

CROFT AVENUE

ROAD OWNERSHIP

Two people hold the freehold of the road in trust and until 2017, when they both retired their roles, the Trustees were Ken Wright (no 7) and a solicitor from Downs of Dorking.

Trustees

CARA cannot own the road directly because it is an informal entity, not a company with assets, so that is why Trustees were needed. Two new trustees were appointed at the AGM on 16th November 2017, and both are Croft Avenue residents.

Trustees are legally responsible for the road but cannot do anything unless instructed to do so by CARA after proper consultation in an open meeting with a motion passed by a majority.

All residents have a joint and legal responsibility to keep the road in good order and every household on Croft Avenue pays an annual charge to CARA as ALL parts of the road are treated the same.

Although the trustees have a legal responsibility for the road, CARA holds an insurance policy that indemnifies them from any claim or damages that might arise.

Adopted or Unadopted?

About the time new Trustees were appointed the issue was resolved as to whether a part of Croft Avenue had been adopted. The doubt was because there was a council-maintained lamppost on the spur between numbers 15 – 23.

Following enquiries with Surrey County Council, the Highways Information & Business Support Team clarified the status of adoption as follows:

“The spur between numbers 15 to 23 is shown as adopted on an old map that was held by the former Dorking UDC when they were highway authority prior to 1974, but these maps are known to contain many inaccuracies and cannot be relied upon.

It can only be assumed that at some time Dorking UDC intended to adopt the spur and took over the street lights, but something prevented them from adopting the road itself. The most likely reason is that it does not connect with another public highway, which is a prerequisite for the road to be adopted.”

Compiled by Bryan Dennis (No 12)

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