



Englefield Green Committee

Tuesday, 17 October 2023 at 7.30 pm

Council Chamber - Civic Centre

Members of the Committee

Councillors: T Gates (Chair), A King (Deputy Chair), A Berardi, E Kettle, N Prescott, N Bromilow and R McGregor-Johnson

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) 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.
- 2) 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 **Democratic Services, Democratic Services Section, Law and Governance Business Centre, Runnymede Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425622). (Email: democratic.services@runnymede.gov.uk).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please ring 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on www.runnymede.gov.uk.
- 4) 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.
- 5) 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

Page

Part I

Matters in respect of which reports have been made available for public inspection

- | | | |
|----|---|---------|
| 1. | Minutes | 4 - 9 |
| | To confirm and sign, as a correct record, the Minutes of the meeting of the Committee held on 27 th June 2023 (Appendix 'A'). | |
| 2. | Apologies for absence | |
| 3. | Declarations of interest | |
| | Members are invited to declare any disclosable pecuniary interests or other registrable and non-registrable interests in items on the agenda. | |
| 4. | Proposed Maintenance Plan and Maintenance Updates | 10 - 13 |
| 5. | Site furniture on Englefield Green | 14 - 22 |
| 6. | Events on Englefield Green | 23 - 28 |
| 7. | Adopted Bin Policy and Fox-proof bins | 29 - 32 |
| 8. | Exclusion of Press and Public | |

Part II

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

- | | | |
|----|---|--|
| 9. | Exempt information | |
| | There is no exempt information in this agenda | |

Runnymede Borough Council

Englefield Green Committee

Tuesday, 27 June 2023 at 7.30 pm

Members of the Committee present: Councillors T Gates (Chairman), A King (Vice-Chair), A Berardi, E Kettle, N Prescott

Residents' Representatives: N Bromilow and R McGregor-Johnson.

1 Election of Chairman

Resolved that:

Councillor T Gates be elected Chairman for the municipal year 2023/24

2 Election of Vice-Chairman

Resolved that:

Councillor A King be elected Vice-Chairman for the municipal year 2023/24

3 Minutes

The minutes of the meeting held on 21st February 2023 be agreed with the following amendment:

The first sentence in the last paragraph of item 524 be amended to:

The Committee voted in favour (with 1 vote against) moving the meetings to a more suitable venue.

Mr Bromilow requested that his vote in favour of the amendment to the minutes be noted in the minutes of the meeting in accordance with Standing Order 39.3

4 Apologies for absence

No apologies for absence received.

5 Declarations of interest

No declarations of interest received.

6 Update on expenditures and interest paid since the disbursement of the Englefield Green Fund to Runnymede Borough Council

The Committee received a comprehensive list of all expenditure and interest paid since the disbursement of the Englefield Green Fund to Runnymede Borough Council, along with the remaining ear-marked funds available to the Committee.

The reserve was set up in 2015/16 to offset ongoing maintenance works to the Green following the receipt of funds generated by the surrender of part of the long lease.

The £275,000 was placed in an earmarked reserve and interest was added each year.

The balance of the fund as of 31 March 2023 was £227,845.

7 **Replacement Bench**

The Committee was advised that a bench had been removed as it was unrepairable. It could be replaced with the Council's selected Cavendish bench at a unit cost of £900, additional costs including matrix paver, delivery and installation which gave a total cost of £1,290. This cost would be taken from the Englefield Green earmarked reserves.

There were currently no applications to erect a memory bench on Englefield Green. Memory benches had space for an inscribed plaque.

Officers advised the Committee that requests for memory benches were infrequent and when requested applicants normally wanted a specific place and location.

The Committee was keen to see if there was a benefactor who would be interested in purchasing a memory bench on the Green, prior to replacing it with a standard bench.

Officers were therefore asked to seek and agree arrangements with an applicant, but agreed, that if no application came forward within three months Officers be given authority to purchase and install a Cavendish bench.

Resolved that:

Delegated authority be given to the Corporate Head of Environmental Services to seek and agree arrangements with an applicant for the installation of a memory bench on Englefield Green; and

Should an application not be received within three months, the Committee agreed to the replacement of the broken bench on the Green for a sum of £1,290, with the cost to be met from Englefield Green earmarked reserves.

8 **Grounds Maintenance**

Members received an update on progress made with the implementation of new grounds maintenance procedures on the Green.

Officers advised the Committee that there had been a number of delays due to various factors throughout the Spring.

Considerable strides had been taken since with the operation of the ground's maintenance service. A new tractor would be delivered shortly and would be fitted with wide rotary and cylinder cutting decks. In addition, a new wide angled mower had now been delivered, and had already been used on the Green to give a better finish.

Officers were advised that there were extensive areas of nettles around the ditch area. Officers would arrange to meet with members of the Committee to discuss the correct approach to dealing with this. The use of herbicides was not the preferred option.

It was noted that on Saturday 24th June Englefield Green had held their village fair. Officers were advised that members of the public had reported to Councillors that they felt the Green was looking very good.

Officers would send out maintenance schedules for the Green to the Committee for their information.

9 **Feedback on the BBC filming**

The Committee was advised that on 4th April the BBC had conducted a filming session for the series 'Silent Witness' around the cricket club pavilion. The session was carried out in accordance with the Council's procedures for the holding of an event on public land.

A fee of £2,000 was charged for the granting of filming rights, and as the BBC were unable to make donations, Runnymede Borough Council charged an additional fee of £500 which was forwarded as a donation to the Englefield Green Cricket Club.

It was believed the Cricket Club was looking to use the donation to purchase equipment for the Colts section of the Club.

10 **Events on the Green**

The Committee was asked to consider an application received to hold a one-day event on the Green on the evening of 21st September 2023.

The funfair would be fairly small in size, and would consist of a slide, an inflatable football game, a train ride, juvenile jets, and a fun castle. A candy floss stall and hot dog stall would also be in attendance. Set up was proposed to start at 8am on Tuesday 19th September.

It was anticipated that two hundred people would attend. Toilet facilities would be provided in the form of three mobile units.

Given the nature of the rides and the duration of the event, Members were supportive of the application.

Resolved that:

Officers to approve application from Guyatt's Funfair to hold a one-day event on the Green on the evening of Thursday 21 September 2023.

11 **Bin Strategy**

The Committee was advised that at a recent Environment and Sustainability Committee it was resolved that a public consultation for the proposed new litter bin strategy should be undertaken. The consultation had now closed, and Officers were currently going through the responses.

It was noted that all new bins across the Borough would be lidded. The bins currently on the Green were all lidded but the Committee highlighted their continuing concerns with regards to foxes getting into bins and spreading litter over the Green.

The option of 'fox proof' bins was discussed, and the Committee was asked to forward any options they were aware of to Officers for consideration. All bins would need to comply with the draft bin policy.

In the interim, the Committee asked Officers to review the bin collection day from Wednesday to Monday. It was considered this would help to alleviate some of the litter problems as the Green was used more over the weekend period.

In addition, the Committee had previously been advised that Officers would look at signage designs for the litter bins to educate the public on how to use the bins and to encourage large groups to take their rubbish home with them. Officers were, therefore asked to now expedite this following the resolution last year.

A report on the approved bin strategy would be brought to the next Englefield Green Committee on 17th October 2023 following approval by the Environment and Sustainability Committee in September.

12 Coir Matting

The Committee was advised that the potential use of coir matting under benches was not a sustainable material and therefore Members were asked to consider the use of matrix paving as a suitable alternative.

Matrix paving was a strong, interlocking, cellular, porous, plastic, paving system. It was used for grass reinforcement and ground stabilisation for regular trafficked pedestrian and vehicle areas. Therefore, Officers considered this would be suitable under the benches on the Green.

Members were supportive of this approach which would be placed under the two current benches on the Green.

Resolved that:

The purchase and installation of 4 square metres of matrix paving be approved at a total cost of £580. The matrix paving being placed under two benches with the cost being met from Englefield Green earmarked reserves.

13 Wildflower Planting

The Committee was advised that wildflower planting agreed at the February Committee had commenced in early May.

With the help of 10 volunteers the initial planting took place along the raised grass bank adjacent to St Jude's Road. This was followed by a second planting, where twenty students helped. On this occasion a tool was used that carved out 25cm holes and mixed up the soil, this gave the wildflowers more space to grow. No strimming of the bank would be carried out this season to ensure it established.

A 3rd set of planning was scheduled to take place on Sunday 2nd July.

A lot of community had been involved with the events which would improve the biodiversity of the Green.

On 29th July, at The Hub, in Englefield Green a community wildflower and seed sharing event was taking place.

14 **Woodland Management Plan**

The Committee was updated on the works which had been completed in accordance with the Woodland Management Plan.

The works had been managed by the Council's Tree Officer, Matthew Godfrey.

Works undertaken had included removing holly and laurel 2-3 metres each side of the public footpath 19. This had opened up the area and allowed more light onto the woodland floor. A glade was also opened up to the north of the footpath by removal of more holly and laurel. This was the first tranche of work prescribed in the Woodland Management Plan. It was intended that work would continue in Winter 2024.

Members of the Committee reported that they had received positive comments from residents. It was a great improvement and encouraged light and biodiversity.

15 **Additional Meetings of the Englefield Green Committee**

The Committee was advised that at its last meeting in February an additional meeting of the Englefield Green Committee was discussed. Members felt that the current time lapse between meetings made it difficult for maintenance issues to be agreed in a timely manner.

The Englefield Green Committee had historically met 3 times a year in February, June and either late October or early November.

If the frequency were to increase Officers proposed to reschedule all meetings evenly throughout the municipal year and would aim to follow the pattern of June-October-January-April. Officers would review the Council calendar and consult with Members on proposed dates.

The Committee had also previously expressed an interest in meeting informally with Surrey County Council (SCC) Officers to discuss highway matters and were asked if they wished Officers to try and facilitate this. Members felt that meeting with SCC could form part of the new proposed Englefield Green Member Working Party, which would be held in the Englefield Green locality.

Resolved that:

The number of meetings of the Englefield Green Committee be increased to four.

16 **New Qualifying Property**

The Committee was advised that after consultation with the Crown Estate an additional property, The Coach House, had been added to the qualifying properties list.

The Crown Estate advised Officers that following their assessment of the location of The Coach House, whilst the view of the Green was limited, it was adjoining the eastern most point. The Crown Estate therefore approved adding the property to the list. However,

they noted that this property appeared to be the most easterly property in the vicinity that would be considered a qualifying property, certainly at this time.

17 **Exclusion of Press and Public**

There were no part II items.

18 **Exempt information**

There were no exempt items.

(The meeting ended at 9.00 pm.)

Chairman

Report title	Proposed Management Plan and maintenance updates
Report author	Helen Wilson, Deputy Green Spaces Manager
Department	Green Spaces, Environmental Services
Exempt?	No
Exemption type	N/A
Reasons for exemption	N/A

Purpose of report:

To update on maintenance operations and to recommend that the Committee approve the production of a Green Spaces Management Plan specific to Englefield Green.

Synopsis of report:

To cover issues relating to ditches, nettles, maintenance schedules for the grassed area and the Section 27.4 (d) request for a costed management plan for the green.

Recommendation(s):

- i. TO RESOLVE: Volunteers rake meadow hay arisings to encourage wildflower and discourage nettle and grass growth.**
- ii. TO RESOLVE: Contractors complete overseeding in Autumn 2023/Spring 2024 at a cost no greater than £2000 from Englefield Green's earmarked reserves.**

1. Context and background of report

- 1.1** To address the requests at the previous Committee for information about the management of nettles, ditches and the grassed areas with schedules to perform specific operations. Also in answer to a Section 27.4 (d) request from Cllr Gates to produce a costed 3–5 year management plan.

2. Maintenance Updates

- 2.1** Ditch and nettle maintenance
- 2.2** In September the meadow and wildflowers on the ditch were strimmed as part of the scheduled annual meadow cut.

2.3 The nettles were cut as part of this operation. The in-house team have no capacity to rake and collect arisings.

2.4 **Grass care schedules**

2.5 The cricket club:

2.6 The cricket club maintains the Cricket Square to their own schedule.

2.7 In the last week of September, the Cricket club soiled and reseeded the Cricket Square.

2.8 The club were reminded by Officers that the use of ropes and road pins was not permitted to protect the emerging grown and that another method should be employed.

2.9 In-house operations:

2.10 The RBC Grounds Maintenance (GM) team cut the outfield weekly and the wider amenity grass approx. every 3 weeks. The ditch meadow is cut annually in September as described above.

2.11 Contracted grass care:

2.12 Officers can arrange for Overseeding to be completed in autumn/spring. This is likely to cost approx. £2,000 which would be payable from Englefield Green earmarked reserves.

2.13 Adding weed killer or fertiliser is not recommended and would not fall in line with our Sustainable Planting Policy.

2.14 **Woodland Management**

2.15 In accordance with the approved Woodland Management Plan, works will continue to remove holly, laurel and Rhododendron ponticum from the west woodland to open the woodland floor and encourage understory species at a cost not exceeding £4000, from Englefield Green earmarked reserves.

2.16 The detail of this work from our Tree Officer is as follows:

The work is to fell approx. 50 trees working from the edge of the glade in a northly direction targeting all holly, laurel, and rhododendron in this area.

All other trees will be retained, however if any are dangerous, this will be noted and reported to the tree officer who will decide if any action is required.

All arising will be chipped on site. Any timber to be stacked as habitat away from paths and the base of trees.

All stumps are to be treated preferably with eco plugs or similar, approved method.

2.17 **Borough-wide Green Spaces Management Plans**

- 2.18 These plans will be written as operational reference guides by experienced and qualified Green Space Officers and other relevant officers. The management plans will be drafted in consultation with relevant stakeholders. One plan will be written specifically for Englefield Green.

It will cover all issues mentioned as listed below in the Section 27.4 (d) request by Cllr Gates;

Wildflower planting

Bulb (Bluebell) planting

Clearing Culverts

Drainage (Vertidrainage)

Scarifying (Rotoraking)

Weed Treatment/Herbicide

Manual weeding ditches (nettles)

Reseeding grass

Fertilizer

Repair muddy walkways

Tree report (outside of Englefield Green Woodland area)

Tree planting (outside of Englefield Green Woodland area)

Furniture/ signage inspections

Installation of matrix paving at benches

- 2.19 It will also cover all other grounds maintenance issues and pressures relating to the Green as covered by this Committee and in line with CABE* Space guidance.
***CABE = Commission for Architecture and the Built Environment**

- 2.20 This guidance document can be found here:

[A guide to producing green space and park management plans
\(parkscommunity.org.uk\)](https://parkscommunity.org.uk)

- 2.21 The production of a carefully considered plan will enable better, holistic management of Englefield Green going forward to industry standards and Officers will consult on the contents of the Plan with the Committee.

3. Policy framework implications

- 3.1 Corporate Business Plan, Sustainable Planting Policy

4 Resource implications/Value for Money

- 4.1 The maximum cost of the above autumn/winter operations to the grassed areas and woodland management will be £6,000 which will be funded by Englefield Green earmarked reserves.

5. Legal implications

None stated

6. Equality implications

- 6.1 The Council has a duty under Section 149 of the Equality Act 2010 (as amended) which provides that we must have due regard to the need to;
- a) eliminate discrimination, harassment, victimisation and other conduct prohibited by the Act;
 - b) to advance equality of opportunity;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share protected characteristics.
- 6.2 The work proposed in this report is not anticipated to have a positive or negative impact on any one with a protected characteristic because of the characteristic they have. It is therefore considered that an equalities screening is not required.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 The adoption of a Management Plan will have Sustainability and Biodiversity at its core in terms of its recommendations to maintain the site.

8. Timetable for Implementation

- 8.1 The borough-wide management plans will be written over the next 2/3 years with Englefield Green's Management Plan due to be drafted during 2023/2024
- 8.2 The woodland management and grassed area operations if approved are to be completed by Spring 2024.

9. Conclusions

- 9.1 The 'Englefield Green – Green Space Management Plan' will be a live document and key reference point for this Committee, Greenspaces Officers and the Operations team. Officers will bring the outline document to the next committee meeting in January 2024.
- 9.2 It will fall in line with wider council priorities and strategies, and it will be based on stakeholder consultation, in-house expertise and expected resources.
- 9.3 We will base management plans on CABI Space* guidance.

Report title	Site furniture on Englefield Green
Report author	Helen Wilson, Deputy Green Spaces Officer
Department	Green Spaces, Environmental Services
Exempt?	No
Exemption type	N/A
Reasons for exemption	N/A

Purpose of report:

To update members regarding site assets on Englefield Green

Synopsis of report:

To provide audit information regarding existing site furniture to include benches, posts and bollards, bridges and signage and to provide an update on the proposed bench replacement.

Recommendation(s):

- i) Members consider the Officers proposal to add site furniture on the Green into their long-term management programme and advise Officers accordingly**
- ii) Members approve the installation of the two additional memory benches detailed in the report**

1. Context and background of report

- 1.1** At the June Englefield Green meeting of the Committee, Members asked Officers to provide an update on benches, post and bollards, bridges, signage and an update on the installation of memory benches to the next meeting of the Committee. Additionally, Councillor Gates under Standing Order 27.4. (d) requested Officers provided an update on bench layout on the Green to this Committee.

2. Existing benches

- 2.1** There are 14 wooden benches situated around the Green, with a further two metal benches in the children's play area. The wooden benches can be divided into 3 categories:

6 x Streetmaster Cavendish memory benches; 4 x old-style memory benches; and 4 x undedicated old-style benches

The Cavendish benches have all faded to a natural silvery grey colour



The old-style benches mostly have encrustations of lichen to varying degrees and are still structurally sound.



The two metal benches in the play area are in good condition.



- 2.2. The benches have been RAG (risk) rated and fall within the Green category as they pose no risk. No cosmetic work will be carried out by the council. The condition of these benches will be monitored as part of the on-going management plan.

3. Memory Benches

- 3.1 Following on from communication to local residents regarding the opportunity to donate a Memory Bench, Officers received 4 responses from residents registering an interest. The first person on the list was contacted but, despite several follow up emails, no reply was received.
- 3.2 Officers contacted the second person on the list and have progressed donation of a memory bench which would be placed on the Barley Mow plinth. An order will be placed with Streetmaster once all the formalities have been completed and payment received.
- 3.3 The bench should be ready to install by mid - end November, weather permitting.
- 3.4 The bench would be another Cavendish style bench, painted with a plaque added and with costs met by the donating family.
- 3.5 Two other families were looking to arrange Memory Benches on the Green, Officers plan to offer to replace two of the old-style benches without plaques that currently sit on concrete plinths with new Cavendish style benches, in accordance with the resolution of the committee meeting of June 2023.

4. Matrix paving beneath benches - update

- 4.1 The approved 4sqm of Matrix paving is yet to be installed. This will be included at the foot of the previously identified benches during scheduled renovations where no other concrete base exists.

5. Posts and Bollards

- 5.1 There are resin posts situated around the southern side of the Green, from the junction of St Jude's Road and Barley Mow Road, along Barley Mow Road to just past the pub's signpost, and again on the other side of the road along the verge and cricket pavilion. These are all in excellent condition with no sign of deterioration.



- 5.2 From the cricket pavilion, along the side road leading to the small car park behind the children's play area, there are wooden posts, most of which appear sound but one or two are showing signs of deterioration at the tops and at ground level.



- 5.3 The wooden posts at the northern end of the Green are in a poor condition, 2 have already collapsed and others are leaning and could collapse in the near future.



- 5.4 There are two sets of bollards opposite the cricket pavilion, and the other set further south. Both sets are showing signs of extensive corrosion.



6. Bridges

- 6.1 There are four bridges over the ditches: two earth bridges with bollards and one sleeper bridge along Barley Mow Road, and one sleeper bridge along St Jude's Road. The two sleeper bridges are showing signs of splitting and some deterioration but are still structurally sound. All the bridges have been RAG rated green.
- 6.2. Given the bridges are structurally sound, Officers propose to add the bridges to their long-term maintenance schedule, and they will continue to be monitored.

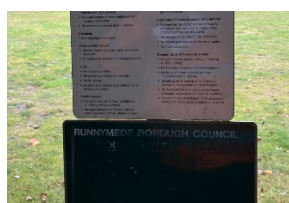


7. Signage

- 7.1 Runnymede Borough Council's Communications Team is leading a project to improve branding and refresh signage in Green Spaces across the whole borough working closely with the Green Spaces and Community Services teams.
- 7.2 Officers would be looking to have a variety of sign styles within an approved Runnymede Borough Council Branding. Each sign will be appropriate to each type of site, urban, countryside, park etc.
- 7.3 The sign audit information in this report will contribute to a signage audit across the Borough and to ensure consistency we would recommend that the new Runnymede branding is adopted on the Green.

- 7.4 Officers note there were designs for new signage included in the Appendix of the November 2021 Committee meeting report. The Green Space officers will ask for the approved sign messages relevant to Englefield Green to be incorporated by the Communications Officers into the signage project.
- 7.5. Officers will produce an information report to a later Committee to give an update on the progress of this signage project.
- 7.6 During our September 2023 signage audit, the following was noted:

There are various signs around the Green, most of which need cleaning. The dog control signs need to be replaced as they are badly worn and partially illegible. The signs at the children's play area are ok apart from one that has traces of graffiti.



8. Policy framework implications

- 8.1 Maintaining Englefield Green and offering a clean and welcoming open space is in accordance with the Borough's Corporate Business Plan.

9 Resource implications/Value for Money

- 9.1 The Memory Benches are funded by the donating family.

10. Legal implications

- 10.1 Background:
- 10.2 The setting out of Englefield Green was authorised by the Egham Inclosure Act 1814 – this was a private or local Act. The 1814 Act imposed a statutory duty to keep the Green “open” and “uninclosed” (s31). The Council was previously advised by Counsel that this statutory provision renders it unlawful to fence or build on the Green.

- 10.3 The freehold of Englefield Green belongs to the Crown.
- 10.4 The Council has held leases of Englefield Green since 1897, the most recent being a 99 year lease granted in 1955 (the 'Lease'). The Lease imposes restrictions on the use and management of the green, permitted some of the buildings on the Englefield Green, sets out the basis of the Englefield Green Committee, and requires the Council obtain the consent of the Crown Estate to specified activities (e.g. the lease provides 'not to erect or set up any building booth tent or other erection whether temporary or otherwise....without the previous licence in writing of the Lessor', and 'not to....allow to be cut any turf or otherwise to break up the surface of the said land without the previous consent in writing of the Lessor...').
- 10.5 Englefield Green is a Town and village green i.e. an open space that local inhabitants can use for 'lawful sports and pastimes'. As a Town and Village Green, the Englefield Green is regulated and controlled by:
- a. Section 31 of the Egham Inclosure Act 1814 ("the 1814 Act")
 - b. Section 12 of the Inclosure Act 1857 ("IA 1857")
 - c. Section 29 of the Commons Act 1876 ("CA 1876")
 - d. Section 193 of the Law of Property Act 1925 ("LPA 1925")
 - e. Part 3 Commons Act 2006 ("CA 2006")
- 10.6 What constitutes 'lawful sports and pastimes' may vary from place to place but can include both organised and unorganised outdoor recreational activities. The courts have not defined 'lawful sports and pastimes' but have stated that its scope is broad and can include sports such as cricket, tennis, football and bowls, dog walking, children playing, flying kites, picking blackberries, fishing and tobogganing in the snow.
- 10.7 Non-recreational activities on village greens are generally unlawful and often criminal, pursuant to section 12 of the Inclosure Act 1857 and section 29 of the Commons Act 1876.
- 10.8 Section 12 of the Inclosure Act 1857 states that it will be an offence: 'If any person wilfully cause any injury or damage to any fence of any such town or village green ... wilfully and without lawful authority lead or drive any cattle or animal thereon, or wilfully lay any manure, soil, ashes or rubbish or other matter or thing thereon, or do any other act whatsoever to the injury of such town or village green ...or to the interruption of the use or enjoyment thereof as a place for exercise and recreation.'
- 10.9 Section 29 of the Commons Act 1876 states:
'an encroachment on or inclosure of a town or village green, also any erection thereon or disturbance or interference with or occupation of the soil thereof which is made otherwise than with a view to the better enjoyment of such town or village green or recreation ground, shall be deemed to be a public nuisance ...'
- 10.10 Section 29 of the Commons Act 1876 is particularly relevant to the placing of equipment on a green. To do so is an 'encroachment' and an 'erection' on a green and is thus unlawful unless carried out 'with a view to the better enjoyment of' the green. However, the erection of any play or sports facilities provided to assist local

people to indulge in lawful sports and pastimes come within the exception, so that a local council may lawfully provide these on a village green. The test under section 29 of the 1876 Act is whether the erection is made with a view to the better enjoyment of the town or village green. If it is, no offence of public nuisance is committed.

10.11 It is not always easy to determine whether an activity amounts to an 'interference' or an 'interruption' or is for 'the better enjoyment' of a village green. There has been very little case law to assist with interpretation. The Council has obtained advice from Counsel on a number of occasions where there is uncertainty, in addition to legal investigation, local consultation and consultation with a group like the Open Spaces Society (who are active in opposing infringements on town or village greens) may be sensible precautions.

10.12 The Council and the Englefield Green Committee cannot do anything that is in breach of the lease or that is unlawful under the various statutes applying to the land. Members of that committee must not approve resolutions which breach the requirements of the Lease, the 1814 Act specific to the Englefield Green and the other acts of parliament applicable to the Englefield Green.

Benches: Replacement of existing benches will not require the consent of the Crown Estate unless it involves cutting any turf or otherwise breaking up the surface of the land, in which case consent should be obtained by officers before installation.

Matrix Paving: Installation requires the prior consent of the Crown Estate as it involves cutting turf and/or breaking up the surface of the land.

Posts and Bollards: replacement will require the consent of the Crown Estate, as these are erections and even replacement will require additional breaking of the surface of the land. Additional posts would 1. require the consent of the Crown Estate and 2. may be unlawful as an increase in the number of posts would be an increase in the obstructions to access to the Englefield Green that could breach of the statutory duty to keep the Green open and unenclosed.

Bridges: monitoring the existing bridges - none.

Signage: replacement of signage on existing supports will not require the consent of the Crown Estate. Erecting signage on new supports will require consent, as new erections and due to the breaking of the surface of the land.

11. Equality implications

11.1 The Council has a duty under Section 149 of the Equality Act 2010 (as amended) which provides that we must have due regard to the need to;

- a) eliminate discrimination, harassment, victimisation and other conduct prohibited by the Act;
- b) to advance equality of opportunity;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share protected characteristics.

- 11.2 The work proposed in this Report may have a positive impact on someone with the protected characteristic of Disability. The Equalities Group has requested that an equalities screening assessment should be undertaken.

12. Environmental/Sustainability/Biodiversity implications

- 12.1 Sustainable materials will be sourced from approved suppliers.

13. Timetable for Implementation

- 13.1 The Memory Bench installation for which an application has been received should be completed by mid-November 2023.
- 13.2 The approved 4sqm of Matrix paving is yet to be installed. This will be included during any scheduled bench renovations where no other concrete base exists.
- 13.3 Officers will return to the Committee with updates from the Communications-led RBC signage project.

14. Conclusions

- 14.1 The survey established that the site furniture on Englefield Green is in generally good condition. The Green Spaces team will continue to monitor site furniture.

15. Background papers

- 15.1 None stated.

Report title	Events on Englefield Green
Report author	Helen Wilson, Deputy Green Spaces Manager
Department	Green Spaces, Environmental Services
Exempt?	No
Exemption type	N/A
Reasons for exemption	N/A

Purpose of report:

To advise members of event applications and event related information.

Synopsis of report:

An update on events on Englefield Green

Recommendation(s):

- i) Members to note the information report in relation to Guyatts Funfair**
- ii) Members approve the My Time, My Fitness event application**
- iii) Members to consider the correspondence from James Beach's Funfair and advise Officers accordingly.**

1. Context and background of report

To update Members on previously agreed events and to review new applications received.

2. Guyatts Funfair

- 2.1 At the meeting of the Committee on the 27th June 2023 the Committee approved the use of the Green by Guyatts Funfair for a small, one day funfair to be held on the Green on Thursday 21st September 2023.
- 2.2 Prior to the proposed date for the Guyatts Funfair event, Officers met with the organizers who advised Officers that they were intending to bring 50ft trailers with adult rides onto the Green.
- 2.3 It was highlighted to Mr. Guyatt that approval had been for a small, children's funfair.

Additionally, the proposed large rides would not be able to gain access to the Green due to the restricted access.

- 2.4 The fair had also requested to be present over the weekend and so they were advised there would be an additional fee due if this request were approved.
- 2.5 Mr Guyatt decided that due to these restrictions they would need to cancel the event.

3. My Time, My Fitness

- 3.1 Event Application – My Time, My Fitness.
- 3.2 An application to hold a weekly bootcamp on Saturdays from 9am-10am has been received.
- 3.3 The personal trainer hopes to recruit 10 participants initially, rising over time to 20 or 30 participants.
- 3.4 The event holder has been called to confirm the application details. They have demonstrated adequate Public Liability and Professional Indemnity Insurance.
- 3.5 If Members are content to approve this activity on the green, Officers will approve the application.

4. James Beach Funfair correspondence

- 4.1 Email correspondence for the attention of the Committee has been received by Helen Wilson (Deputy Green Spaces Officer) from James Beach Funfairs.
- 4.2 They request that their application to operate funfairs on the Green be reconsidered.
- 4.3 They recognise there was an outstanding bill, now paid, with his late Grandfather; Jimmy Beach Senior and that due to a medical issue of his grandfather's, certain things were not dealt with correctly.
- 4.4 They would like to reassure the Committee that the funfair would now be run professionally and would like to demonstrate their new, high standards to the Committee.
- 4.5 The Committee are asked to advise Officers of their response accordingly.

5. Resource implications/Value for Money

- 5.1 All event income is added to Englefield Green earmarked reserves.

6. Legal implications

- 6.1 The Crown own the freehold of the Englefield Green, the Council's current lease of the Englefield Green was granted in 1955.

- 6.2 If the fitness classes or the fair require the erection of any building booth tent or any other erection either temporary or otherwise, then the Lease requires that Officers obtain the consent of the Crown Estate to such erection.

7. Equality implications

- 7.1 The Council has a duty under Section 149 of the Equality Act 2010 (as amended) which provides that we must have due regard to the need to;
- a) eliminate discrimination, harassment, victimisation and other conduct prohibited by the Act;
 - b) to advance equality of opportunity;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share protected characteristics.
- 7.2 While there is very little information regarding the proposed event to determine what impact it may have on anyone with a protected characteristic, it is considered that the proposed event may have a positive impact generally on people in the local area who may wish to take part.

8. Environmental/Sustainability/Biodiversity implications

- 8.1 There are potential negative environmental effects to the overuse of the green for events although this should be balanced with the positive social benefits.

9. Timetable for Implementation

- 9.1 The fitness classes would be able to start immediately following approval.

10. Conclusions

- 10.1 The Green is desirable to funfairs although there are practical problems associated with hosting them. The presence of a fitness class will offer health and wellbeing benefits to local people.

11. Background papers

- 11.1 None stated

12. Appendices

- 12.1 Event Application for Fitness Instruction on Englefield Green

APPLICATION FOR THE USE OF COUNCIL OWNED LAND

1. Name of organisation - My Time My Fitness
2. Contact name/name of organiser - [REDACTED]
3. Name of event - weekly boot camp exercise classes
4. Correspondence address for the purpose of this application - [REDACTED]
[REDACTED]
5. E-mail address - [REDACTED]
6. Telephone number of the person responsible for the application - [REDACTED]
7. Telephone number for a contact for the duration of the event - as above
8. Contact name and number for members of the public - as above.
9. Date of event - weekly on a Saturday. Start date will depend on this application

Date/time of setup 08:45

Date/time of takedown 10:15
10. Time of event 09:00-10:00

11. Proposed venue - The Green, Englefield Green.

12. Nature of the event. Please supply as much information as possible.

- a. Stalls? Provide details of each stall such as type and size, and send a copy any ADIPS certificate. - no stalls
- b. Activities? Give details of all of the activities with details of the equipment you intend to use for each activity. Outdoor exercises. Minimal equipment will be used, but may incorporate, kettle bells, battle ropes, resistance bands.
- c. Rides? List each ride and send a copy of the ADIPS certificate for each ride. Not applicable
- d. Music? Please provide details of the type of music (live/recorded), and how the music is to be transmitted, and the times that music will be played. No music.
- e. Animals? Give the number of each animal, how they will be contained, and any special requirements. No animals.
- f. Vehicles? List details of the size of each vehicle which will need access to the land. I propose to park nearby on the road, as will customers, no requirement to park on the green itself.
- g. Generators? State how many generators and the type of generator. N/A
- h. Toilets? How many, and what type of toilets will you be having? N/A
- i. Inflatables? Please provide details of each inflatable. You will need to check their PIPA registration. N/A

13. How many people are you expecting to attend at any given time? Initially less than 10, but if classes prove popular, perhaps 20-30.

14. Please send us a copy of your public liability insurance.

Attached?

Yes.

15. Do you require any action to be taken by us (e.g. hay cut, grass cut etc)? No

Report title	Adopted RBC Bin Policy and fox-proof bins
Report author	Helen Wilson, Deputy Green Spaces Manager
Department	Green Spaces, Environmental Services
Exempt?	No
Exemption type	N/A
Reasons for exemption	N/A

Purpose of report:

For information

Synopsis of report:

To advise the Committee of the newly adopted Borough-wide Litter & Dog Waste Bin Policy and update regarding fox-proof bins.

Recommendation(s):

- i) To note approval of the new litter and dog waste bin policy by the Environment and Sustainability Committee in September 2023**
- ii) To note any implications for Englefield Green**

1. Context and background of report

- 1.1 At the last committee of June 2023, it was agreed that officers would provide an update on the borough-wide bin policy at this committee.

2. Litter and Dog Waste Bin Policy & fox proof bins

- 2.1 The new litter and dog waste bin policy was adopted at the September E&S Committee.
- 2.2 Officers will be adding signage to the bins to indicate their use for both litter and dog waste. These signs will include a QR code for reporting purposes.



2.3 Officers will look to retain rural style bins on Englefield Green should any need to be replaced in future.

2.3 In reference to fox proof bins, the committee were asked during the June 2023 committee meeting to provide details of fox proof bins, none were supplied.

3. Policy framework implications

3.1 In line with the newly adopted Litter and Dog waste bin policy

4 Resource implications/Value for Money

4.1 Signage for the existing bins to be funded by RBC.

5. Legal implications

5.1 None in respect of additional signage where new signs are sited on existing equipment. Replacement of bins will necessitate officers obtaining the consent of the Crown Estate pursuant to the provisions of the Council 's 1955 lease of the Englefield Green, where the surface of the land is broken to facilitate replacement and because such bins could be considered to be 'erections'.

6. Equality implications

6.1 None stated

7. Environmental/Sustainability/Biodiversity implications

7.1 Encouraging and supporting residents and visitors to use litter bins reduces the volume of fly tipping and the cost of fly tipping collections. Allowing litter bins to be used by dog walkers will increase availability of bins for dog walkers.

9. Timetable for Implementation

9.1 The new stickers/signs are being rolled out over the next year.

10. Conclusions

- 10.1 The newly adopted bin policy will help to reduce site 'clutter' by reducing the number of litter receptacles and new signage will align with the new message that dog waste can be added to litter bins.

11. Background papers

- 11.1 None stated

12. Appendices

- 12.1 Runnymede Litter and Dog Waste Policy

Runnymede Bin Policy

Location of Bins

Litter bins will be located in Runnymede towns and open spaces to support the duty under the Environmental Protection Act 1990 to keep land clear of litter and refuse.

Repair/replacement

Bins will be replaced when broken beyond repair and where a continuing need for a bin at that location is demonstrated.

Style of Bins

The style and size of bins will be chosen to reflect the location with all new bins to be lidded rather than open topped where possible. Replacement bins will have signs to state that dog waste can be deposited. New bins will be to a standard approved design where possible to ensure consistency and ease of opening and emptying.

Frequency of emptying bins

High street bins will be emptied daily. In other locations bins will be emptied according to season, weather, and local demand with the overarching aim to empty all bins when full but before they overflow.

Overflowing or damaged bins can be reported via the website at [Street cleaning – Runnymede Borough Council](#)

Replacement of dog waste bins

From April 2023 we will commence a programme to remove all dog waste bins with signposting to explain that dog waste can be deposited into any litter bin. Additional litter bins will be provided where capacity dictates.

Introduction of recycling bins

From Summer 2023 we will introduce dual waste/recycling bins at Runnymede Pleasure Ground. The scheme will be piloted for one year to see if the collected waste can be recycled or if it is contaminated to the extent that it must be treated as general waste.

A programme to introduce recycling bins across high streets and open spaces will be introduced following the pilot scheme at RPG aligned to the successes and limitations identified by the pilot project.

Consideration will also be given to the Governments forthcoming deposit return scheme for plastic bottles and cans.

Events

The Depot can provide and collect refuse and recycling bins to support events held in on open spaces. This service is subject to a fee as specified in the schedule of rates listed on the website.