

Runnymede Borough Council
ENVIRONMENT AND SUSTAINABILITY COMMITTEE

19 January 2017 at 7.30pm

Members of the Committee present: Councillors J J Wilson (Chairman), T J F E Gracey, Mrs M T Harnden, D J Knight, B W Pitt, P I Roberts, Miss J K Sohi and Mrs Warner.

Members of the Committee absent: Councillors M T Kusneraitis and S M Mackay

455 FIRE PRECAUTIONS

The Chairman read out the Fire Precautions.

456 NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

The Group mentioned below had notified the Chief Executive of its wish that the change listed below would be made to the membership of the Committee. The change was for a fixed period ending on the day after the meeting and thereafter the Councillor removed would be reappointed.

Group	Remove From Membership	Appoint Instead
Conservative	Councillor I A Chaudhri	Councillor Mrs G Warner

The Chief Executive had given effect to this request in accordance with Section 16(2) of the Local Government and Housing Act 1989.

457 MINUTES

The Minutes of the meeting of the Committee held on 17 November 2016 were confirmed and signed as a correct record.

458 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M T Kusneraitis

459 NEW APPLICATION FOR STREET TRADING CONSENT – THE BROADWAY, NEW HAW

The Committee gave consideration to an application for a new street trading consent at The Broadway, New Haw, from Mr Muhammad Wasif Ilyas Chaudhry, trading as *Best Kebab*, to trade in fast food between 6.00.p.m. to 11.00.p.m., Monday to Sunday, for 7 days a week. It was noted that the applicant had not yet acquired the stall/vehicle/food trailer from which he would be trading and he had been advised, therefore, that any consent to trade would have to be subject to him acquiring a stall/vehicle/food trailer which was appropriate to the dimensions of the trading location. The trading location was at the eastern service road adjacent to the street, from the northern boundary of the Black Prince Public House for a distance of 15

metres in a northerly direction. A plan of the location was attached as an Appendix to the report for Members' information. A copy of the agenda report had also been sent to the trader who had been invited to comment and to attend this meeting if he so wished. No response had been received. He did not attend this meeting.

A comprehensive trading history of the site was noted by the Committee. Consultations on this application had taken place and comments had been received from: (i) Surrey Police's Neighbourhood Inspector, (ii) Surrey Police Road Safety and Traffic Management, (iii) Surrey County Council Area Team 1 North West Local Highway Services (Surrey Highways), (iv) RBC Parking Services, (v) RBC Environmental Health, and (vi) Woodham Ward Members. None of these consultees had felt able to support this application noting, inter alia, (a) a loss of parking which would result from trading in this location in an area in which parking was at a premium; (b) the limited width of the footway and the potential for congestion on the footway and thus trading might be hazardous to pedestrian traffic; (c) potential for highway congestion on the access road in relation to the narrow width of the service road; (d) that trading would further restrict visibility for vehicles exiting the public house car park; (e) the dimensions of the stall/vehicle/food trailer to be used by any trader were unknown as yet; and (f), from the Ward Members' personal experiences, the trading area was prone to flooding on a regular basis.

During discussion, the potential for littering, noise, odour nuisance and anti-social behaviour arising from trading at this location and its close proximity to resident's homes was also discussed. These were important and significant factors which the Committee took into account in determining the application.

After considering the importance of these in relation to the application, the Committee unanimously agreed that the application should be refused and that the Applicant be informed accordingly of the reasons for this. It was then -

RESOLVED that –

The application be refused for the following reason:-

The noise and nuisance which it is anticipated would result from hot food trading at this particular location, which would be detrimental to the peace and quiet enjoyment of residents in the vicinity.

460 ANNUAL REVIEW OF CAR PARKING CHARGES IN OFF-STREET CAR PARKS

The Committee conducted its annual review of the current charges in the Council's off-street car parks, including the charges for season tickets, permit and contract parking. The provision of off-street car parks was a discretionary service provided to residents by this Council.

Consideration of this report had been deferred at the November 2016 meeting of the Committee to allow for additional consultation on proposed changes. The individual results from that consultation (18), the letters submitted in response to the previous Committee report (5) in November, together with other updates were included in an Appendix to the Agenda Report. A further letter from the Egham Chamber of Commerce was tabled as an Addendum.

The recent history of parking charges was noted. Parking Charges in both Town Centre and Out of Town car parks were last generally increased some three years

ago in January 2013. Permits and Contract parking in Town Centres were last increased in January 2016.

The Committee was pleased to note the success of *Phone and Pay to Park* mobile payments which now accounted for 7% of all parking transactions and 37% of 'All day' parking payments.

The Bourne car park in Virginia Water had closed in June 2016 for development, and, in answer to a Member's enquiry, other provision was currently being provided for Virginia Water residents in the British Legion and Memorial Gardens car parks.

In deciding the way ahead the Committee was reminded that when considering the level of car parking charges Members normally sought to balance the costs of operating car parks and the income for the Council, with the impact on the viability and vitality of the Town and neighbourhood Centres in the Borough. This was particularly relevant in this review due to the Council's financial position and the current financial climate for local businesses. Any reduction in the Town Centre charges across the Borough would result in a significant reduction in income, which would have an adverse financial effect on the Council at a time when the Council was looking for additional funding.

The Council's financial position both now and in the mid-term meant that not only must savings be achieved, but income must be maximised in order to produce a balanced budget. The medium term financial strategy assumed that income from car parking would continue to rise. Given that the provision of car parking was a discretionary service and the Council levied the lowest Council Tax in the County whilst maintaining half of its car parks free-of-charge at cost (met by the General Fund), it was not felt to be unreasonable to adopt a 'user pays' policy in relation to car parking charges.

In the general discussion, Members noted the business' concerns about the impact on the viability and vitality of the towns and neighbourhood centres in the Borough which was a key matter mentioned in many of the consultation responses received. The Council's overall financial position was, however, also a significant consideration at a time when Government policy was continuing its substantial reduction in financial support. The proposed increase in parking charges, if usage was maintained, could bring in an additional £83,000 per annum. Whilst several consultation responses, including the tabled letter from the Egham Chamber of Commerce, asked for a reduction in parking charges, especially for shorter stays, Officers advised that this would have a major adverse impact on the whole of parking income, as the majority of income was derived from shorter stay users. This was noted.

Members being content with the proposals as set in the report it was then unanimously-

RESOLVED that:

i) Town Centre car parking charges be increased as set out below:

Time Period	Current Tariff	Proposed Tariff	Proposed Increase
Up to 1 hour	£0.80	£1.00	£0.20

1 – 2 hours	£1.60	£2.00	£0.40
2 – 3 hours	£2.50	£3.00	£0.50
3 – 4 hours	£3.00	£3.50	£0.50
4 – 5 hours	£3.50	£4.00	£0.50
5 – 6 hours	£4.50	£5.00	£0.50
All day	£6.00	£6.50	£0.50

ii) **Out of Town car parking charges be increased as set out below:**

Time Period	Current Tariff	Proposed Tariff	Proposed Increase
Up to 1 hour	£0.30	£0.40	£0.10
1 – 2 hours	£0.60	£0.80	£0.20
2 – 3 hours	£1.20	£1.50	£0.30
3 – 4 hours	£2.00	£2.50	£0.50
4 – 5 hours	£2.50	£3.00	£0.50
All day	£4.50	£5.00	£0.50

It be noted that the proposed parking charges as set out above are estimated to increase income for Parking Services by £83,000 per annum

- iii) **Car park permits, season tickets and contract parking charges otherwise remain unchanged.**
- iv) **A free parking period of one hour in Pooley Green car park be introduced but the current annual cost of permits of £100 in this car park remains unchanged.**

461 TRIAL ENFORCEMENT OF LITTER AND DOG CONTROL LEGISLATION

At its meeting in March 2016, the Committee had endorsed the extended use of Fixed Penalty Notices (FPN's) for tackling environmental crime including littering and dog fouling. Members were made aware that, at that juncture, the Council had not actively enforced littering and dog fouling provisions and, therefore, any proposed changes in these areas would be subject to a further report. Accordingly, the Committee was now asked: (i) to approve a policy of active enforcement of the litter and dog control legislation, within the Borough of Runnymede, by means of Fixed

Penalty Notices for a 12 month trial period; and (ii) to approve the waiver of relevant Standing Orders for Contracts for the purposes of engaging Kingdom Environmental Protection Services (KEPS) as Authorised Officers of the Council for that 12 month trial period.

The proposed enforcement initiative would be cost-neutral and based on the percentage payment rate of the FPN. The national average payment rate reported by KEPS, operating in 33 local authorities, including Woking Borough Council was 75%.

The Committee agreed that littering and dog fouling continued to be a problem in Runnymede and remained an area of concern for both local communities and residents. There had been 400 reports regarding littering and 127 reports regarding dog fouling between Oct 2015 and Oct 2016. Given that the Council had no dedicated resource or capacity to effectively tackle these problems (a situation by no means unique to RBC), Officers proposed to follow the example of many other Local Authorities, including neighbouring Woking Borough Council, and to enter into an agreement on a trial basis for 12 months enforcement initiative with KEPS, a private partner with a proven track record in the enforcement of environmental crime. This would provide the most efficient solution to tackling these problems in a robust manner. Some information on this company was attached as an Appendix to the report. Due consideration was given to alternatives to using a private partner but the Committee agreed that the proposal to enter into an agreement on a trial basis for a 12 months enforcement initiative with KEPS was the best option. Whilst there were a small number of other agencies that might be able to provide a similar provision to KEPS in terms of the type of enforcement officers used, it appeared that this company could provide a package, providing not only the enforcement officers but a tested back-office system which provided management, administrative support and access to an area support system for identification checks. KEPS enforcement solution was adaptable and used widely across other Local Authorities. In terms of time factor whilst it might be possible to approach other companies for a tailor-made solution, this was likely to take considerably more time than the proposed trial to implement.

Utilising KEPS services based on the neighbouring Woking experience would provide the required level of expertise to facilitate a thorough trial of 'active dog control and litter enforcement' across this Borough. A full-year trial would provide quantitative and qualitative data to inform any future 'enforcement provision' taking light of seasonal fluctuations and populations in the Town Centres and also provide applicable data sets for future detailed tendering and specifications should the Council wish to provide a full time enforcement capability in these areas after the trial period.

In terms of resource implications, KEPS would provide enforcement officers uniforms, equipment, host the appeals process, send a reminder letter, payment letter (up to any court proceedings) and manage telephone enquires relating to FPN's issued. RBC would provide authorisation to KEPS officers, identity cards and applicable RBC stationery which would be met through existing environmental health resources. The trial period would enable a view to be taken on whether, once the process had bedded in, it could be contained within existing resources. The effective, timely recovery of costs would, however, need to be monitored as recovery could not be guaranteed even where costs were ordered by the Court. There would be some costs of £200-£300 associated with additional printing in relation to increased signage and publicity of the trial for the extension of FPNs provisions in relation to littering and dog control, but could be met from within the existing

environmental health budgets. In order to appoint KEPS as the preferred contractor, Contract Standing Order 2.5 would need to be waived.

Members agreed that there was a risk that the public would perceive a more active approach to enforcement of littering and dog control offences purely as an income generation exercise. However there were safeguards. No quotas would be set regarding the numbers of FPNs to be issued and no notices would be issued to persons under the age of 18 or to those suspected of suffering mental ill health. Given the potential for negative press reports in relation to overzealous private enforcement companies particularly where the more vulnerable members of the community were concerned for example, the elderly and young people, it was therefore important to ensure an effective media campaign be instigated leading up to active enforcement including use of the Council's webpages and related environmental health *Twitter* accounts. Staff resources for this would be met from within current budgets.

During discussion, Officers were asked to liaise with Councillors to identify those areas in the Borough which had significant dog control issues and/ or litter problems so that these could be drawn to KEPS specific attention.

It was then unanimously –

RESOLVED that

- (i) The active enforcement of the litter and dog control legislation, within the Borough of Runnymede, by means of Fixed Penalty Notices for a 12 month trial period be approved;**
- (ii) Contracts Standing Order 2.5 be waived for the reasons as set out in the report, and, the Corporate Head of Planning and Environmental Services be authorised to agree terms for a contract for a 12 month trial period with Kingdom Environmental Protection Services in order to enable a wider review and assessment of litter and dog control issues to be undertaken to inform a full tendering process and specification;**
- (iii) The potential additional costs and/or income resulting from the various scenarios as set out in the report be noted.**

462 MINUTES OF MEMBER WORKING GROUP ON RECYCLING AND
REFUSE SERVICES – 23/11/16

The Minutes of the meeting held on 23 November 2016 were noted.

(The meeting ended at 8-30 pm)

Chairman