

Runnymede Borough CouncilECONOMIC DEVELOPMENT COMMITTEE14 March 2002 at 7.30 p.m.

Members of the Committee present: Councillors R.K. Habgood (Chairman), J.R. Furey (Vice-Chairman), E.G. Barrett, B.A. Clarke, T.T. McGrath, J.E. Haas, Mrs. C.Y. Jones, H.W.V. Meares, P.J. Poole, and Ms. C.M. Simmons.

Members of the Committee Absent: None

Councillors C.J. Norman, Mrs. J. Norman and G.B. Woodger also attended.

628. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

The Conservative Group had notified the Chief Executive Officer of its wish that the changes listed below be made to the membership of the Committee for a fixed period ending on the day after the meeting. Thereafter the Councillor removed should be re-appointed.

Group Requesting Change	Remove from Membership	Appoint Instead
Conservative	Councillor K.J.T. Walmsley	Councillor Mrs. C.Y. Jones
Conservative	Vacancy	Councillor J.E. Haas

The Chief Executive Officer had given effect to these wishes in accordance with Section 16(2) of the Local Government & Housing Act 1989.

629. AIMS AND TARGETS 2002/03

(Ref: Minutes of Economic Development Committee, January 2002, page 733, para.488).

At its meeting in January the Committee had approved a number of Aims and Targets for 2002/03 consistent with the Leader's Position Statement. Officers had subsequently identified a series of additional targets specific to the Committee's responsibilities which were now considered. The Committee agreed that these targets were appropriate, subject to Target 4 on economic development referring to retail provision.

RECOMMEND that -

the revised Aims and Targets for 2002/03, attached at Appendix 'A', be adopted, subject to the amendment to Target 4 referred to in the preamble to this Recommendation.

630. BARRSBROOK FARM, GUILDFORD ROAD, CHERTSEY

(Ref: Minutes of Executive Committee, 16 May 2001, Page 1727, para. 873)

Completion of the purchase of the site of Barrsbrook Farm, Chertsey, by the Council (comprising approximately 40 acres of land together with farmhouse, stable, barns, storage and cold store) had taken place in June 2001. The buildings listed had been generally neglected for many years and had consequently been demolished in November 2001. The site had now been secured and the Committee considered how it should be utilised.

The site lay within a particularly prominent and vulnerable part of the Green Belt, on the urban fringe of Chertsey and alongside the M25, which made it strategically important from a planning point of view. It's open character and Green Belt function had to be maintained. Both national planning policy guidance, and the Borough Local Plan (Policy GB7), provided for the re-use of buildings inside the Green Belt, subject to a number of criteria which had the primary aim of ensuring that such new uses did not have a materially greater impact upon Green Belt openness. Only the house and a number of the principal farm buildings, amounting to a maximum of 12,000 sq.ft., appeared capable of re-use within the full terms of the Policy guidance. Any additional buildings to directly support leisure activities, or other uses of the open Green Belt land, would need to be considered on their

merits. The Committee noted that various options were put forward for their consideration in the light of the extensive planning history at this location and that any departure from this by making a larger proportion of the site available for use would require a significant shift in policy and would need to await the review of the Local and Structure Plans.

Whilst the site was suitably located for motel use, and there was undoubted demand for such facilities, the built form would need to be considerably in excess of 12,000 sq.ft. Any operator would also look for substantial additions in the form of parking areas and a supporting food outlet. This would have a substantial impact on the Green Belt. Bearing in mind that all previous attempts to develop the site for such purposes had been rejected by the Council, it was agreed that this option should not be pursued.

An approach had been made by Runnymede Community Church who sought a site of approximately 1½ acres to erect an extensive multi-functional building and a suite of smaller halls. A joint use scheme possibly incorporating a new day centre would also be a possibility. A built form in the region of 9000 - 12000 sq. ft. would be required, along with parking for 80 to 100 cars. The intensity of usage of the site for these purposes was likely to be considerable and was therefore likely to prove unacceptable in highway and Green Belt terms. It was a long way from the town centre for location of Day Centre facilities. It was therefore agreed that this would not be an appropriate use for this site.

The Committee agreed that it would be appropriate to make some residential use of that part of the site previously built upon, for key worker/affordable housing, within a flatted development, to ensure the openness of the site, providing approximately 20 units towards the Council's 5 year target of 750 affordable homes, and a receipt in the order of £400,000 to £600,000. Barrsbrook Farm adjoined Sir William Perkins's School playing fields which also adjoined Chertsey Recreation Ground. This provided an opportunity for a potential land exchange with the school. This provided the potential for recreational land linked to the recreation ground without compromising Green Belt status, and utilising areas which were currently overgrown and derelict. It was agreed therefore that negotiations be opened with Sir William Perkins's School regarding land rationalisation and that the potential for private funding be investigated. Any subsequent decision to provide extra recreational facilities, however, would need full consideration by Leisure and Environment Committee. It was agreed that the major part of the site, excluding the land to be reserved for residential development and an area to be retained for potential leisure use, be let on an agricultural tenancy by way of tender to a local farmer (who would be responsible for improvements to the land) to enable him to graze cattle and take off hay.

Bearing in mind the planning history of the site and the purchase price agreed, the vendor had the benefit of a clawback provision within the sale, operative for 21 years from 1996. This provided for any added value arising from the grant of planning permission to be shared between the parties. Any development for recreational use was excluded from this agreement. The implications of this would need to be taken into account in any detailed proposals.

RESOLVED that -

- i) the Borough Secretary and Leisure Services Officer be authorised to seek interest from a suitable partner to develop a key worker/affordable housing scheme on the Barrsbrook Farm site not to exceed 12,000 sq.ft. (1115m²);**
- ii) discussions be opened with Sir William Perkins's School;**
- iii) Officers investigate and report back to the appropriate Committee on the potential for a joint leisure scheme with the private sector; and**
- iv) land not immediately required for development purposes be let for agricultural use and tenders be sought.**

631. CHERTSEY REVITALISATION - ACQUISITIONS
(Ref: Minutes of Executive Committee, 16 May 2001, page 1731, para. 881)

Members were advised of the final outcome in respect of negotiations for the acquisition of properties in the Chertsey Revitalisation Area. Of the four cases outstanding at May 2001 two had been settled

by agreement without the need for any reference to the Tribunal. The remaining two cases had been referred to the Lands Tribunal whilst negotiations continued and settlement had been reached in both cases prior to any hearing. One further case remained outstanding from Seaboard and Officers were seeking a formal withdrawal. The Committee was pleased to note that the settlements had resulted in a saving of £300,000 and commended Officers.

632. CHERTSEY REVITALISATION - FINANCIAL SUMMARY

Members were informed of the overall financial position relating to the Chertsey Revitalisation Scheme. The receipts included the sum of £500,000, representing the last payment on the drawdown of the final phase which was programmed to commence in June 2002. Proposals to alter the content of this final phase would result in its financial reappraisal with the potential for enhancing the receipt. No overage was expected from the final two phases but these would be reassessed on completion in the normal way. The net cost of the total scheme including the construction of Railway Approach and holding costs was £1.68m. This excluded staff time and also the abortive legal costs incurred on the Brixton proposals in the early years of the project.

633. 53 GUILDFORD STREET, CHERTSEY - EXTENSION

The Committee's approval was sought to an extension of the premises at 53 Guildford Street and for the acquisition of rights of access acquired as part of the Chertsey Revitalisation Scheme.

Principal People, an employment agency, now wished to expand and remain in situ having obtained planning consent for a small extension to their premises together with a 5 year consent to convert 53a from residential to office use. The proposal was to enclose a small area of land to the rear of 53 Guildford Street giving the ability to expand the rear office and, secondly, to enclose the archway between 53 and 55 Guildford Street. The archway currently provided the only means of access to the first floor flats and was the vehicular access to the car park at the rear of the premises. The Council owned part of the land but Cadbury Schweppes Pension Fund, the owners of Culverdon House, had title to the access road. It appeared that Cadbury Schweppes might be prepared to grant access across the road if appropriate terms could be agreed. Negotiations were taking place on the basis of a one off payment rather than an annual licence fee as the latter would not provide the security needed if the extensions were to take place. Principal People were prepared to carry out the necessary works to the land and to pay an increased rental to reflect the cost of acquiring the access. The extension to the rear of the property could proceed irrespective of the position regarding the rear access. The infill of the archway could only take place subject to the replacement of the access and the agreement of all parties.

RESOLVED that -

- i) subject to all necessary consents, the extension to 53 Guildford Street be approved in principle;**
- ii) subject to contract and all necessary consents, the Borough Secretary and Leisure Services Officer be authorised to acquire rear access rights to 53 Guildford Street, Chertsey, at a sum not to exceed the figure reported; and**
- iii) the Corporate Management Committee be requested to approve a capital budget in the sum reported.**

634. ACTION ADDLESTONE PROGRESS REPORT

(Ref: Minutes of Economic Development Committee, September 2001, page 302, para 242)

Progress was outlined on the approved schemes at Spittle's Forecourt and the High Street/Church Road/Brighton Road/Station Road junction. Approval was sought for a public consultation exercise in respect of proposals for environmental improvements and associated traffic calming in Station Road, Garfield Road and Crockford Park Road, Addlestone.

At the meeting of the Committee in September 2001, Members approved an allocation of £100,000 from the Action Addlestone capital budget to finance the Spittle's forecourt construction costs. Work was now required to move cables which had increased costs by £9,500. The award of the construction contract had been delayed by the need to move the cables and also additional costs for

street furniture and lighting estimated at £14,000. The current estimate for the scheme including these additional costs (which could be funded from the Addlestone Town Centre maintenance budget), was now £127,000.

The proposed pedestrian crossing improvements at the High Street, Church Road, Brighton Road and Station Road junction had not started in 2001/02 because the DSO and the four remaining contractors had been unable to start work until the new financial year. Negotiations had progressed with the contractor who had tendered the most financially favourable price to identify a potential start date in the new financial year. However, since funding for the County contribution towards the scheme would now fall in the 2002/03 financial year it would need to be approved by Surrey County Council via the Local Transportation Manager for Runnymede. The Committee were disappointed that it had not been possible to progress this scheme earlier, as this was perceived by the public as being a difficult junction to negotiate.

The Member led project Steering Group had approved a conceptual layout for proposed enhancements to Station Road between the Tesco frontage and the access to the Civic Offices car park. The transportation study indicated that the effect of the above measures would be to increase traffic volumes in Crockford Park Road by approximately 20%. The scheme therefore included complementary traffic calming measures in Crockford Park Road and Garfield Road to counter the potential for traffic displacement. The proposed consultation arrangements and potential planning and legal requirements to enable the scheme to take place were noted. Since the proposals were mainly related to the highway, they would require the approval of Surrey County Council and statutory advertisement, via the Local Transportation Manager for Runnymede. The estimated costs of the scaled down canopy proposal, the Garfield Road/Crockford Park Road traffic calming and the total cost of the scheme were £105,000, £60,000 and £725,000 respectively. The Station Road environmental enhancement scheme would be funded from an allocation of the approved capital budget for the initiative. Funding would be sought from Surrey County Council for the High Street, Church Road, Brighton Road, Station Road work.

RESOLVED that –

- i) the revised budget for the Spittle's Forecourt scheme be approved; and**
- ii) the design of the Station Road environmental enhancement scheme be approved for consultation and the detailed nature and location of the traffic calming proposals in Crockford Park Road and Garfield Road be delegated to the Borough Technical Services Officer in consultation with the Chairman and Vice-Chairman.**

635. CIVIC OFFICES – CYCLICAL MAINTENANCE PROGRAMME
(Ref: Minutes of Executive Committee, 7 June 2000, page 40, para 49)

Approval was sought for maintenance works at the Civic Offices in the financial year 2002/03. An annual capital budget of £100,000 for this had already been agreed, but approval was now sought for a revised schedule of works, in view of uncertainty over the long term prospects for the Civic Offices and because weaknesses had been identified in the Civic Offices electrical system during the installation of the uninterrupted power supply (UPS) in November 2001. It was therefore agreed that in 2002/03 an Electrical Consultant be appointed to survey the Civic Offices electrical wiring system and advise on the works that were necessary to achieve a five year life or were necessary for reasons of safety or to better balance the electrical loading, with a provisional sum of £75,000 being set aside for this (It did not follow that this would all have to be spent). It was also agreed that a structural survey of the Old Wing be undertaken to ascertain the stability of the concrete frame and cladding for a further five years at an estimated cost of £15,000 and that toilets and kitchen areas be redecorated only and not refurbished with replacement fittings, at an estimated cost of £10,000.

RESOLVED that –

- i) the programme of cyclical maintenance work for 2002/03 set out above be approved; and**
- ii) a capital estimate in the sum of £100,000 be approved to be financed from capital receipts in hand.**

636. EGHAM ROYAL SHOW - MRS CADDEY'S FIELD

(Ref: Minutes of Executive Committee, 10 January 2001, page 1133, para. 541 and 16 May 2001, page 1724, para. 870)

Members considered a request from the Egham and Thorpe Royal Agricultural and Horticultural Association for the use of Mrs Caddey's Field, Whitehall Lane, Egham, for the Egham Royal Show on the August Bank Holiday weekend in 2002. The Show had now been held for three successive years on Mrs Caddey's Field. The Show had been formerly held at Runnymede but in December 1997, the organisers were obliged to move the location in order to try and reduce the scale of the event and the costs of staging it. It had been a condition of each permission to use the ground that the organisers consult with local residents and representatives. Alternative sites had been considered but none had, from the organisers' perspective, so far, offered the advantages of the site in Whitehall Lane. The proximity of Mrs Caddey's Field to Rusham Park had enabled the Association to develop a close working relationship with Procter and Gamble and the organisers had found it to be an environmentally friendly location.

Feedback received from a variety of different residents and organisations in Egham suggested that a Show was supported but that they would prefer it to take place in another location. Some organisations considered that the consultation undertaken was either insufficient or too late to allow alterations to arrangements. A letter from the Show organisers, answering a number of the points raised, was noted.

Council Officers and emergency services had generally been satisfied with the way in which the Show had been conducted, the condition of the field afterwards and the access and diversion arrangements. Thus far, the Association had not been able to identify any alternative site available at economic cost. The Committee was of the opinion that the Show was appreciated by the great majority of Egham residents and others, and therefore concluded that the Show should be held once again on Mrs Caddey's Field. It was accepted the organisers should concentrate more on consultation and continue to explore whether a different more suitable location could be found.

The DSO and leisure staff of the Council had carried out various tasks in 2001 to facilitate the Show. The organisers of the Show had reimbursed the Council for its direct costs in this regard. However, these costs did not reflect the significant Officer time involved. Following the transfer of highways related work to the County Council in April 2002, the Borough Council would have few resources available to assist with the staging of the event. Members had determined that there should be no budgetary provision for special events in 2002/2003. The organisers would therefore be obliged to obtain such services independently.

RESOLVED that -

- i) the Egham and Thorpe Royal Agricultural and Horticultural Association be granted permission to hold the Egham Royal Show at Mrs Caddey's Field for the August Bank Holiday weekend of 2002 and be advised of the implications of the termination of the Highways Agency agreement;**
- ii) permission be on similar terms and conditions to the event held in 2001 with the proviso that the organisers be requested to make greater efforts to carry out timely consultation with local organisations and residents;**
- iii) the event organisers be advised of the implications of the winding up of the Highways DSO; and**
- iv) the organisers be requested to continue their efforts to locate an alternative site for the Show.**

637. STREET TRADING CONSENTS - ANNUAL RENEWAL AND NEW APPLICATIONS

(Ref: Minutes of Executive Committee, March 2001, page 1521, para 758)

Committee approval was sought for the annual renewal of a number of street trading consents.

The trader at The Broadway, New Haw had requested an extension in his hours so that he might operate until midnight. In view of previous public order difficulties at the site, which were understood to be attributable to customers of the trader and the effects such difficulties had upon local residents, the trader's finishing time had been altered from midnight to 11.00 p.m., with effect from December 1996. Since the consent's reduction in hours, the number of complaints had reduced and this year no incidents had been reported which could be directly attributable to the customers of the trader. The Police confirmed that this continued to be an area which suffered from criminal damage from youths and was a natural gathering point after pub closing and consequent possibilities for noise and disorder should be avoided. The Borough Environmental Services Officer had also requested that there be no change to the finishing time (which would be in line with the hours of the kebab shop in the vicinity). The trader was also looking to start trading half an hour earlier, i.e. 5.30 p.m. instead of 6.00 p.m. Neither the Police nor the Borough Environmental Services Officer had any objection to this earlier start time. Therefore, the Committee agreed the earlier start time but retained the existing finishing time.

An application from a new trader had been received to trade in fast food at the previously used site at Delta Way, Thorpe. One of the Ward Members considered that this area was already very heavily used by traffic, with problems with access and parking. As access to the street trading location was off Crabtree Road, the Member considered that the presence of a trader here could encourage additional traffic movements and parking in Crabtree Road and Delta Way. A trader had operated from this location during 2000/2001. The trader's unit had been slightly repositioned in order to resolve access concerns raised by one company in Delta Way. No other complaints had been received at that time. The Borough Technical Services Officer advised that the current site remained the best in the road from a highways perspective. The local Police and one of the other Ward Members had commented that the presence of a hot food trader in this area might represent overprovision, in view of other outlets providing a similar service in the vicinity. The Committee, however, had to consider the suitability of trading specifically in Delta Way, not the presence or otherwise of hot food facilities in the immediate locality. The Borough Environmental Services Officer had not raised any concerns. As a trader had operated in this location in the recent past without great difficulty, it was agreed that the application be granted.

A new application had also been received from Mr M. Korkmaz to trade in fast food and soft drinks at Pound Road, Chertsey from 6.00.p.m. to midnight each day of the week. The police had suggested that the positioning of the van would need to be considered carefully in order to avoid causing a hazard to passing cars and pedestrians. One of the Ward Members had commented that the highways position had become more congested recently as normally in the evening, vehicles were parked on both sides of the road and considered that it was a busy area for traffic and that lighting in the vicinity was not good. The Member also suggested that the line of the kerb might well be changing (due to the new building and layout on the old SMP site adjacent to the proposed location) and stated that the trading area was very close to the junction with Drill Hall Road, where cars would be turning. The Borough Technical Services Officer confirmed that Pound Road had high traffic flows and prolonged parking for much of its length. The Borough Environmental Services Officer had observed that the area was primarily residential. The Police had stated that this was a natural gathering point after pub closing, with consequent possibilities for noise and disorder. The presence of litter, youths gathering and noise also increased fear of crime amongst residents. In assessing this application, the Committee considered the grounds on which the representations were made and whether there was any objective evidence to support them. The Committee had regard to the "Wednesbury" principles (i.e. that the Council must have regard to all relevant matters, disregard irrelevant considerations, act rationally and for a proper purpose). Furthermore, in accordance with Article 1 of the First Protocol and Article 8 of the Human Rights Act 1998, the Committee balanced the interests of the trader against the public interest and interests of neighbouring owners/occupiers, service users and highway users. The Committee concluded that the application should be refused and that, in view of the new circumstances since designation, Pound Road was not a suitable location for trading.

RESOLVED that -

- i) the following Street Trading Consents be granted for the period from 1 April 2002 until 31 March 2003:**
 - a) Mr. M. Almali to trade in fast food at The Broadway, New Haw between 5.30 p.m. and 11.00 p.m. each day of the week;**

- b) **Mr. J.J. Hayler to trade in fast food at Delta Way, Thorpe from 6.30 a.m. to 3.00 p.m. on Mondays to Saturdays; and**
- ii) **the application from Mr. M. Korkmaz to trade in fast food and soft drinks at Pound Road, Chertsey between 6.00 p.m. and midnight each day of the week be refused because no suitable highways location exists in the street by reason of high traffic flows and prolonged parking and because of the adverse effect upon the peace and quiet enjoyment of the residential occupiers in the vicinity which would be occasioned by any form of street trading in this street.**

RECOMMEND that –

the whole of Pound Road, Chertsey be re-designated as a prohibited street for the purposes of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and the necessary public notices giving effect to the re-designation be publicised in a newspaper circulating in the area.

638. STREET TRADING CONSENT - KINGSLEY AVENUE, ENGLEFIELD GREEN
(Ref: Minutes of Economic Development Committee, September 2001, page 306, para. 245)

The Committee considered an application for a street trading consent from Mr M. Almali to trade in fast food and soft drinks at Kingsley Avenue, Englefield Green, between 5.30 p.m. and midnight.

From 1995 to 1996 and 1997 to 1998 two traders had operated in the evening at Kingsley Avenue, one for six days a week selling soft drinks and fast food, while another operator sold fish and chips on Friday evening, the day when the other operator did not trade. From 1996 to 1997 only the fish and chip trader operated in the location on Friday evening. From 1998 to the present, one trader selling soft drinks and fast food had been operating for seven days a week for the hours stated above as the Friday evening trader decided not to renew his consent to trade. When consent was granted to trade in Kingsley Avenue in 1995, at the time when the Friday evening trader was still trading, the Council's former Highways and Works Committee was advised that the general intensification of trading activity in this residential road might give rise to environmental nuisance being suffered by occupiers of surrounding properties, primarily through additional noise and odour. However, the absence of complaints meant that the Committee continued to renew the consent for the times requested by the applicants, i.e. with a finish time of midnight and half an hour to clear away and leave the site.

During 1999 and 2000 residents living in one property near to the trader's location had complained of persistent late night noise nuisance, drunkenness, fights amongst youths and use of the surrounding area as a toilet by customers of the trader. The residents had kept a diary of incidents and the majority of these incidents had occurred after 11.00 p.m., following the closure of the public house in the vicinity. The residents also claimed that the trader had on occasions been serving customers after midnight and had not been clearing away litter as required. No complaints had been received from other properties in the street. The Council's former Highways and Works Committee, at its meeting in March 2000, had decided that 11.30 p.m. was an appropriate last serving time for this particular trader, in order to alleviate late night environmental effects on residents and the consent was renewed on this basis. The trader had subsequently stopped trading at the site in December 2000.

Mr. Almali, who currently traded at the site, had taken over the consent for Kingsley Avenue in December 2000, selling fast food and soft drinks. The Council's former Executive Committee had considered the application for renewal of the consent at its meeting in March 2001, when this trader applied to operate until midnight for 2001/2002. Although no further complaints had been received at that time, the Borough Environmental Services Officer and the Police had wished to see the 11.30 p.m. closing time retained and the Committee had agreed that the finish time of 11.30 p.m. should remain up until 31 March 2002, having regard to the residential nature of the area. At its meeting on 13 September 2001, the Economic Development Committee had considered complaints from residents of two properties in the vicinity of the trader's location and from one of the local Councillors for the Ward, on behalf of a number of residents in the area, alleging that the trader at Kingsley Avenue had been trading outside his allocated hours by starting earlier and finishing later than allowed by the consent conditions and alleging intimidating behaviour and damage to property

arising from the trader's customers. One of the local residents also complained about odours associated with the trading.

While there was no suggestion that the street trader was personally responsible for the range of alleged problems, there was little doubt that a number of the alleged anti-social activities described in the complaints could be directly attributable to or related to the behaviour of his customers. Problems of a similar nature to those outlined above relating to youths in the area had also been reported to the Council's Housing Tenancy Management Staff. The local Police Crime Prevention Officer (CPO) stated that he had been unable to evidence any actual crimes that could be linked to the trader's activities or breaches of his hours but took the view that consideration should be given to reducing the trading hours or moving the site of the trader. The CPO also reported that the Manager of Aldwyn Place (a new development of 53 two person flats and 3 three person flats for sheltered, extra care and disabled categories of persons), which was near the trading location, was concerned about noise and litter from the trader's customers and the CPO suggested that, with this home in the area, the noise and demeanour of the trader's customers late in the evening gave rise to a fear of crime and a reduction in their quality of life. The Committee had agreed in September that the trader's operation be monitored and that a further report be submitted in March 2002, or earlier if deemed necessary, summarising any further incidents or complaints and the results of the monitoring operation, to enable the Committee to reconsider the consent, its conditions including opening and closing times and any other representations received from the trader, the residents, Ward Members and the Police. The Committee was now considering that report.

A letter had been received in September 2001 from the Manager of Aldwyn Place, expressing concern about intimidating behaviour, foul language and noise from youths and the smell generated that began at the point when trading started in the afternoon, which resulted in tenants being anxious about going out. Despite the efforts of the trader to contain his litter, his customers made it difficult for him and some of it was thrown into the Aldwyn Place grounds. The problems were exacerbated when the pubs closed and the position was worse at the weekend. The Manager expressed the view that because of the very considerable change to the nature of this residential area, it was no longer appropriate for a trader to be located there.

The Economic Development Committee also noted the most recent information received about the effect of the trading. Monitoring undertaken indicated that the trader was complying with the time conditions for the consent. The Ward Members reaffirmed that residents in the very close vicinity of the trader had consistently reported problems with youths loitering and noise, unsocial behaviour and vandalism from the trader's customers. One local resident had been unable to open windows in the summer because of odour from the trader. A petition had also been submitted, signed by 29 residents of Aldwyn Place, seeking a relocation of the trading site as they did not wish to see the trader's livelihood affected, stating that he traded in an acceptable way and a letter from two of the residents of Aldwyn Place reporting verbal abuse, harassment, unsocial behaviour and littering from the trader's customers during last summer and autumn. Although the residents in this letter stated that the trader was not personally responsible for the problems, they believed that he should be moved to another site as they feared that the problems may recur this summer. The Ward Members considered that trading at this location should cease because of numerous complaints received about noise and general rowdiness from youths drawn together by the trader's location, which formed a natural meeting place, although they emphasised that the trader operated in a responsible fashion and would like to see him relocated in the area if it was feasible.

The Committee also considered representations from residents whose complaints had been reported in September 2001, reporting odour resulting from the trader's operation and litter and rowdiness from his customers. Another local resident reported noise, damage to property, littering and rowdy behaviour from customers of the trader. Since the closure of a public house in the vicinity they reported that the problems had reduced a little, but during the school and university holidays the problems increased. They concluded by stating that they would wish to see the application refused. Residents of the other property who had complained in the autumn had provided a diary of events at that time but now had reported that the situation had improved in recent months which suggested that the problems were worse in the summer and autumn. The local police reported that although the trader operated professionally and responsibly, at a recent residents meeting in Englefield Green, the majority of residents considered his presence to be a catalyst for youth crime and disorder problems. The trader had been informed that his consent was being reviewed at the meeting, but no comments had been received from him.

In assessing this case, the Committee noted that the trader was not the cause of disturbances and it was a number of his customers who created problems for residents. It also appeared that the problems were exacerbated in the lighter evenings. However, they agreed that this was no longer a suitable location for trading because of persistent and continuing nuisance to residents reported over the last few years and the recent addition of the Aldwyn Place development. They also agreed that Officers should explore whether it was possible to find another suitable location for the trader in Englefield Green.

The Committee considered the grounds on which the various representations were made and whether there was any objective evidence to support them. The Committee had regard to the "Wednesbury" principles (i.e. that the Council must have regard to all relevant matters, disregard irrelevant considerations, act rationally and for a proper purpose). Furthermore, in accordance with Article 1 of the First Protocol and Article 8 of the Human Rights Act 1998 the Committee balanced the interests of the trader against the public interest and the interests of neighbouring owners/occupiers, service users and highway users. They also considered the future suitability of this location for street trading, having regard to all the circumstances which had arisen since designation.

RESOLVED that -

the application from Mr. M. Almali to trade in fast food and soft drinks at Kingsley Avenue between 5.30 p.m. and midnight each day of the week be refused because of the adverse effect upon the peace and quiet enjoyment of the residential occupiers in the vicinity which would be occasioned by any form of street trading in this street.

RECOMMEND that -

the whole of Kingsley Avenue, Englefield Green be re-designated as a prohibited street for the purposes of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and the necessary public notices giving effect to the re-designation be publicised in a newspaper circulating in the area.

639. CIVIC OFFICES REPROVISION

(Ref: Minutes of Economic Development Committee, 15 November 2001, Page 614, Para. 377)

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this report under Section 100A (4) of the Local Government Act 1972 on the grounds that the report in question would be likely to involve the disclosure of exempt information of the description specified in paragraphs 7 and 9 of Schedule 12A to Part 1 of the Act.

Progress on reprovion of the Civic Offices was reported to the Committee, as well as the conclusions of the Civic Offices Member Working Group, regarding the findings of the space utilisation consultants, who had advised on future accommodation requirements.

The Addlestone Community Association (ACA) had stated that it would consider relocation and that its preferred location at this stage was an appropriate portion of the Garfield Road car park site. It did not wish to be relocated on any enlarged Civic Offices site. The preferred Civic Offices re-development option, as matters stood at this time, and subject to further detailed negotiations with Addlestone Community Association and Surrey County Council (SCC) would be a phased scheme beginning with the relocation of the Association, followed by rebuilding of premises for Runnymede Borough Council use and the sale or long leasehold disposal of the remaining portion of the site. This could include co-location with Surrey County Council and discussions were taking place with them. This preferred option had a number of benefits, minimising disruption to the public and service users and avoiding the high cost and inconvenience of moving off-site and securing interim office accommodation. The financial and legal implications of bringing this option into effect were noted, including the fact that a further capital estimate might be required in the future. Members commented on the objectives for the redevelopment of the site, and the Committee was reminded that the primary aim of this project, as previously agreed by the Council, was to provide two commercial office units, with one for Council use, secured in the most cost effective manner. These fundamental requirements would need to be safeguarded in advising architects.

Members of the Civic Offices Member Working Group, (having considered the space utilisation consultants report and discussed the issues with them) had supported a move towards greater open plan provision without compromising efficiency and flexibility, with individual space allocations for staff at the top end of those recommended (7 square metres).

RESOLVED that –

- i) the Chief Executive Officer and Borough Secretary and Leisure Services Officer be authorised to negotiate terms with the Addlestone Community Association for the relocation and bring a report, in the first instance to the Civic Offices Member Working Group and thence to this Committee, on the terms and total costs;**
- ii) subject to the agreement to relocate, the provision of new offices by a phased redevelopment of the Civic Offices site be approved, and the detailed timetable and costings be considered further; and**
- iii) Officers be authorised to appoint, jointly with Surrey County Council if appropriate, a suitably qualified architectural practice for the initial design and costing works for the Garfield Road and Civic Offices sites.**

640. 2 CROWN COTTAGES, VICARAGE ROAD, EGHAM

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this report under Section 100A (4) of the Local Government Act 1972 on the ground that the report in question would be likely to involve the disclosure of exempt information of the description specified in paragraphs 3 and 7 of Schedule 12A to Part 1 of the Act.

The Committee was advised of the legal position relating to 2 Crown Cottages, Vicarage Road, Egham and considered appropriate action in the circumstances.

RESOLVED that-

the Borough Secretary and Leisure Services Officer be authorised to transfer 2 Crown Cottages, Vicarage Road, Egham to the occupier on the most favourable terms which can be agreed.

Chairman

(The meeting ended at 10.20 p.m.)