman to consider if a further request raises any new facts of significance that were not known when the previous Committee decision was made. This is a reasonable process to prevent the Committee from having repeatedly to revisit matters which have previously been considered, because one or more parties are dissatisfied with the democratic outcome.

In this case, after carefully considering the further application, it was determined that the application contained no new evidence of significance that would warrant the Committee reconsidering the matter.

With specific regard to the view of Surrey Police and the Metropolitan Police's Aviation Team, separate discussions have been held with both of these parties. Neither consider the installation of a gate at this location to be necessary, and with respect to the potential threat of terrorism at this location, Surrey County Council is satisfied that the installation of a gate is not required. In view of this response, the matter of installing a gate at this location will not be reviewed, and if the applicants are dissatisfied with this outcome, we would recommend that they formally engage with the County Council's complaints process."

3. Question from Mr Andrew Telford of the Council for Protection of Rural England (CPRE) Surrey branch:

It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of it. (S.130 Highways Act 1980).

The public have a right to the use of the whole of any highway (S.328 Highways Act 1980).

Coopers Hill Lane and Bishopsgate Road in Englefield Green are public highways.

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Adjacent landowners have obstructed Coopers Hill Lane with a post and rail fence approximately 200m long, padlocked posts, and barbed wire, to a width of several metres; and Bishopsgate Road with fencing, hedging, hard landscaping and garden furniture in an area approximately 50m x 3m.

SCC highways department have been aware of the obstructions in Coopers Hill Lane and Bishopsgate Road for over 1 and 2 years respectively. SCC highways department have taken no action to remove the obstructions.

RLC members should be aware that:

Public use of Coopers Hill Lane is expected to increase as: (a) Coopers Hill Lane is now designated as part of 'Magna Carta Country' (1/7/13 RLC Agenda Item 10 para 4) and will be the principal sustainable route on foot between the 'Magna Carta Gateway' of Egham and the Air Forces Memorial, Englefield Green, Langham Ponds, Runnymede Common, and the Runnymede memorials; (b) The process has been started to apply to SCC, as surveying authority, to modify the definitive map to add two further rights of way which join Coopers Hill Lane (S.53 Wildlife and Countryside Act 1981).

The Western end of Bishopsgate Road is a dead end and very busy with pedestrians, vehicles and equestrians and the British Horse Society consider it dangerous to not allow horses access to the obstructed land, as a 'safe haven' en route to Windsor Great Park.

- What action does the Runnymede Local Committee intend taking to ensure that the highway authority carries out its statutory duty to protect and assert the public right to the use of the whole of these obstructed highways?

The chairman has given the following response with advice from Surrey Highways:

Surrey Highways is aware of the issues raised in respect of Coopers Hill Lane and Bishopsgate Road. Both of these locations are the subject of ongoing enforcement action through Surrey County Council's Legal Services, and for this reason it would be inappropriate to go into further detail at this time.

As Surrey Highways is actively fulfilling its statutory obligations, the involvement of this Committee is not deemed necessary.