

Runnymede Borough CouncilEnvironment and Sustainability CommitteeThursday, 8 June 2023 at 7.30 pm

Members of the Committee present: Councillors D Coen (Chair), V Cunningham (Vice-Chair), A Berardi, R Bromley, D Clarke, M K Cressey, S Jenkins, N Prescott, S Ringham and D Whyte.

In attendance: Councillors M Smith and T Gates.

1 Minutes

The minutes of the meeting of the Committee held on 9 March 2023 were confirmed and signed as a correct record.

2 Apologies for absence

There were no apologies for absence.

3 Declarations of interest

Councillor D Clarke declared an interest in item 4 as she is a Member Feoffees of Chertsey Market.

4 Chertsey Town Centre Street Licensing Review

The Committee was asked to authorise for the Corporate Head of Law and Governance to review the designation of licensed streets in the Borough pursuant to its powers under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The Committee was also asked to approve that Officers would undertake a public consultation to designate Guildford Street, Chertsey as a licensed street to permit street trading.

In September 2021 a report was taken to Environment and Sustainability Committee to allow authority to develop street markets across the Borough's town centres with the first focus being Egham. In November 2022, Egham Chamber of Commerce had introduced a new artisan market for the winter period. These winter markets were a great success for Egham and the Chambers had now offered the market operator a regular slot on the 1st Saturday of each month.

Guildford Street in Chertsey allowed for community events and street parades with road closure requests. It provided the ideal location for a street market as it was a one-way road and had access to other roads to divert traffic through the town.

There was a recent trial on May Day, in Guildford Street which had been successful whilst having minimal impact on Guildford Street when closed off for the market.

Members were supportive of introducing more markets to the Borough. It was great for communities and encouraged local consumption. The Committee was advised that the focus was to get Chertsey market up and running before looking at introducing a market to Addlestone. The area outside the Civic Centre in Addlestone was owned by Runnymede Borough Council, which would inevitably make the introduction of a market to Addlestone more straightforward.

Officers were asked to engage with the Committee with regard to the traders involved in

the market to ensure products sold and their packaging were sustainable. The Committee was advised that all traders were vetted and terms and conditions included information to traders on litter disposal.

The consultation would take effect as soon as possible and if supported, it was hoped the first market would be held this autumn. (The decision was later taken to Full Council).

Resolved that:

- i) **The Corporate Head of Law and Governance be authorised to review the designation of licensed streets in the Borough pursuant to its powers under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982; and**
- ii) **Officers proceed with a public consultation to designate Guildford Street, Chertsey as a licensed street to permit street trading**

5 **Air Quality Status Report**

The Committee was asked to note the 2022 Air Quality Annual Status Report (ASR) and note the ongoing actions in relation to Air Quality.

Members were advised that Runnymede's ASR had now been submitted to Defra. The report covered monitoring carried out in 2020-2021.

There was a requirement for local authorities to submit their ASRs to Defra every June. Members had previously been made aware that due to the effects of Covid and lack of staffing, the 2022 ASR covered years 2020-21 (meeting the 2022 June submission requirement). The next ASR submission date was June 2023 for the period 2021-2022. However, whilst there was a requirement for local authorities to submit their ASRs to Defra in June, as in the case for a number of local authorities, Runnymede's submission occurred after that date as Officers seek to apply the 'bias correction factor' when finally published in the Autumn.

The Borough had seen a slow decline in nitrogen dioxide levels, with an improvement being seen year on year.

There were currently two AQMAs in the Borough. M25 and Egham extension and Addlestone. Officers had recently consulted with Surrey County Council regarding the Addlestone AQMA, as the roads leading up to the 4-way junction at the centre of the AQMA continued to indicate a level above the air quality objective". It appeared that because of the congested nature of traffic flow and the high sided buildings close to the road, the problem related specifically to road transport and highway issues. Surrey County Council had recently advised that they were not looking to consider any traffic improvements at this junction at this time. Runnymede Officers would therefore now need to look at other options.

The potential AQMA in Chertsey was being monitored but no further action was needed at this time.

In relation to Particulate Matter, in 2021 the World Health Organisation had published new Air Quality Guidelines (AQG), which concluded there were health effects at much lower concentrations than their 2005 AQG suggested, and there was no safe limit for fine Particulate Matter. The Environment Act 2021 required the Secretary of State to set a long-term target to reduce people's exposure to PM2.5. The Government was legally bound to bring forward the PM2.5 target by the 31st October 2022. This had now been delayed until sometime in 2023.

The Committee was advised that the 2018 Air Quality Plan was currently being reviewed. The plan included a raft of measures such as consideration for planning applications within or near the Borough's AQMA's as part of the Supplementary Planning Document (SPD) recently produced as part of the Local Plan. It was noted that the GBI rating system had not been looked at in the report or consultations at present.

It was agreed that when consultations had been concluded and there was a thorough understanding of what needed to be done, a budget would need to be allocated. With the objectives coming out a present this was likely to become a statutory response.

6 **Review of Drainage Bylaws**

The Committee was asked to endorse and recommend to Full Council recommendations by Officers in relation to updating the Land Drainage Byelaws.

Members were advised that Section 34 of the Land Drainage Act 1976 which gave Runnymede the power to create the Land Drainage Byelaws 1984 was repealed by the Water Consolidation Act 1991 and then superseded by the Land Drainage Act 1991. Although the existing byelaws remained in force the legislation they refer to was not and therefore there would be no legal basis to enforce them.

The proposed byelaws for Runnymede Borough Council were based on the Model Land Drainage Byelaws for local authorities, which were produced by the Department for Environment, Food and Rural Affairs (DEFRA). The use of model byelaws was not compulsory but would help to ensure that byelaws were correctly worded and were within the authority's powers, thus reducing the risk of legal challenge.

Runnymede had several watercourses and ditches. The Environment Agency being responsible for rivers.

The Committee welcomed the proposal to update the byelaws and therefore hold people to account.

It was noted that many private owners were not aware of their riparian responsibilities when living close to a watercourse.

Recommend to Full Council that:

- i) **the proposal to update the drainage byelaws, as set out in Appendix A to the report be endorsed; and**
- ii) **the Council consult with Defra, Natural England and the local navigation authority on the Council's proposal to make the drainage byelaws; and**
- iii) **subject to there being no objections by Defra, Natural England and the local navigation authority to the informal consultation, the byelaws be made; and**
- iv) **the Head of Environmental Services in consultation with the Principal Engineer, be authorised to consider and seek to resolve any objection to the said byelaws being made (including amending the proposed byelaws); and**
- v) **the byelaws be submitted to the Secretary of State for confirmation with or without any outstanding objections (as the case may be); and**
- vi) **in the event these byelaws are adopted by the Council, authority be delegated to the Principal Engineer to:**
 - a) **authorise or refuse any applications for consents submitted under the said byelaws.**
 - b) **serve enforcement notices for contraventions of the said byelaws**

7 Review of the viability of British Legion Car Park at Virginia Water

The Committee was asked to consider removing the British Legion car park at Virginia Water from the Council's Off-Street Parking Places Order from September 2023, when the lease expired.

At its meeting in November 2022, the Committee authorised the Corporate Head of Customer, Digital and Collection Services along with the Corporate Head of Assets and Regeneration to engage with the British Legion and local businesses to review the current lease arrangement with a view to renegotiating the contract to ensure the car park remained financially viable to the Council following the changes to people's working patterns after the pandemic.

The effect of the pandemic and the current cost of living crisis was still impacting car park use across the Borough. The Memorial car park, whilst still remaining fairly popular, had usage well below that of previous years. At the current time, it cannot be predicted when, or if, their use will return to full capacity. Due to the British Rail car park being in close proximity to the British Legion car park the car park was no longer widely used.

Officers had written to the British Legion and local businesses in relation to these proposal and only two responses were received.

As part of the Road Traffic Act 2008, the Council was required to consult with the public and Surrey County Council if there was an intention to change the level of off-street parking charges or changes to Road Traffic Orders. Therefore, if the Committee agreed to remove the car park from the Council's Road Traffic Order, a formal consultation would be undertaken prior to the September 2023 renewal.

There were some concerns raised regarding future development at Longcross

South, which may increase the need for parking in Virginia Water going forward.. However, it was agreed that due to the unsustainable financial burden to the Council at this time the Officers' recommendation should be supported. However, when Longcross was fully developed, Officers may need to reconsider parking provision in the area.

Resolved that:

The British Legion Car Park located at Virginia Water be removed from the Council's Off-Street Parking Places Order from September 2023 when the lease expired and return the car park to the British Legion to generate a saving of £20,000 pa.

8 Review of parking arrangements with various schools within the Borough

This item was withdrawn from the agenda for this meeting.

9 Public Space Protection Order - Dog Control Legislation

Members were advised that the current Dog Control Public Space Protection Order (Runnymede Borough Council) 2020 was due to expire on 13th June 2023.

Public Space Protection Orders (PSPO's) were issued under the Anti-Social Behaviour, Crime and Policing Act 2014 and remained in force for a maximum of 3 years. In June 2020 Runnymede Borough Council re-issued (with a minor variation in respect of providing details to a Police Officer or an authorised Council Officer) a PSPO covering dog control matters related to dog fouling, keeping dogs on leads and excluding dogs from specified areas.

A statutory and community consultation, together with a public consultation ran from 23rd March to 7th April 2023. In addition to consulting the Kennel Club, a number of statutory and community consultees were also consulted.

The consultation yielded 31 responses from the public and a further 16 responses from statutory and community consultees. The majority were in favour of extending the order.

The Committee supported the Officers recommendation and asked Officers to liaise with the Council's Communications Team regarding promoting information on the PSPO when renewed.

Resolved that:

The PSPO be extended, as worded in the existing order for a further 3 years

10 **Environmental Services and private sector housing enforcement policy**

The Committee was asked to approve the updated Environmental Services and Private Sector Housing Enforcement Policies.

The last update of the Environmental Services Enforcement Policy came before the Committee in April 2019. The policy document outlined the general approach to how the Council dealt with enforcement issues in the wider sense 'the policy' overarched a number of other enforcement policies and protocols covering specific areas e.g. private sector housing enforcement, drainage and domestic waste enforcement policies.

With regard to Private Sector Housing Enforcement, Members of the Committee were keen to support a graduated approach to enforcement. Officers advised the Committee that any regular issues or problems could be reported to them so evidence could be gathered. Members were reassured to note that complaints could be made by any member of the community, as the wider community should be encouraged to take action.

It was noted that the Private Sector Housing Enforcement Policy would need to be reviewed again when the Renters Reform Bill came into effect.

Resolved that:

The updated Environmental Services and Private Sector Housing Enforcement policies be approved.

11 **Food Safety Plan**

The Committee was asked to approve the proposed Food Service Plan for 2023/24.

The Food Standards Agency (FSA) produced a framework agreement on local authority food law enforcement. One part of that agreement contained service planning guidance. This ensured that key areas of enforcement covered by the Food Law Enforcement Standard were included within local Food Service Plans, whilst allowing scope for flexibility and the inclusion of any locally defined objectives.

Officers had moved on well since the challenges of 2020-22, with Runnymede being one of only two Surrey Boroughs who had undertaken 100% of their 'catch up' inspections.

The Food Safety Plan detailed the anticipated activity for the forthcoming year. It was noted that food outlets had to pay for re-inspections. Officers advised the Committee that the team now offered training to food business operators to help them comply with the law.

The issue of some food outlets pouring used oil into drains was raised. Officers advised the Committee that there were agencies where such incidents could be reported. Officers would circulate details to the Committee after the meeting.

Resolved that:

The Food Service Plan for 2023/24 be approved.

12 Food standards agency achieving business compliance proposals

The Committee was asked to note the Food Standards Agency's (FSA) plans which outlined the direction the Agency was proposing to take in delivering a new model for local authority food hygiene regulation delivery in England.

Members were advised that on 23rd March 2023 the FSA published a paper summarising the latest position on any changes to the food delivery system in England. Food inspections would still be managed by local authorities for the foreseeable future, although there were proposed changes.

The latest paper set out three parts to the FSA programme:

- Modernising the delivery of local authority regulation,
- Testing new approaches to regulation, and
- Designing the blueprint for future regulatory assurance system

The key proposed developments included:

- A revised risk-based food hygiene intervention rating scheme, amending the frequency of programmed visits. FSA modelling anticipated a slight reduction in the number of official controls compared to the current model. The average time between controls at non-compliant establishments decreasing from 1.2 to 0.5 years,
- An updated risk-based approach to the timescales (where not prescribed in law) for initial official controls of new food establishments, and other due official controls
- Increased flexibility as to the methods and techniques of official controls that can be used to risk rate an establishment, including the use of remote official controls
- Extending the activities that Officers, such as Regulatory Support Officers, who do not hold a 'suitable qualification' for food hygiene can, if competent, undertake

In the short term, the proposed amendments to the existing framework increased the number of interventions in businesses considered as high risk (or non-compliant) and reduced the number of interventions in lower risk premises.

13 Update and remodel of Grounds Maintenance

The Committee was updated on the remodelling of the Grounds Maintenance service vehicles and equipment to improve service standards, increase capacity and deliver greater resilience

The former Idverde grounds maintenance contract was terminated on 15th November 2022 by mutual agreement. The existing in-house team and part of the former Idverde team

were merged to create new mobile teams in January 2023. Since February 2023 the Direct Services Manager had recruited 7 new gardeners with 3 further gardeners pending Bupa driver clearance. There was currently one vacancy and 6 seasonal positions remained unfilled.

The vehicle and equipment specification lists were drafted by the Direct Services Manager at the commencement of the mobilisation project in February 2022, guided by area measurements provided by Idverde. Following Runnymede's procedures, a tendering and procurement programme was undertaken.

The new grounds maintenance service was mobile and consisted of 6 separate teams.

The service had had various issues including an extremely wet March, delays in the delivery of equipment along with the rented tractor suffering from several mechanical issues. Using a smaller ride-on mower was not an option so consequentially the parks team fell behind on grass cutting of large green spaces.

An interim recovery plan for grass cutting was approved by the Chief Executive.

However, the issues had forced the Corporate Head of Environmental Services to reconsider the model previously approved to improve resilience and service.

The Committee expressed their frustration at the service provided to date. Several Members of the Committee said they had received many complaints from residents.

Officers were asked to produce a schedule for grass cutting and for it to be added to the Council's website. This should be updated if there were delays for any reason, so residents were aware of when to expect grass cutting to take place. Additionally, Officers were asked to communicate more closely with Members so they could convey relevant information to residents if contacted.

14 **Standing Order 42**

The following action taken after consultation with the Chairman of the Committee under Standing Order 42 was noted.

<u>Officer</u>	<u>Action</u>	<u>Central Index No</u>
Corporate Head of Customer, Digital and Collection Services	To approve the issue of 5 parking permits for use by the NHS Quality Care Commission which will allow free parking in Council owned car parks to support Community Nurses when visiting their patients.	1016

15 **Exclusion of press and public**

There were no Part II items on the agenda.

(The meeting ended at 9.41 pm.)

Chairman