

SURREY COUNTY COUNCIL**CABINET MEMBER FOR TRANSPORT, HIGHWAYS AND ENVIRONMENT****DATE: 10 SEPTEMBER 2013****LEAD OFFICER: IAIN REEVE – ASSISTANT DIRECTOR STRATEGY, TRANSPORT AND PLANNING****SUBJECT: REQUEST TO ADOPT A NEW FOOTWAY AT CEDAR ROAD, COBHAM****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 a new footway at Cedar Road in Cobham 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 a new footway, at Cedar Road Cobham, to become publicly maintainable highway as set out in Annex 1 of the submitted

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. Further a highway authority can secure third party land through a deed of dedication to widen existing highway.
2. Attached as Annex 1 is a request to enter into a S72 Deed of Dedication, at the Cobham Library, Cedar Road, Cobham. This relates to a development involving the demolition of the former Cobham Library and the erection of 14 dwellings and a replacement library. The planning permission is subject to a condition which dictates that no dwellings can be occupied until the land in question has been laid as footway and dedicated to Surrey County Council as highway authority.
3. The land was requested by the highway authority to enable a highway improvement. The footway will provide safe access to the new public library and to residents of Cedar Road. This highway improvement scheme is to be constructed and fully funded by the developer, which was secured by planning condition.

CONSULTATION:

4. Full consultation has taken place as part of the planning process carried out by Elmbridge Borough Council. Local residents were notified in writing of the planning application, details of which were available to view on-line and at the Borough Office.
5. The Asset Strategy Partner for Acquisitions and Disposals in Property Services has been consulted and supports the dedication of the new footway.

RISK MANAGEMENT AND IMPLICATIONS:

6. If the footway is not dedicated there is no guarantee that it will remain in place in the future. Therefore pedestrians may be forced to walk in the carriageway, which is a safety concern.

FINANCIAL AND VALUE FOR MONEY IMPLICATIONS:

7. The costs associated with the proposed footway dedication will be fully met by the developer involved. This includes all construction costs, commuted sums where necessary and all Surrey County Council fees.

SECTION 151 OFFICER COMMENTARY:

8. The Section 151 Officer confirms that all material financial and business issues and risks have been considered.

LEGAL IMPLICATIONS – MONITORING OFFICER:

9. The refusal to enter into the Deed of Dedication would result in the planning permission needing to be varied in order to remove the condition recommended by the highway authority, the costs of which would have to be met by the County Council.

EQUALITIES AND DIVERSITY

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

OTHER IMPLICATIONS: CLIMATE CHANGE/CARBON EMISSIONS IMPLICATIONS

11. The County Council attaches great importance to being environmentally aware and wishes to show leadership in cutting carbon emissions and tackling climate change. The proposal within this report will promote walking and could reduce carbon emissions.

WHAT HAPPENS NEXT:

12. Legal Services will be instructed to enter into a Section 72 Deed of Dedication with Surrey County Council, Penrhyn Road, Kingston upon Thames & Shanly Homes (Leatherhead Ltd) 21 The Crescent, Leatherhead to dedicate the land as footway.

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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