

Environment and Sustainability Committee

Wednesday 29 September 2021 at 7.30pm

**Council Chamber
Runnymede Civic Centre, Addlestone**

Members of the Committee

Councillors: M Heath (Chairman), N King (Vice-Chairman), D Clarke, S Dennett, R King, S Lewis, J Olorenshaw, D Whyte, S Williams, M Willingale

In accordance with Standing Order 29.1, any Member of the Council may attend the meeting of this Committee, but may speak only with the permission of the Chairman of the Committee, if they are not a member of this Committee.

AGENDA

Notes:

- 1) **The following Measures to comply with current Covid guidelines are in place:**
 - **restricting the number of people that can be in the Council Chamber to 60**
 - **temperature check via the undercroft for Members/Officers and Main Reception for the public**
 - **NHS track and trace register, app scan is next to the temperature check**
 - **masks to be worn when moving around the offices**
 - **masks can be kept on whilst sitting in the Council Chamber if individuals wish**
 - **use of hand sanitisers positioned outside and inside the Council Chamber**
 - **increased ventilation inside the Council Chamber**

- 2) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether

it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.

- 3) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mrs C Holehouse, Democratic Services Section, Law and Governance Business Centre, Runnymede Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425628). (Email: carol.holehouse@runnymede.gov.uk)**.
- 4) Agendas and Minutes are available on a subscription basis. For details, please ring Mr B A Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on [Committee Meetings – Runnymede Borough Council](#)
- 5) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.
- 6) **Filming, Audio-Recording, Photography, Tweeting and Blogging of Meetings**

Members of the public are permitted to film, audio record, take photographs or make use of social media (tweet/blog) at Council and Committee meetings provided that this does not disturb the business of the meeting. If you wish to film a particular meeting, please liaise with the Council Officer listed on the front of the Agenda prior to the start of the meeting so that the Chairman is aware and those attending the meeting can be made aware of any filming taking place.

Filming should be limited to the formal meeting area and not extend to those in the public seating area.

The Chairman will make the final decision on all matters of dispute in regard to the use of social media audio-recording, photography and filming in the Committee meeting.

LIST OF MATTERS FOR CONSIDERATION
PART I

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PART II

Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection

a) Exempt Information

(No reports to be considered under this heading)

b) Confidential Information

(No reports to be considered under this heading)

1. **FIRE PRECAUTIONS**
2. **NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP**
3. **MINUTES**

To confirm and sign the Minutes of the meeting of the Committee held on 10 June 2021 as attached at **Appendix 'A'**.

Runnymede Borough CouncilENVIRONMENT AND SUSTAINABILITY COMMITTEE10 June 2021 at 7.30pm

Members of the Committee present: Councillors M Heath (Chairman) N King (Vice-Chairman)
D Clarke, S Lewis, J Olorenshaw, D Whyte,
S Williams and M Willingale

Members of the Committee absent: Councillors S Dennett and R King

Councillors L Gillham and I Mullens also attended

62 FIRE PRECAUTIONS

The Chairman read out the Fire Precautions.

63 MINUTES

The Minutes of the meeting of the Committee held on 18 March 2021 were confirmed and signed as a correct record.

64 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S Dennett and R King

65 DEPOT UPDATE

At the request of the Chairman the Committee received an update on depot activity during the last year.

The last fifteen/sixteen months had been challenging due to Covid19, but it was a testament to all staff that no services had been reduced during that time. Members of the Committee concurred with this and commended Officers for all their continued hard work during the pandemic.

Officers reported that they had encountered some difficulty in some roads where inappropriate parking made it impossible for refuse trucks to pass to carry out collections. Officers would contact residents who repeatedly parked inappropriately, and the list of problem streets would be forwarded to ward Members. Officers were also proposing to update the Council's webpages with information on future collections and refer to this in future Council newsletters. It was noted that SCC were currently carrying out their annual parking restrictions review so Officers would also contact SCC in this regard.

Officers reported that a feasibility study of the depot had been undertaken and a report would be brought to the next Committee meeting in September.

66 FOOD SERVICE PLAN 2021/22

The Committee was asked to approve the proposed Food Service Plan for 2021/22. Members were advised that the Food Service Agency (FSA) suspended the national food safety inspection programme in 2020 during the initial stages of the Covid pandemic. Further suspensions followed throughout the year as local authority resources particularly those of environmental health were deployed to Covid compliance and enforcement issues.

The impact of Covid at local level for Runnymede had resulted in a backlog of 257 interventions for the 2020/21 period. These inspections together with the interventions due in 2021/22 made a total of 667 for the coming year. Despite Officers being heavily involved in the Council's welfare response to Covid they had still managed to carry out 258 interventions in the last reporting year. The backlog of inspections from 2020/21 had already been reduced by Officers undertaking additional work out-of-hours with the remaining inspections being progressed on a risk basis. It was noted that some premises had gone 12-15 months without an inspection but during this period Officers had been sending out mailshots regarding food safety and Covid. It was suggested that the Council's Customer Service team could be asked to assist in giving high risk premises advance notice of inspections and the Council's CHES would follow this up.

The normal programme of inspections was expected to commence in 2023.

Members reviewed the proposed Plan for 2021/22 and recommended it for approval by Full Council in accordance with Article 4 of the Constitution.

RECOMMEND TO FULL COUNCIL that –

the Food Service Plan for 2021/22 be approved by Full Council on 15 July 2021

67 KEY PERFORMANCE INDICATORS QUARTER 4 2020/21

The Committee received a report setting out the results of the Key Performance Indicators for Quarter 4 of the year 2020/21.

Despite the difficulties of the past year Members were pleased to note that the percentage of bins collected was 99.96% during Quarter 4, giving an annual result of 99.95%. During the first two quarters of 2020/21 recycling had surpassed 50% for the first time in Runnymede. In addition to the increased recycling rates the contamination rates had also reduced.

The Committee was pleased to note and thanked the number of Community groups who had undertaken litter picks in their particular areas. The Supervisor at the Depot worked with these groups providing litter pickers, high vis clothing and bags. It was considered that the option of providing different colour bags to assist in the segregation of recycling during these community litter picks should be explored. It was noted that many litter pick groups were promoted on social media and Officers were asked to further communicate with litter pick groups using this platform. Ward Members would also like to be improved of any litter picks being organised in their wards.

Officers advised Members that a report on the implications for Runnymede waste services including information on the DRS (Deposit Return Scheme) and EPR (Extended Producer Liability) would be brought to the next meeting of the Committee in September.

The depot was commended for their work and Members thanked Officers for a really good set of KPI's during a difficult year.

68 CLIMATE CHANGE STATEMENT OF INTENT

Members were updated on the Council's current position and direction with regard to Climate Change.

It was anticipated that the draft Climate Change and Sustainability Strategy would be one of four interlinking themes supporting the Corporate Business Plan draft which would be available in October 2021.

At the July 2020 meeting of the Environment and Sustainability Committee the Council reported their intention to adopt selected principles and targets from the Surrey County Council Climate Change Strategy. These were effectively national targets augmented by the regional aspirations which was entirely appropriate. However, not all the targets and actions were within the control of District and Borough Councils. Additionally, not all the scoped targets were evenly distributed across the County, therefore individual Borough roles were contributory to the County target rather than being directly proportional. Officers were currently in the process of working through these to evaluate the specific application to our Borough.

Runnymede was currently responding to Surrey Council /National Government on the following list of projects:

- Local Cycling and Walking Infrastructure Plans (LSCWIPs)
- EV vehicle on street charging – pilot study
- SCC Treescapes Fund Bid
- Local Authority Delivery Scheme (LAD) Phase 2 – delivering energy efficient upgrades (including Public Housing Stock) administered by SCC
- Surrey Energy and Sustainability Partnership comprising 11 Borough and District Councils, Surrey Policy and Action Surrey
- Surrey Environment Partnership (SEP) – waste management

These programs were directly relevant to Runnymede's Climate Change Strategy and an integral part of the Council's delivery.

The scope and capacity for the Districts and Boroughs was directly linked to the Surrey County Council Strategy and Delivery Plan which in turn was dependent on National Government Leadership in Policy and Regulation. To make that linkage it was essential that funding from government to achieve these goals was being made available through the higher local government authorities.

Members were assured that Runnymede was not lying dormant in relation to Climate Change. Effective action was being taken which included a 62% reduction of our Scope 1 and 2 emissions compared to our 2009 baseline to 2019/20. Other direct climate change avoidance actions encompassed under Scope 1 and 2 carbon emissions were currently under way and had been directly reported to relevant business units. These included:

- The Housing Asset Management Plan
- Local Plan
- Commercial Assets

The Council's Climate Change Strategy would also cover how the Council intended to address the Scope 3 emissions (those beyond our direct control in which our capacity is one of community leadership and influence rather than direct action). We are not alone in this and work with other authorities at National, County and District and Borough level was paramount.

In this regard Members attention was drawn to three large infrastructure projects the Council was involved in in Runnymede namely:

- Heathrow Expansion/Recovery
- River Thames Scheme
- Esso Pipeline

all of which are contributory to this role.

Councillor Mullens who was not a member of the Committee had circulated for consideration a proposed 'Climate Change Statement of Intent' which recommended adoption of the ambitions and targets in the Surrey Climate Change Strategy, modified to be appropriate for Runnymede. An Officer response in relation thereto was also circulated.

Some members of the Committee expressed concerns and frustration regarding the lack of progress on the Council's Climate Change Strategy and wanted the Committee to adopt the SCC Climate Change Strategy immediately. Whilst the Committee fully supported the SCC Climate Change Strategy and its objectives and would work collaboratively with SCC thereon, it was considered premature for the Council to commit to quantitative Climate Change targets when many items were not within the direct control of the Council to deliver and the method of quantification delivery and capacity to deliver was still under development at national, county and local level. A further report would be brought back to the Committee in September.

RESOLVED that –

Runnymede Borough Council supports the Surrey County Council Climate Change Strategy.

(The meeting ended at 9.12 pm)

Chairman

4. **APOLOGIES FOR ABSENCE**

5. **DECLARATIONS OF INTEREST**

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Democratic Services Officer at the start of the meeting. A supply of the form will also be available from the Democratic Services Officer at meetings.

Members are advised to contact the Council's Legal section prior to the meeting if they wish to seek advice on a potential interest.

Members are reminded that a registrable interest includes their appointment by the Council as the Council's representative to an outside body. Membership of an outside body in their private capacity as a trustee, committee member or in another position of influence thereon should also be declared. Any directorship whether paid or unpaid should be regarded as a disclosable pecuniary interest, and declared.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is a disclosable pecuniary interest or other registrable interest and/or the interest could reasonably be regarded as so significant as to prejudice the Member's judgement of the public interest.

6. **CIVIL ENGINEERING CONTRACT (LAW AND GOVERNANCE-Mario Leo)**

Synopsis of report:

The purpose of this report is to authorise a tendering process for the Council's Land Drainage, Pumping Stations, Minor Civil Engineering and Professional Services Term Contract

Recommendation(s):

The procurement of a contractor for the Council's Land Drainage, Pumping Stations, Minor Civil Engineering and Professional Services Term Contract be approved with an estimated value of £164.5k per year, with a total of £658k over a 4-year period and £1,316k over an 8-year period.

1. **Context and background of report**

1.1 The Council undertakes both capital and routine maintenance works for land drainage and other civil engineering works. This work is undertaken via an external contractor. The current contract is due to expire on the 31st March 2022. This report seeks authority to procure a new contractor to undertake this work on behalf of the Council.

2. **Report and, where applicable, options considered and recommended**

- 2.1 For the last two decades the Council has undertaken both capital and routine maintenance works for land drainage and other civil engineering works through a term contract. In 2013 this Committee approved the procurement of a contractor to undertake this work. A contractor was appointed, and they commenced work for the Council under a contract, which started on 1 April 2014 and was initially for four years with a provision for annual extensions for a further period of 4 years if both parties were satisfied. The final year of the extended contract is currently running and is due to expire on 31 March 2022.
- 2.2 Under the existing contract, the Council has undertaken both capital and routine maintenance works, as per the terms of the contract. The type of work covered by the current contract includes watercourse/pumping stations maintenance, drainage improvement, town centre maintenance and other civil engineering works (e.g., car park, access road and footpath etc.) for some departments within the Council as well as for Spelthorne Borough Council.
- 2.3 The circumstances have changed since the last term contract started. The agreement between the Council and Spelthorne Borough Council to undertake works on their behalf is no longer in place. The proposed new contract will be only for Runnymede and the type of work covered by it will be similar to that undertaken under the existing contract for various Council departments including the Assets & Regeneration. It is anticipated that the proposed contract will help save time, increase productivity, and deliver better value for the Council.
- 2.4 The approach the Council will take is to secure what is termed a Measured term contract. This type of contract is used where the client has a regular programme of works that they would like to be undertaken by a single contractor. They are generally used for minor works or for maintenance work.
- 2.5 The contract will generally define the buildings/land that will be covered by the works, the term over which works may be required (usually between one and three years), an estimate of the likely total value of the works that will be required over the term and an estimate of the likely size of individual orders. Appointment is based on an agreed schedule of rates related to the categories of work that are likely to form part of the programme. Payments are then calculated based on an agreed schedule of rates.
- 2.6 The proposed contract would be for a period of 4 years with the possibility of extending it for a further period of 4 years annually if it is beneficial to both parties to the contract.
- 2.7 The value of the works has been estimated from the total expenditure to the existing term contractor in the last three years from all the departments of the Council. It is approximately £164.5k per year, with a total of £658k over a 4-year period and £1,316k over an 8-year period.
- 2.8 A tendering process is required to obtain a new similar contract before the expiration date. If a similar type of term contract will not be continued with a suitably qualified and experienced civil engineering contractor after March 2022, quotes need to be obtained for any small proactive and reactive maintenance or minor civil engineering works. Such a process can be disruptive and time consuming.
- 2.9 It should be noted that the proposed contract will have condition that the Council will not be under any obligation to provide any works through this contract.

3. **Policy framework implications**

3.1 The Council undertakes a number of tasks which have an impact on the environment e.g., land drainage and this contract will enable the council to discharge those functions.

4. **Resource implications/Value for Money (where applicable)**

4.1 The cost of works under this contract will be spread across various existing service budgets as and when works are undertaken.

5. **Legal implications**

5.1 The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 apply to this contract. If it is viewed as a contract for 'works', the value of the contract falls below the specified procurement thresholds. If it is viewed as a contract for 'supply and service', the value of the contract falls above the specified procurement thresholds. Post-Brexit, the UK procurement thresholds are governed by the WTO's GPA. It is recommended that tender process plus prior approval from the committee for the budget and procurement process is needed.

6. **Equality implications**

6.1 None

7. **Environmental/Sustainability/Biodiversity implications**

7.1 As highlighted in Section 3 above the Council undertakes a variety of tasks which have an impact on the environment and this contract will enable those tasks to be undertaken in an effective manner.

8. **Other implications (where applicable)**

8.1 None

9. **Timetable for Implementation**

9.1 As highlighted in the body of the report the existing contract ends on the 31st March 2022 and in order to secure value for money for the council it will be important to have in place a new contract to start on the 1st April 2022.

10. **Conclusions**

10.1 The Council is required to undertake a number of minor civil engineering works periodically. The volume of those works means that it is not cost effective for the council to retain an inhouse workforce to undertake those works. The procurement of a Measured term contract will enable the Council to undertake those works and have a degree of certainty as to how much such works will cost.

(To resolve)

Background papers-none

7. **PROPOSAL FOR ADDITIONAL MARKETS IN EGHAM TOWN CENTRE (ECONOMIC DEVELOPMENT – Azra Mukadam)**

Synopsis of report:

This report seeks authority for up to twelve additional street trading licences to be granted in a calendar year for Egham.

Recommendation:

The Corporate Head of Law and Governance be authorised to grant up to 12 street trading licences in a calendar year to the Egham Chamber of Commerce in addition to the street trading licences which are already authorised to be granted.

The Council allow Egham Chambers of Commerce to run a trial period of 12 events, which will then be reviewed at the end of the period, allowing for possible further events in other parts of the borough based on the outcomes.

1. **Context and background of report**

- 1.1 An Egham Farmers' Market met on one Saturday each month in Egham High Street from May 2001 until the summer of 2006.
- 1.2 In order to allow the Farmers' Market to go ahead, to comply with the requirements of the Local Government (Miscellaneous Provisions) Act 1982 relating to the regulation of street trading, High Street, Egham and Station Road North, Egham were designated as licence streets. The effect of the designation of these streets as licence streets is that street trading in the form of a market can only be held in either or both of those streets if the Egham Chamber of Commerce or the market operator have been issued with a street trading licence by the Council.
- 1.3 At its meeting on 18 November 2010, the Council's former Economic Development Committee noted that the Council had received a request from the Egham Chamber of Commerce to issue street trading licences for various community events in High Street, Egham. That Committee gave authority to the then Director of Administration and Leisure to grant a street trading licence each year in High Street, Egham for a Christmas event, an Easter event, a Food and Drink event and one other event.
- 1.4 In 2020, Egham Chamber of Commerce was approached by Surrey Vegan Markets with a proposal to hold markets on the High Street, Egham.
- 1.5 Three markets have been held by Surrey Vegan Markets on 10 October 2020, 22 May 2021 and 24 July 2021. The market operator has reported that all three market days have been successful and that there is a clear appetite for these markets amongst the community, even though there have been huge challenges resulting from the Covid 19 pandemic.
- 1.6 Council officers carried out a survey after the vegan market in July 2021 to gauge what businesses felt about the market. The results of the survey was overwhelmingly positive (survey dashboard available through the link provided in the background papers below).

2. Report and, where applicable, options considered and recommended

- 2.1 Egham Town has already hosted three vegan markets that have been successful. The market operator is very pleased with the outcomes and wishes to make the event a regular fixture in the town.
- 2.2 The street trading licences for the first two vegan markets in 10 October 2020 and 22 May 2021 were issued as the permitted Food and Drink event. For the third vegan market on 24 July 2021, officers obtained authority to issue a street trading licence through the Urgent Action procedure under Standing Order 42.
- 2.3 The vegan market operator wishes to hold the market more regularly. Egham Chambers currently hold a licence that only permits 3 events. To allow further markets or events to occur the Committee is recommended to authorise the Corporate Head of Law and Governance to grant up to 12 street trading licences in a calendar year for Egham, in addition to the street trading licences which are already authorised to be granted.
- 2.4 Egham Chambers introduced the vegan market to the town. The Chambers have since, managed and liaised with the market operator, and all subsequent communication is done between the two parties. This includes the setting up and taking down of the stalls on market day.
- 2.5 An analysis of the strengths and weaknesses of Egham as a market location is set out below.

Town:	Strengths	Weakness
Egham	<ul style="list-style-type: none"> • University audience • Vegan Market has been successful • Market operators are eager to set up in Egham with their past experience and from trader’s feedback • Already has a proactive Chamber of Commerce and Town Team, who are willing to arrange the events and markets • Already existing footfall from Waitrose and Tesco’s • Already part pedestrianised location • New development in the area will increase footfall • Parking facilities available for traders, previously Waspe Farm car park was used for weekend parking. 	<ul style="list-style-type: none"> • Road closure Orders and street trading licences will be required resulting in additional officer workload. • Managing the crowds if market becomes popular. • No obvious toilet facilities for traders, possible use of Tesco’s customer toilets. • No electric points for traders. • Loading and drop off points need to be considered. • Fee to the Feoffees to hold regular markets.

2.6 Consultation with businesses

- 2.6.1 Officers carried out a short survey to gauge what retailers and businesses in Egham felt about the vegan market held in July 2021.
- 2.6.2 The feedback from the survey provided a basis for permitting Egham to hold an additional 12 events a year.
- 2.6.3 A range of questions were asked of the retailers regarding holding events and markets in the towns. Details of the survey outcomes can be found on request.
- 2.6.4 Questions pertaining to the recent market were presented in the following way; *'Egham recently had a vegan market in town. Can you tell us if this increased more visitors to your shop?'*
- 2.6.5 67% of retailers responded that they had more visitors in their shops on the day that that vegan market was held.
- 2.6.6 When asked to indicate *how beneficial the market was to them*. A range of options from *very beneficial* to *not beneficial* was given. 60% of businesses said that the market was beneficial.
- 2.6.7 There is clear appetite amongst local businesses, located in Egham, for markets and events to increase footfall back into the high streets. The main concerns for businesses are the location of the market and road closures.

3. Fees and Charges

- 3.1 Egham Chamber of Commerce have paid the Feoffees a fee (the acknowledgement fee is agreed between the Chambers and the Feoffees) in order to hold markets in Egham. If Egham is to have regular markets, then the Chambers and the Feoffees will need to agree a fee for the additional twelve events.
- 3.2 Under the existing arrangements with the Council, Egham Chambers will have to adhere to the terms and conditions of the Street Trading licence.
- 3.3 Officers currently administer the paperwork and will continue to do so.

4. Policy framework implications

Corporate Business Plan 2016- 2020

- 4.1 The Council's Corporate Business Plan identifies four key objectives of Supporting Local People, Improving Our Economy, Enhancing Our Environment and Organisational Development
- 4.2 In line with some of the key objectives, this report aims to further the aim of 'Supporting Local People' through the theme of *continuing to support the improvement of exciting local leisure activities*, by providing a wider range of shopping experiences to the community by way of offering markets in the town centres.
- 4.3 To meet the Council objective to 'Enhance Our Economy' this proposal aims to support the Corporate Business Plan to *improve the quality and vibrancy to the local*

economy through the opportunity to hold regular markets in the town centres, attracting more visitors.

- 4.4 By creating more *vibrant and diverse town centres* we aim to reduce leakage spend to neighbouring boroughs. A regular street market will encourage the community to interact with local traders and local retailers, allowing the opportunity to visit shops while attending the market.

National Planning Policy Framework

- 4.5 Section 7. of the NPPF '*Enhancing the Vitality of Town Centres*' paragraph 86. This report aims to work within the planning policy framework to promote town centres and to retain, enhance and create new opportunities where possible to support *promoting the vitality of town centres*.
<https://www.gov.uk/guidance/national-planning-policy-framework/7-ensuring-the-vitality-of-town-centres>

5. Resource implications/Value for Money/Risks

The proposed markets will impact on the following Council departments:

- 5.1 Legal – responsible for providing a Street Trading Licence to allow regular markets in Egham
- 5.2 Economic Development – Town Centre Management will be key in supporting Egham Chambers to develop the regular market.
- 5.3 Environmental Services/Licensing – there are licensing issues around food hygiene and licences will be required for the sale of alcohol and any kind of public entertainment.
- 5.4 Currently there has been no additional resources needed from Direct Services (DSO) - Refuse, street cleaning and staff resources during market day. This will be reviewed at the end of the twelve events calendar date.
- 5.5 Potential risks associated with more frequent markets are that there may not be enough demand to allow the traders to derive an income on a regular basis from the market, resulting in less interest from market operators to set up further markets.

5. **Legal Implications**

- 6.1 The activity of selling things on streets is termed as street trading. Local authorities are granted powers under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 (the 1982 Act) to regulate street trading. That legislation enables local Authorities to decide whether any streets in their area can or cannot be used for street trading.
- 6.2 Under the provisions of the 1982 Act any street in a local authority area will fall into one of three categories. Streets are:

“consent street” means a street in which street trading is prohibited without the consent of the district council;
“licence street” means a street in which street trading is prohibited without a licence granted by the district council;
“prohibited street” means a street in which street trading is prohibited.
- 6.3 No street trading can take place in a prohibited street. In the case of a consent street or licence street trading is permitted if the person carrying out the trading has

been granted a consent or licence. The difference between a licence and a consent is that a local authority has more powers to refuse to grant a licence than it does to refuse to grant a consent.

- 6.4 The Council adopted the powers under the 1982 Act to regulate street trading within the Borough and determined that in order to allow markets to be held in Egham, street trading in the form of a market would be allowed in High Street and Station Road North, Egham and it designated those streets as licence streets for this purpose.
- 6.5 In addition to the regulation of street trading under the 1982 Act the Council also has to have regard to private law rights which can impact on street trading. Since the Middle Ages Royal Charters were granted to various locations to hold a street market or fair. One aspect of these Royal Charters was that they would prohibit any other markets from being held within a certain distance of the market or fair. This was done to preserve the economic viability of the market or fair. The power to restrict other markets still remains to this day. In August 2020 a dispute arose in Leicestershire, when a market was set up in a small village and Charnwood Borough Council took action against the new market. The reason for the action was to protect the town's market which had been established by a charter signed by King Henry III in 1227. That charter prohibited any market "within six and two-thirds miles" of nearby Loughborough. Chertsey Market is held under a Charter granted by Elizabeth I in 1599. The Trustees of Chertsey Market are known as Feoffees. At common law, the Trustees of a Charter Market have the right to prevent any other market being held within six and two thirds miles of their own market. The consent of the Feoffees was obtained for the three Vegan markets which have been held in Egham and the consent of the Feoffees will be required for the additional markets to be held in in Egham as proposed in the recommendation at the beginning of this report.
- 6.6 The Feoffees of Chertsey Market are also entitled under their Charter rights to an acknowledgement fee to be paid to them by any other market held within six and two thirds miles of their own market.
- 6.7 Every time the Vegan Markets have been held; a road closure Order has been made by the Council for part of Egham High Street under section 21 of the Town Police Clauses Act 1847, in consultation with the Highway Authority, Surrey County Council.

7. **Conclusion**

- 7.1 In conclusion, this report presents an opportunity for regular annual markets to be held in Egham. The appetite is overwhelming from retailers and the market operator and feedback to operators suggests that the local community benefit from the vibrancy and interaction in a safe and open setting. The market survey evidences that general feeling towards regular markets in the borough is positive.

(To resolve)

Background papers

Runnymede Borough Council – Egham Town Vegan Market Survey 2021 – [SurveyMonkey Dashboard](#)

8. **UPDATE ON MATTERS RELATING TO CLIMATE CHANGE AND EXTERNAL PROJECTS (CHIEF EXECUTIVE'S OFFICE-DR MARCEL STEWARD)**

Synopsis of report:

This report is an update for information regarding matters relating to climate change and External Projects

Recommendation(s):

None-For Information only

1. **Context of report**

1.1 This report is an information update on miscellaneous matters related to Climate Change and external projects in the Borough.

2. **Report**

2.1 As Members will be aware the Chief Executive proposed a series of changes recently to his office. One aspect of that change was to create a post of Head of External Projects and Climate Change. Dr Marcel Steward has been appointed to that post and will have management responsibility for Climate Change and Energy. The restructure also created a post of Climate Change Officer: This position was advertised in August 2021 and interviews will be held in October 2021. The Council's Energy Unit has been transferred from Commercial Services Business Unit to the Climate Change team based in the Chief Executive's office.

2.2 Work is currently being undertaken on the preparation of the Corporate Business Plan & Four Thematic Supporting Documents which will support the Corporate Business Plan, including the Climate Change Strategy. The Draft Corporate Business Plan and the Supporting Documents are expected to be available for internal consultation in October / November with agreement of the Final Draft in December 2021.

2.3 As Members will be aware the Council is a partner in the River Thames Scheme. The River Thames Scheme will reduce flood risk to communities in Surrey and South West London. More than 11,000 homes and 1,600 businesses will benefit from reduced flood risk. Road, rail, power and water networks will be more resilient. Given that this project will involve major physical works for which planning permission is required it has been classed as a Nationally Significant Infrastructure Project. Planning permission for the works associated with the project will be secured via what is termed a Development Consent Order (DCO). In order to secure a DCO a specific process has to be followed. The initial stage in the process is to undertake pre application consultation. The structure for the DCO consultation has been agreed in principle and the Service Level Agreements which will govern delivery between the Environment Agency and the Councils are near to completion. These will be brought before Council in November 2021

2.4 Members will also recollect that the Council is a statutory consultee to the delivery of the Southampton to London Pipeline (SLP) project, which is replacing 90km of the underground fuel pipeline between Boorley Green, Hampshire and the West London

Terminal storage facility in Hounslow. The DCO for that project was granted in October 2020 and the consultation on the Operational Management Methodologies has ended. The Council is awaiting the outcome of that consultation exercise. The Council anticipate that works will begin in 2022.

- 2.5 The Local Authority Delivery (LAD) Scheme was announced by the Chancellor in July 2020 to support English Local Authorities, with up to £500m with the aim for helping those most likely to be in fuel poverty. Delivery has been split into two phases; with Phase 1 (£200m) funding being allocated through two LA competition managed by BEIS and Phase 2 (£300m) funding being allocated to the five Local Energy hubs to distribute within their region.
- 2.6 Members will recall that the Council won *circa* £2.4 million from this fund as part of Phase 1B to address fuel poverty, principally in the private sector. This program was projected to end in September 2021.
- 2.7 Delivery has been problematic for the following reasons:
- i) BEIS (Government) changed the specification for contractors and installers after the fund was awarded; severely limiting the contractor pool
 - ii) Government subsequently flooded the market with Green Energy Vouchers under an alternative scheme following the LAD 1B launch which further restricted the availability of certified contractors
 - iii) Materials shortages - All Local Authorities have experienced the same difficulties and the completion by the closure date of September 2021 became impractical.
- 2.8 To remedy this, BEIS invited all Local Authority Fund Receivers to apply for an extension to carry out the works by March 2022. The Council applied for an extension and has just received confirmation that it has been granted.

3. Policy framework implications

- 3.1 The individual projects mentioned in this report contribute to the Council's objective of enhancing and supporting the environment in which its residents live.

4. Resource implications (where applicable)

- 4.1 The budgetary issues associated with the individual projects mentioned in this report have been dealt with in specific reports relating to those individual projects which have been considered previously.

5. Legal implications

- 5.1 The specific legal implication relating to the individual projects mentioned in this report were dealt with in specific reports relating to those individual projects which have been considered previously.

6. Equality implications

- 6.1 None

7. Environmental/Sustainability/Biodiversity implications

7.1 As Members will appreciate, each of the projects mentioned in this report will have an impact on the environment. Those impacts were dealt with in specific reports relating to those individual projects which have been considered previously.

8. Other implications (where applicable)

8.1 None

9. Conclusions

9.1 Members will note from the contents of this report that progress has been made on the individual projects mentioned in this report. Further updates will be provided in due course as each individual project progresses to their next stage.

(For information)

Background papers

None

9. URGENT ACTION - STANDING ORDER 42 (LAW AND GOVERNANCE – JOHN GURMIN)

A copy of proforma 976 and 983 detailing action taken after consultation with the Chairman and the Vice-Chairman of this Committee is attached at Appendix 'B ' and 'C'

(For information)

Background Papers

None

10. EXCLUSION OF PRESS AND PUBLIC

If the Committee is minded to discuss any of the foregoing reports in private it is the

OFFICERS' RECOMMENDATION that –

the press and public be excluded from the meeting during discussion of reports under Section 100A(4) of the Local Government Act 1972 on the grounds that the reports in question would then be likely to involve disclosure of exempt information of the description specified in appropriate paragraphs of Schedule 12A of the Act.

(To resolve)

PART II

Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection

- a) Exempt Information
(No reports to be considered under this heading)
- b) Confidential Information
(No reports to be considered under this heading)

RUNNYMEDE BOROUGH COUNCIL**CONSULTATION WITH APPROPRIATE CHAIRMAN AND VICE- CHAIRMAN FOR URGENT ACTION TO BE TAKEN UNDER STANDING ORDER 42**

TO: Councillors M. Heath and N. King
Chairman and Vice- Chairman of the Environment and Sustainability Committee

FROM: Azra Mukadam and Mario Leo

OFFICER REFERENCE: AM/V Market DATE: 7th July 2021

1. Synopsis of report:

To grant a Street Trading Licence to enable a Vegan Food Market to be held in the High Street Egham on the 24th July 2021.

2. Reasons why this matter cannot wait for a Committee Decision.

Egham Chamber of Commerce have approached the Council to seek permission for a Vegan Food Market to be held in the High Street, Egham. The proposed market date is 24th July 2021 which does not allow for time to take the request to the Environment and Sustainability Committee.

The Council is currently reviewing its policy on Street Trading Licensing and the future of markets in the Borough. This will be presented to the Environment and Sustainability Committee at a later date.

3. Recommendation(s)

Consent be granted to hold a Vegan Food Market in Egham High Street on the 24th July 2021 subject to the conditions which are attached to other events held in that location.

4. Context of report

Street trading is regulated under the provisions of the Local Government (Miscellaneous Provisions) Act 1982. That piece of legislation allows local authorities to determine whether street trading is permitted in their area and to designate locations where it is permitted or prohibited. Locations in which street trading is permitted are known as licence or consent streets. The difference between the two is that in case of licence streets a local authority can refuse an application for a licence on a number of grounds, whereas for a consent street the grounds are far more limited.

Currently the only locations in the Borough which are licence streets in respect of which the Council can grant a licence for street trading are High Street and Station Road North, Egham. Station Road North is being redeveloped and thus street trading can only take place in the High Street Egham.

A committee report previously granted delegated authority to Officers to grant street trading licences (subject to receipt of necessary information) for the following three annual events in Egham (without the need to secure committee approval) as long as the event was for the community good and not a commercial venture.

1. Magna Carta Day Egham
2. Christmas Fair in Egham
3. Food and Drink event in Egham

Any other street market in this location would require the grant of a street trading licence by the Environment and Sustainability Committee or the extension of Officer delegated powers.

5. Report and, where applicable, options considered

As explained in section 4 above, authority has been granted in past to allow a Food and Drink event to take place at the High Street Egham. Earlier this year a Vegan Food Market was held at the location which was the permitted Food and Drink event.

The Egham Chamber of Commerce, who promoted the event, have approached the Council and advised that the previous event was well received and there would be a desire on the part of the organiser of the event to hold a further event on the 24th July 2021. The Council are advised that there is a growing demand for vegan food products and there are similar events held in other parts of Surrey.

Currently there is a restriction on the number of events which Officers can authorise at this location under their delegated powers. Committee authority would be required to enable any further events to take place.

The issue of the street trading is currently being reviewed and a report will be brought to a future meeting of the Environment and Sustainability Committee on the matter.

In the meantime, there is a situation which needs to be addressed. The Council has been approached to grant consent for a further event to be held beyond those which have been permitted in the past. The argument in favour of granting consent is that this type of event encourages people to visit retail locations, there is a demand for the products being sold at the event, which is currently not met at this location and a recent event organised by the same operator proved to be a success.

On the basis of the information before them, Officers would propose to grant a street trading licence for the Vegan Food Market on the 24th July 2021. Officers would however advise the Egham Chamber of Commerce that they cannot grant additional one off licences and it will be necessary to bring a report to the Environment and Sustainability Committee to decide whether to extend Officer delegated powers in advance of any Borough wide review of street trading restrictions.

Organisers will need to liaise with the Highway Authority for the purpose of road closures. There are likely to be expectations around consultation, signage and the means by which closure is affected/layout to ensure that access for emergency vehicles can be maintained. Some kind of stewarding may be necessary.

6. Policy framework implications

The holding of street markets can contribute to the economic vitality of a High Street location. Shoppers who are visiting the street market event will potentially visit existing retailers in the area. Street markets enable small or new businesses to reach customers. Street markets can enable the public to access goods which may not be stocked by more established retailers.

7. Financial and Resource implications (where practicable)

As with other markets and events arranged by the Egham Chamber of Commerce, there will be no financial cost to RBC, as detailed below:

Resource implications of suggested course of action:-

Staffing:

- No additional staffing for this event is needed

Direct Services (DSO) - Refuse, street cleaning and staff resources during market days:

- Market traders are required to take away their own rubbish
- General waste goes into the standard high street bins

Parking

- The Council's Constitution allows for one free parking event in the principal town centre. Egham has the Magna Carta day allocation. All other event organisers are expected to make their own arrangements for parking

Capital (Has the Finance Capital Appraisal proforma been completed?)

- No capital involved

Revenue and annual costs

- The Council will not be making any income from this event

Comments of Assistant Chief Executive? 

8. Legal implications

- Public liability insurance – we will need to see evidence of cover for a minimum sum insured of £5million for any one claim.
- Street trading is regulated through local authorities adopting provisions contained in Section 3, Schedule 4 Local Government (Miscellaneous Provisions) Act 1982.

9. Equality implications

None

10. Other implications (Environmental/biodiversity/ sustainability must be addressed)

None

11. Background papers

None

12. Chief Officer(s) Decision

Signature of authorised officer ... 

I have been consulted and am in agreement with the above

Signature(s) and position(s) of other relevant Chief Officer, Corporate Heads or authorised representatives



NB: this must include the Assistant Chief Executive or his authorised representative where the decision involves expenditure, loss of income, or future implications for budget or financial forecast.

13. **Chief Executive's Decision**

Signature of Chief Executive



I have been consulted and am in agreement with the above

14. **Chairman and Vice-Chairman Comments**

I concur in the Chief Officer's decision

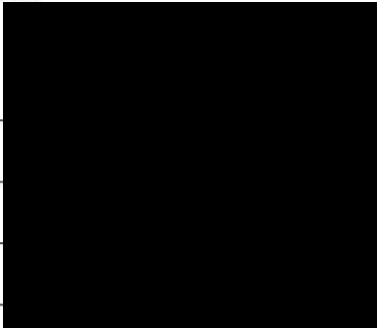
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Signed

Date

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Date



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I have the following further comments:

Further information may be obtained from Azra Mukadam on Ext. 5683.

The completed copy is to be returned by the Councillors to the Corporate Head of Law and Governance (John Gurmin) who will send a copy to the Chief Officer and report to the relevant Committee for information.

RUNNYMEDE BOROUGH COUNCIL**CONSULTATION WITH APPROPRIATE CHAIRMAN AND VICE- CHAIRMAN FOR URGENT ACTION TO BE TAKEN UNDER STANDING ORDER 42**

TO: Councillors M. Heath and N. King
Chairman and Vice- Chairman of the Environment and Sustainability Committee

FROM: Azra Mukadam and Mario Leo

OFFICER REFERENCE: AM/V Market DATE: 16th September 2021

1. Synopsis of report:

To grant a Street Trading Licence to enable a Vegan Food Market to be held in the High Street Egham on the 9th October 2021.

2. Reasons why this matter cannot wait for a Committee Decision.

Egham Chamber of Commerce have approached the Council to seek permission for a Vegan Food Market to be held in the High Street, Egham. The proposed market date is 9th October 2021 which does not allow for time to take the request to the Environment and Sustainability Committee.

The Council is currently reviewing its policy on Street Trading Licensing and the future of markets in the Borough. This will be presented to the Environment and Sustainability Committee at a later date.

3.Recommendation(s)

Consent be granted to hold a Vegan Food Market in Egham High Street on the 9th October 2021 subject to the conditions which are attached to other events held in that location.

4. Context of report

Street trading is regulated under the provisions of the Local Government (Miscellaneous Provisions) Act 1982. That piece of legislation allows local authorities to determine whether street trading is permitted in their area and to designate locations where it is permitted or prohibited. Locations in which street trading is permitted are known as licence or consent streets. The difference between the two is that in case of licence streets a local authority can refuse an application for a licence on a number of grounds whereas for a consent street the grounds are far more limited.

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A committee report previously granted delegated authority to officers to grant street trading licences (subject to receipt of necessary information) for the following three annual events in Egham (without the need to secure committee approval) as long as the event was for the community good and not a commercial venture.

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2. Christmas Fair in Egham
3. Food and Drink event in Egham

Any other street market in this location would require the grant of a street trading licence by the Environment and Sustainability Committee or the extension of officer delegated powers.

5. Report and, where applicable, options considered

As explained in section 4 above, authority has been granted in past to allow a Food and Drink event to take place at the High Street Egham. Earlier this year a Vegan Food Market was held at the location which was the permitted Food and Drink event.

The Egham Chamber of Commerce, who promoted the event, have approached the Council, and advised that the previous event which was held in July was well received and there was desire on the part of the organiser of the event to hold a further event on 9th October 2021. The Council are advised that there is a growing demand for vegan food products and there are similar events held in other parts of Surrey.

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6. Policy framework implications

The holding of street markets can contribute to the economic vitality of a High Street location. Shoppers who are visiting the street market event will potentially visit existing retailers in the area. Street markets enable small or new businesses to reach customers. Street markets can enable the public to access goods which may not be stocked by more established retailers.

7. Financial and Resource implications (where practicable)

Resource implications of suggested course of action:-

Staffing:

- Direct Services (DSO) – Refuse, street cleaning and staff resources during market days has not been requested

Capital (Has the Finance Capital Appraisal proforma been completed?)

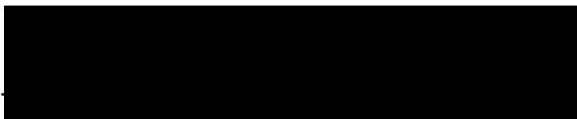
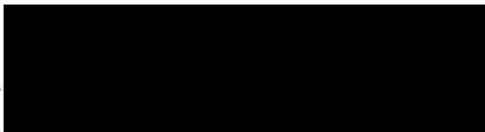
- No capital involved

Revenue and annual costs

- The Council will not be making any income from this event

Road closure

- Road Closures SCC/John Gurmin. Organisers will need to liaise with the Highway Authority. There are likely to be expectations around consultation, signage and the means by which closure is affected/layout to ensure that access for emergency vehicles can be maintained. Some kind of stewarding may be necessary.

<p>8. Legal implications</p> <ul style="list-style-type: none"> Public liability insurance – we will need to see evidence of cover for a minimum sum insured of £5million for any one claim. Street trading is regulated through local authorities adopting provisions contained in Section 3, Schedule 4 Local Government (Miscellaneous Provisions) Act 1982.
<p>9. Equality implications</p> <p>None</p>
<p>10. Other implications (Environmental/biodiversity/ sustainability must be addressed)</p> <p>None</p>
<p>11. Background papers</p> <p>None</p>
<p>12. <u>Chief Officer(s) Decision</u></p> <p style="text-align: right;">Signature of authorised officer ... </p> <p>I have been consulted and am in agreement with the above</p> <p>Signature(s) and position(s) of other relevant Chief Officer, Corporate Heads or authorised representatives</p> <p>.....</p> <p>NB: this <u>must</u> include the Assistant Chief Executive or his authorised representative where the decision involves expenditure, loss of income, or future implications for budget or financial forecast.</p>
<p>13. <u>Chief Executive's Decision</u></p> <p style="text-align: right;">Signature of Chief Executive ... </p> <p>I have been consulted and am in agreement with the above</p>

14. **Chairman and Vice-Chairman Comments**

I concur in the Chief Officer's decision

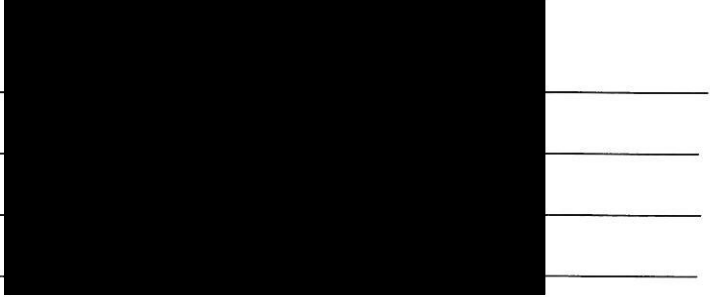
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Date _____

Signed _____

Date _____

I have the following further comments:

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Further information may be obtained from Azra Mukadam on Ext. 5683.

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