

# Strategy and Resources Committee

## 21 September 2021

### LAND FOR HIGHWAYS ADOPTION AT ROSEBANK, EPSOM OUTSIDE ST JOSEPH'S SCHOOL

<b>Head of Service:</b>	Mark Shephard, Head of Property and Regeneration
<b>Wards affected:</b>	Woodcote Ward;
<b>Urgent Decision?(yes/no)</b>	
<b>If yes, reason urgent decision required:</b>	
<b>Appendices (attached):</b>	Appendix 1 – SCC Highways Feasibility Study Appendix 2 - Local Committee Minutes Appendix 3 – Proposed land to be adopted

#### **Summary**

This report outlines a request to release Council land to be adopted by Surrey County Council Highways to improve pedestrian safety outside a busy Borough Primary School.

#### **Recommendation (s)**

##### **The Committee is asked to:**

- (1) Agree to a Deed of Dedication being entered into with Surrey County Council to enable the adoption of the land as statutory highway.
- (2) To authorise the Head of Property & Regeneration in consultation with the Chair and Vice Chair of Strategy & Resources Committee to negotiate and progress the Deed of Dedication to completion.

#### **1 Reason for Recommendation**

- 1.1 To facilitate the proposed Rosebank Highways safety improvements approved by Epsom & Ewell Local Committee.

#### **2 Background**

- 2.1 St Joseph's Catholic Primary School is located along Rosebank cul-de-sac, Epsom. Due to both the width of the road and parking bays, the road section near to the school gates is limited to one-way traffic only.

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- 2.2 During school drop off and pick up times, this results in congestion and gridlock between drivers exiting the school gates and drivers trying to access the school's drop off facility.
- 2.3 The congestion has resulted in road safety concerns being raised for Rosebank and in particular, the heightened safety risk to children and parents outside the school.
- 2.4 The footway and grass verge outside the entrance to the school is owned by EEBC.
- 2.5 Surrey County Council (SCC) Highways approached the Council to enquire whether it would support County's Highway improvement plan to improve Rosebank's safety. This would include the Council potentially releasing its footway and grass verge land to be adopted as Highways land.
- 2.6 The SCC Highways improvement plan feasibility report is attached at Appendix 1 for information.
- 2.7 To enable SCC Highways to seek funding approval from the Epsom and Ewell Local Committee, in principle officer support was sought and duly provided.
- 2.8 If funding is approved at Local Committee, the release of Council land for Highways adoption would then require approval at this Committee.
- 2.9 The Local Committee (consisting of County and Borough Members) approved the proposed Rosebank Highways safety improvements on 5 October 2020. The Minutes are attached at Appendix 2.

## 3 Proposals

- 3.1 The adoption of the Council's footway and grass verge land would enable the County to widen the footpath and create a lay-by. This would result in an unrestricted carriageway with vehicles being able to travel in both directions and prevent gridlock.
- 3.2 The land to be adopted is shown hatched pink and blue on the plan attached at Appendix 3.
- 3.3 The Council's land has nominal existing value due to its location outside a primary school. If the school relocated or became surplus in the future, then the land would potentially be developable as part of a larger scheme.
- 3.4 The adoption of land for Highways use does not result in a freehold transfer / sale. Instead, the upper surface of the land becomes the responsibility of the Highways Authority but the freehold remains in the ownership of the Council.

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- 3.5 As the freeholder, the Council therefore retains any future alternative value in the land should the site's wider use change and it is subsequently released from the responsibility of Highways.
- 3.6 It is recommended a Deed of Dedication is progressed and entered into with Surrey County Council to effect the adoption of the land.

## 4 Risk Assessment

Legal or other duties

- 4.1 Impact Assessment

- 4.1.1 Not applicable.

- 4.2 Crime & Disorder

- 4.2.1 Not applicable.

- 4.3 Safeguarding

- 4.3.1 Not applicable.

- 4.4 Dependencies

- 4.4.1 None.

- 4.5 Other

- 4.5.1 None.

## 5 Financial Implications

- 5.1 The land will fall under the responsibility of the Highways Authority and revert to the Council should Highways use cease.
- 5.1 **Section 151 Officer's comments:** *None arising from the contents of this report.*

## 6 Legal Implications

- 6.1 None arising from the contents of this report.
- 6.2 **Legal Officer's comments:** No comments arising from the contents of this report.

## 7 Policies, Plans & Partnerships

- 7.1 **Council's Key Priorities:** The following Key Priorities are engaged: Opportunity and Prosperity, Effective Council.

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- 7.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 7.3 **Climate & Environmental Impact of recommendations:** Not applicable.
- 7.4 **Sustainability Policy & Community Safety Implications:** Not applicable.
- 7.5 **Partnerships:** None.

### 8 Background papers

- 8.1 The documents referred to in compiling this report are as follows:

#### **Previous reports:**

- None

#### **Other papers:**

- Epsom & Ewell Local Committee, 5 October 2020

<https://mycouncil.surreycc.gov.uk/ieListDocuments.aspx?CId=197&MId=7642&Ver=4>