

Runnymede Borough Council
ENVIRONMENT AND SUSTAINABILITY COMMITTEE

18 January 2018 at 7.30pm

Members of the Committee present: Councillors Mrs G Warner (Vice-Chairman in the Chair), Miss E Bancroft, T J F E Gracey, Mrs M T Harnden, D J Knight, M T Kusneraitis, Mrs Y P Lay, Miss J K Sohi and M L Willingale

Members of the Committee absent: Councillor P I Roberts

Councillor A P Tollett also attended

462. FIRE PRECAUTIONS

The Chairman read out the Fire Precautions.

463. NOTIFICATION OF CHANGE TO COMMITTEE MEMBERSHIP

The Group mentioned below had notified the Chief Executive of their wish that the change listed below 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.

	Remove From Membership	Appoint Instead
Conservative	Councillor J J Wilson	Councillor Miss E Bancroft

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

464. MINUTES

The Minutes of the meeting of the Committee held on 23 November 2017 were confirmed and signed as a correct record.

465. INCREASE IN FINES FOR ENVIRONMENTAL SERVICES

The Environmental Offences (Fixed Penalties) (England) Regulations 2017 which came into force on 1 November 2017 prescribed the ranges within which the amounts of certain fixed penalties that are capable of being specified by a local authority in respect of littering, free distribution of printed material on designated land, graffiti, fly-posting and other environment matters are required to fall. The Committee gave consideration as to what, if any, amounts of fixed penalties would be specified under these regulations.

Section 154 of the Anti-social Behaviour, Crime and Policing Act 2014 (which related to vehicles in England) came into force on 23 October 2017. Section 154 amended the Environmental Protection Act 1990 by inserting a new Littering from vehicles: civil penalty regime under Section 88A. Penalty charges under this section were subject to future regulation and central guidance was yet to be issued.

Members were given details on the range of fines which could be imposed and agreed that the FPN fines for littering and other environmental offences in the Runnymede Borough Council area be set as follows;

- i) Penalty fines for litter, distribution of printed matter, graffiti and fly-posting: A penalty fee of £100 with an early repayment fee of £80 and a 10 day early repayment period.
- ii) Penalty fines for audible intruder alarms: A penalty fee of £80 with an early repayment fee of £64 and a 10 day repayment period.
- iii) Penalty fines for commercial receptacles: A penalty fee of £100 with an early repayment fee of £80 and a 10 day early payment period.
- iv) Penalty fines for noise: A penalty fee of £80 with an early repayment fee of £64 and a 10 day early repayment period.
- v) Lesser penalty fines for abandoning vehicles: An early repayment fee of £160 and a 10 day early payment period.
- vi) Lesser penalty fines for transporting waste and duty of care for waste: An early repayment fee of £240 and a 10 day early payment period.

In all cases, where allowed to do so, the early payment charge and payment period be specified as being a 20% reduction of the set or specified fee and a 10 day payment period.

Members endorsed the proposals.

RESOLVED that -

- i) the increase in fixed penalties payable in respect of offences relating to the environment and the coming into force of the Section 154 provisions of the Anti-Social Behaviour, Crime & Policing Act 2014 be noted.**
- ii) the amount of fixed penalties fines payable, early repayment fees and specified early repayment periods in respect of offences relating to the environment from 1 April 2018 to 1 April 2019 as detailed in the preamble to this resolution be approved.**

466. POTENTIAL PROPOSED CONTAMINATED LAND INVESTIGATION IN THE BOROUGH

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter under Section 100A(4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A to Part 1 of the Act.

Members were advised the current Runnymede Borough Council Contaminated Land Strategy required the Council to carry out contaminated land investigations of potential sites within its boundary to meet statutory requirements under the Environmental Protection Act

1990. The strategy was based on an approach of prioritisation and investigation of potentially contaminated land sites starting with the highest priority sites.

Under Statutory Guidance Local Authorities had sole responsibility for determining whether any land within their Borough or District appeared to be contaminated land as a result of any previous land use. The future progression of the Strategy required the implementation of desk study investigations and where required, Phase 1 intrusive investigation work to be undertaken if the Strategy was to be fully implemented and statutory duties met.

The Committee was informed of a proposed contaminated land investigation at a site in the Borough, which was the highest priority ranked site for Phase 1 intrusive investigation. The completed desk top study of the site had confirmed that further investigation was required and the nature of those further investigations was outlined. The findings of the initial samples together with any further works or actions would be reported back to the Committee prior to any further works being implemented.

Members were concerned that annual funding of £10,000 for the implementation of the strategy was not sufficient to undertake the investigative work to all the potentially contaminated sites in the Borough in a reasonable time period. Members felt it would be useful for data to be provided on the number of investigations carried out given the small amount of funding available. The data would give Members useful information on whether more funds should be made available as part of the Council's budget setting exercise.

It was noted that all sites should be referred to as potential contaminated land sites at this stage.

RESOLVED that –

the potential proposed contaminated land investigations at the site specified in the Borough in relation to the implementation of the Council's Contaminated Land Strategy be approved.

467. ENFORCEMENT OF LITTER AND DOG CONTROL LEGISLATION – UPDATE

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter under Section 100A(4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A to Part 1 of the Act.

In January 2017 Members had approved a 12 month trial enforcement of FPN's by an external contractor Kingdom Environmental Protection Services (KEPS) to run from June 2017 to June 2018.

Members had been provided with a short interim report on performance of the trial at the meeting of this Committee in September 2017 which included information on the number of FPN's served, the types of offences reported and follow up information.

Members now received a summary of the FPN's issued by KEPS as of 31 October 2017. It was noted that 1085 FPN's had been issued for litter or dog control offences. Officers reported that on Monday 15 January 2018 59 prosecutions were heard at the court. 18 of which were adjourned, 10 removed whilst more work was undertaken, 6 paid prior to going to court and there were 25 prosecutions. Members noted the total income received which would be re-invested in the

service. Members, however, requested that Officers provide the figures as a quarterly breakdown in the future.

Members congratulated Officers on the success of the service which had been well received by residents. Members were pleased to note that in 96% of cases payment of the FPN's had been received. This coupled with adapting the public's behaviour to litter and dog control made this a success. Members were advised that Officers were currently liaising with the Council's Communications team regarding sending out a press release in this regard.

Members were reminded that the trial was due to end in June 2018 at which stage the Council would need to address if and how it wished to proceed with enforcement of littering and dog control matters going forward. Members received details on the potential options for future consideration and Officers would bring a further report and associated data back to a future meeting of the Committee to enable Members to consider the potential options in more detail.

Chairman

(The meeting ended at 8.04pm)