

AONB Board AGM 1 September 2021

Item 5: Public Questions

1. Wyndham Clark to ask the Chair:

My name is Wyndham Clark and I live in Holdenbrook Farm, Pisle Lane, which is next to the Holdenbrook BOAT / by-way.

As I'm sure you and members of the Board are aware, we have experienced a significant increase in usage of the bi-way by 4x4's and motorbikes. And with this comes destruction of the wildlife / the habitat and massive anti-social behaviour. There is also significant night time usage (typically at pub closing times) and a lot of noise. I have two sons - my youngest one is now in a heightened state of anxiety as a result of the night time usage and all the revving of engines / shouting etc.

You'll also be aware that work has started on mending the by-way after all the destruction. And for this and please advise the Board - I and in fact all local people are extremely grateful.

I have two questions however:

1. What is being done to change the classification - and ban 4x4's / motorbikes. They have done a huge amount of destruction, obviously to the lane itself, but also to the wildlife. One of the banks of the brook had a nesting kingfisher which went once the noise was too much and barn owls in a nearby barn have also fled. The lane has been mended before so although it looks good currently they will ruin it again. It's just a matter of time.

2. Although the bi-way / lane is now closed while work continues, it doesn't stop 4x4's and bikers from using it. And now it's smooth they are using it as a speed track. I have seen 4-4's coming down it at I would have thought 40mph - amazingly fast and were they to come across my son on his bike / someone on a horse it would be catastrophic. So - what is being done to reduce speed?

Reply from the Chair:

Dear Mr Clark

Firstly, I would like to express my sympathy for the impact that this anti-social behaviour is having on your family, which I appreciate must be very distressing, and my dismay at the damage being done to the byway, its historic banks and the surrounding wildlife. The AONB Board is aware that this is a much wider problem across the Surrey Hills.

Surrey County Council (Surrey CC) is responsible for BOATs as the highway authority and I understand that Surrey CC has no plans to reclassify any BOATS.

In relation to controlling speed and banning motorized vehicles by means of a Traffic Regulation Order(TRO), Surrey CC's policy is that it will only pro-actively restrict traffic where the BOAT has been assessed to be in poor condition and in need of significant repair. Surrey CC has clearly recognized the need to repair the Holdenbrook BOAT which in itself is very welcome. As the intention is that this repair work should make the condition appropriate for all legal user classes, Surrey CC's policy is that a TRO will only be made on grounds of significant danger to users or to prevent significant damage to the route. The continuing safety concerns you report and the outcome of Surrey CC's consultation on a TRO for Wolvens Lane (BOAT numbers 526 and D287) which has also been recently repaired could have a bearing on future decisions.

The Surrey Hills AONB Board would also like greater weight to be given to Surrey CC's legal duty of regard to conserving and enhancing the Surrey Hills AONB under Section 84(4) of the CROW Act 2000. This should not just be about the damage to the BOAT itself but to have regard to the wider destruction of habitats and landscape features, as well as the detrimental impact this has on the wider public understanding and enjoyment of the Surrey Hills.

I appreciate that this is a major and complex issue which we need to work in partnership with Surrey County Council and Surrey Police to minimize damage.

Yours sincerely

Heather Kerswell

Independent Chair

2. John Oliver to ask the Chair:

The Surrey Hills Board is a joint advisory committee, the role of which, according to its Constitution, is to act as "an advisory body, particularly with regard to policies and the allocation of resources in relation to the protection and enhancement of the AONB". This being the case, I would like to ask the following:

- Since 1 January 2020, on how many occasions has the Chair written, on behalf of the whole Board, to the Board's constituent authorities to provide advice that is intended to guide those authorities on potential, or actual, policy or management issues relating to the Surrey Hills AONB area.
- What were the dates of those letters and what was the subject matter of each letter?

I realise that individual representatives are likely to feed back to their authorities about Surrey Hills Board matters. However, I am only concerned

with the Board acting as a whole and the Chair personally representing its views.

Reply from the Chair:

Dear Mr Oliver

The adopted AONB Management Plan sets out the vision and policy framework for the Surrey Hills and I confirm that it is for our members to represent AONB interests to their respective authorities.

The AONB team provide further advice to local authorities on a wide range of policy and operational issues, including commenting on over 300 development proposals per annum.

Yours sincerely

Heather Kerswell

Independent Chair

3. Sally Blake to ask the Chair:

The process to extend the boundary of the Surrey Hills AONB has now started. The Chair of the AONB set out a timetable on 29 July 2021 at the Surrey Hills Community Forum. It included the expectation to complete the assessment of natural beauty, whether the level of natural beauty makes it desirable to designate it to conserve and enhance this, and the determination of the boundary, by summer 2022.

David Vose, the expert on this from Natural England, who presented on 29 July, said that National Parks have a secondary statutory purpose to further understanding and enjoyment of the area, but AONBs must focus only on natural beauty for now.

The Surrey Hills AONB website page “Surrey Hills next in line for boundary extension” says “Click here to view map showing additional protection areas to be included in AONB Boundary”. It implies the vital decisions have already been made. However, that map is based on a 2013 report. The world and its priorities have changed since then. Climate change and biodiversity crises now eclipse everything else.

Natural England says the factors which contribute to natural beauty are Landscape Quality, Scenic Quality, Relative Wildness, Relative Tranquillity, Natural Heritage (including flora and fauna) and Cultural Heritage.

Will the Surrey Hills AONB Board commission a report, and do all it can, to add substantial areas of Natural Heritage, Relative Wildness and Relative

Tranquillity throughout Surrey, to the Areas of Great Landscape Value already selected and, if not, why not?

The Surrey Nature Partnership's report on Biodiversity Opportunity Areas in Surrey, in September 2019, provides an excellent data base for assessment. The Policy Statements with that report include priority habitats and species, maps and boundaries.

This is a one-off opportunity to protect more areas of irreplaceable nature in Surrey, to join the general and essential effort to assist the climate and biodiversity crises, and would demonstrate the AONB Board's intention to keep up with the desperately serious times we live in. The Board should not be constrained by a 2013 report based on Landscape Quality.

We are living in exceptional times. They require exceptional decisions. We must act now.

Reply from the Chair:

Dear Sally Blake

The Surrey Hills AONB Board will not be commissioning its own report to identify substantial areas of natural heritage, relative wildness and relative tranquillity throughout Surrey.

Natural England is the government adviser and competent body to undertake this work on the boundary review. The Surrey Hills AONB Board will continue to do all we can to support Natural England and its consultants in this endeavour working with our communities.

Yours sincerely

Heather Kerswell

Independent Chair

4. **Jenny Desoutter to ask the Chair:**

The Surrey Hills has always been known as a tranquil, popular destination for walkers but latterly increased usage together with diversity of traffic has led to an increasing number of conflicts and incidents, with potential to lead to serious consequences.

One such incident occurred in Norbury Park in February this year when there was a catastrophic collision between a cyclist and a local resident out walking, which tragically led to the subsequent death of the pedestrian in hospital. This incident required attendance of multiple emergency vehicles and an air ambulance with trauma surgeon. While no doubt full details will emerge at the

inquest later this month, this tragic accident serves to underline the risks and anxieties routinely experienced by walkers who are sharing paths with vehicles designed to travel at speed where no regulations or “rules of the road” apply. The tragic outcome of this event will do nothing to allay what are rational fears, as walkers feel, and are, vulnerable.

Despite the fact that risks to pedestrians are significant and real, when at the recent 29th July forum reference was made to this and other adverse incidents, all of which had been reported to the police, the response appeared to view these as "hearsay."

Are the AONB made aware by the police of accidents, incidents and conflicts reported on the byways network within the Surrey Hills? And as off-road paths become ever busier, and particularly when further promoting use of “shared” paths do you, or would you consider, actively working together with other agencies such as Surrey Police, SCC Highways, Parish Councils and local communities to collate and monitor incidence of such incidents and indicators of potential conflict or risk, with a view to informing AONB policy, such as signage, and to determining strategies to make Surrey’s paths feel safe again for walkers, who now have become vulnerable where once they felt safe?

Reply from the Chair:

Dear Jenny

As the circumstances of the tragic incident in Norbury Park are currently subject to the inquest process I will refrain from making a direct comment on these.

As to the generality of the question, the AONB does not carry powers to regulate or manage highways and public rights of way, these fall within the remit of the police and highways authority. Similarly, the recording of injury collision data on public highways is a matter for the police. Any such incidents should be reported to the police as it will be for them to identify any specific locations of concern. I understand that Surrey CC does not receive any reports of collisions from the police on rural rights of way in a systematic manner and do not have any plans to collate and monitor such incidents.

In term of priorities, research from national data indicates that approximately 99.4% of pedestrian fatalities involving vehicles (about one per day) involve motor vehicles, with about 10% of these happening away from the carriageway (footways and other routes). Putting this into perspective, the greatest risk to all vulnerable road users therefore continues to be from exposure to motor vehicles, and the focus of the AONB should be to help work on reducing that risk.

As previously pointed out, the Surrey Hills AONB already partners with the British Horse Society and Cycling U.K. on their ‘be nice, say hi’ responsible shared use campaign, and waymarks relating to this have been erected on a

variety of shared routes. Additionally, the recently revamped Countryside Code also adopts the 'be nice, say hello' message and a number of other messages promoting responsible considerate shared use, some of which the AONB Director is in discussion with you on.

As I do intend to meet the new Police and Crime Commissioner to discuss rural crime and safety issues, I will raise your concerns, as appropriate.

Yours sincerely

Heather Kerswell

Independent Chair