

1. Submitted by Councillor Richard Moyse

At The members Financial Update Seminar on Wednesday 27th May I asked some of the below and was advised these points were 'being worked on'.

With the allowance of street markets from Monday 1st June and some more non-essential retailers from the 15th June, I have to assume that work is either completed or near completion;

- What is the Council proposing re car parking charges in MVDC carparks?
- How is the Council proposing to assist hospitality outlets to utilise public open spaces such as pavements adjacent to their premise as long as social distancing measures are upheld?
- Has the Council engaged with central government or applied for some of the recently announced £250million emergency 'active travel fund'? If so, where are we in this process. If we haven't, when will we?

Response from Councillor Clayton Wellman

Thank you for your question. I will address the 3 parts accordingly.

Mole Valley car parks will remain free throughout June and for the first week in July to support businesses as they begin to trade. The Council will support the Surrey scheme to provide free parking to NHS workers and volunteer responders and care workers. The Council will reintroduce parking permits for residents and businesses, and will respond to those in hardship with reduced priced permits where appropriate. As for the car parks themselves, there will be increased signage reminding customers to keep a social distance and ticket machines will be cleaned daily. We will be encouraging people to use our cashless payment method, RingGo wherever possible to reduce contact with machines.

Turning to the second part of your question. As of 12 June, hospitality businesses such as café, restaurants, pubs and bars are still not permitted under the coronavirus regulations to have outside tables and chairs, only to offer a takeaway service. Under the current legislation, if a hospitality business wishes to make use of the pavement, it can involve up to three separate sets of consents – a planning consent (for a change of use); a highways consent (for a tables and chairs licence), and a licensing consent (to serve alcohol outside ('off-premises')). Mole Valley District Council deals with planning and licensing – Surrey County Council deals with highways matters. Where a business is proposing to use its own land (e.g a pub garden), there is no need for highways consent.

Although the media is discussing the prospect of "relaxing planning controls' to support the use of outside areas, no details have yet been announced by the government.

At the moment, Surrey County Council are not accepting applications for tables and chair licences. Officers have raised this and also asked Surrey County Council officers to consider whether it would be possible to introduce a temporary table and chair licence for three months to cover the summer trading months.

On behalf of the Mole Valley Chamber of Commerce, the Council has asked Surrey County Council to consider pedestrianising the High Street in Leatherhead on Sundays and Bank Holidays (currently its just Monday to Saturday) and to make arrangements to support the use

of the High Street for outdoor tables and chairs (when permitted under the coronavirus regulations).

With regard to the final part of your question, the Council raised the matter of active travel and social distancing needs with officers at Surrey County Council in mid-May following publication of the statutory guidance by the Department of Transport. Surrey County Council as the highways authority was then provisionally allocated £1.696 million to fund temporary active travel measures (phase 1) and £6.785 million to fund longer term active travel measures (phase 2).

The funding is not available to Mole Valley District Council as we are not the highways authority. Mole Valley District Council engaged with all district councillors, county councillors, residents' associations, parish councils, Dorking Town Partnership, Mole Valley Chamber of Commerce and Mole Valley Cycle Forum between 22 May and 1 June seeking their recommendations for active travel and temporary social distancing measures for Mole Valley. These were collated and submitted to Surrey County Council on 2 June. Many of these proposals have been included in Surrey County Council's submission for phase 1 to the Department for Transport on 5 June and a decision is expected soon. If successful, the first phase of measures must be started within four weeks and completed within eight weeks of the decision. In response to Surrey County Council's phase 1 proposals, we have formally written to the Cabinet Member for Highways at Surrey County Council (a copy of the letter is appended to the Question and Answer documentation) welcoming the measures that have been put forward as phase 1, but calling for increased urgency and further highlighting a number of key additional temporary interventions which are championed and supported by Cabinet, local councillors, residents associations and business groups.

2. Submitted by Councillor Paul Kennedy

A number of disused commercial sites in our town and village centres, such as the former Tudor Motors Garage in Fetcham, have remained unoccupied and become increasingly dilapidated over many years, with no apparent progress in delivering the commercial and affordable housing developments our communities need, even when planning permission has been given. Would the Council be prepared to work with social housing providers and other partners to acquire these sites, if necessary using compulsory purchase powers, in order to remove these eyesores and help develop our town and village centres?

Response from Councillor Margaret Cooksey

Thank you Councillor Kennedy for your question.

On the point about dilapidation the Council is able to consider whether the appearance of these sites is so detrimental to the surrounding area as to warrant the service of a notice requiring a site is tidied. The site referred to has been served such a notice and officers are commencing prosecution for non-compliance.

The Council continues to work with social housing providers and our other partners to pursue opportunities to meet development needs. Social housing providers are regulated bodies and many are also charities, and they often find that they are unable to purchase sites because the asking price is above the value that is considered reasonable for them to pay. Where sites are not for sale this can be problematic. Using compulsory purchase powers is not to be taken

lightly and requires a degree of up-front investment. A CPO is predicated on an inability of the Council to obtain a site by negotiation and clearly, at a time when the Council is not in a position to fund purchases, such negotiations are difficult. However, officers will continue to work with partners and should projects arise where compulsory purchase is the only option, and the Council can be indemnified by partners against the costs, then the Council can consider CPO as an option.

3. **Submitted by Councillor Paul Kennedy**

What is the Council's assessment of the effectiveness of the measures recently introduced by Network Rail to abate the statutory public health nuisance caused by pigeons roosting under the railway bridge over Guildford Road between Fetcham and Leatherhead?

Response from Councillor Elizabeth Daly

Thank you for this question Councillor Kennedy. There are two parts; the effectiveness of work by Network Rail to prevent pigeons roosting under their bridge, and secondly whether there is a statutory nuisance caused by those pigeons.

Pigeon fouling under the bridge has been a matter of public concern for many years. I share those concerns and I am determined to seek a permanent improvement. In response to increased pressure from the Council last year, Network Rail carried out pigeon proofing works above the pavement section of the bridge in December 2019. Initially this seemed to produce a significant improvement in the state of the pavements. There have been problems with some spikes installed by Network Rail falling, but when these were brought to the Council's attention, they were raised with Network Rail who carried out repairs. Since the lockdown started in March 2020, Network Rail have stated that, they were unable to attend as all non-essential railway works had been postponed but they would make a visit and instruct their contractors as soon as they were able.

Now that the lockdown restrictions have been eased, the issue of the spikes falling has been followed up with Network Rail. Officers have been informed that a representative visited the bridge during the week commencing 4th May, and have instructed their Works Delivery team to raise a remit for repairs. They also informed Officers that their contractors were furloughed until the 18th of May but we understand that they're hoping to go to the site as soon as they are able. We expect that once this remedial action has been taken the pigeon fouling on the pavement will not accumulate so quickly and the street cleaning schedule will serve its purpose. However, we will review the overall effectiveness of these measures with Network Rail as soon as other priorities permit.

There is an issue as to whether this problem constitutes a statutory nuisance under section 79 of the Environmental Health Protection Act 1990 with issues raised about whether there is a wider problem with pigeons in the area, and whether pigeons roosting over the road create the same problem as over the pavements. In accordance with our new Environmental Health Enforcement Policy, it is the intention to remedy this by undertaking an investigation during the month of June for the purposes of deciding, under Section 79 of the Environmental Protection Act 1990, whether a statutory nuisance exists, either because the droppings are injurious to health and/or because of the existence of a nuisance. The outcome of this investigation will be published on our website by the end of July. In respect of the considerations for a nuisance the Council will have due regard to the relevant case law *Wandsworth LBC v Railtrack* [2001] in reaching a conclusion as a matter of fact and degree.

Cllr Matt Furniss
Cabinet Member for Transport
Surrey County Council
County Hall
Penryhn Road
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Surrey KT1 2DN

11 June 2020

Dear Councillor Furniss

I write to you on behalf of Mole Valley District Council regarding Active Travel arrangements, and in particular the most immediate phase 1 temporary measures that are necessary to facilitate confidence, safety and social distancing.

At present, there are many sections in our towns and larger villages where social distancing is not achievable on the existing pavements. This is leading to people having to pass each other by stepping into the road and taking other unsafe courses of action.

The key message from government is to make our town centres safe for pedestrians and cyclists with the extra space they require. The only way to do this in certain places is to sacrifice some vehicle space and widen the pavements.

We need to widen pavements/pedestrian space now, when the High Streets are due to reopen and we most need people to feel confident to return. This is undeniably the critical focus at this point. I appreciate the Highways team is looking at these measures, but I must call for increased urgency on these key issues as they really need to be the first measures taken.

Below, I outline the key temporary and immediate interventions we are championing and which also have the support of local councillors, RAs and business groups.

We would be extremely grateful if the County Highways Team uses its considerable powers to ensure their implementation.

Yours sincerely



Councillor Clayton Wellman
Mole Valley Cabinet Member for Sustainable Economy

ASHTEAD

The plans to increase cycle racks and storage are welcome.

In addition, the on-street bays on both sides of the A24 need to be closed and used as pedestrian space to enable social distancing when The Street is functioning. Naturally, a couple of bays for disabled use should remain. For other cars, the two carparks are available as an alternative.

The alleyway to the shops from Ashtead Peace Memorial Hall is very narrow and needs to be made one way, leaving the longer routes round as the other direction.

The section of pavement in front of the Brewery Inn is also very narrow and a one-way section must be considered.

BOOKHAM

Temporary closure of at least some on-street bays on the High Street to create sufficient space for social distancing, leaving some for disabled parking and deliveries, is an important consideration. I understand that SCC officers are working on this possibility. Thank you, this is much appreciated.

There is ample alternative parking in Lowershott car park, including eleven 30 minute free bays, which is under a hundred metres from the High Street and joined by a safe pelican crossing. Lower Road car park is even closer.

DORKING

The plans to put more cycle racks in near Waitrose on South Street and Anytime Fitness on the High Street are clearly well meant. However, the racks already present are seldom used, and capacity is not an immediate concern. Therefore, for phase 1 and to deal with immediate and more critical issues, we believe the money would be better used in other pavement widening endeavours.

The SCC plans to widen South Street by closing a stretch of the on-street parking bays while leaving disabled spaces near the pharmacy is welcome.

We must also attempt to put in place a one-way pavement system on West Street, which is very narrow indeed. Despite many calls to close West Street to traffic, we appreciate the difficulties of this due to the amount of traffic as this is the A25, and the issue that all of it would be pushed up Station Road. However, there are suggestions to partially close it e.g. from 10am to 3pm. This kind of action is worth considering.

As I highlighted to you previously, and our officers have in meetings with your Highways Team, MVDC in conjunction with the Dorking BID undertook detailed analysis of the town centre and we came to the very clear conclusion that the key intervention required is pavement widening of the High Street from Pump corner up to the pedestrian crossing by Fat Face. We believe this would necessitate the closure of the lane on that side of the High Street. I have described the requested measures in some detail already, including how we can still facilitate deliveries, and that detail can be recalled and transmitted by our officers. So I won't repeat it all here, save to say that people are already using the carriageway as footway space to enable social distancing in any case, and this is incredibly dangerous. Also the key difference between closure at this point rather than at West Street is that it allows West Street traffic to continue up South Street, as well as turning into Station Road, thereby reducing the congestion issues considerably.

There are similar narrow pavement issues farther up that same side of the High Street from beyond Wathen Road to Ask Italian. To maintain social distancing, people have little choice but to step into the road when passing. If the previously described section were closed, the traffic would be far less here and the bus bay could be reclaimed too. Something must be done for these sections of the High Street to make them safe and to enable social distancing and businesses to operate.

LEATHERHEAD

The measures SCC is intending to take regarding Sunday pedestrianisation of the High Street and a one-way system around the 'waterless water feature' are very welcome.

A key point where a further temporary intervention is required is the Bridge over the river near Claire and James House. Its pavements are too narrow for people to pass safely even without trying to keep a two metre gap. It is essential to make this one way either side of the bridge. This should be viewed in conjunction with the request to make Bridge Street (which also has extremely narrow pavements) one-way, enabling pedestrians and potentially cyclists to use the other lane.

Similarly, the pavement coming from the railway station, across the road into Red House Gardens, needs some signage to separate people as there is a pinch point coming from the Station across to Bull Hill.

Better signage and clearing of the cycle route at the end of Kingston Road (next to Teazelwood Park and near B&Q) under the M25 and across to Ashtead would be a quick and easy win, enabling cyclists to avoid going near the M25 and the bypass. At present this is barely used as it is overgrown and not signed.