

RUNNYMEDE BOROUGH COUNCIL

SUPPLEMENTARY COUNCIL SUMMONS- 14 OCTOBER 2004

8(ii) RECOMMENDATIONS OF COMMITTEES
CORPORATE MANAGEMENT COMMITTEE – 30 SEPTEMBER 2004

a) Financial Forecast

The Committee considered the Financial Forecast covering the period up to the 2009/10 financial year and the target budget for 2005/06. The demand on Council Taxpayers in 2004/05 was £100.44 for a Band D property. The Council had been able to set this low level of Council Tax because it had withdrawn £2,559,500 from its working balances to offset the cost of services. If working balances had been not been used, the Band D Council Tax would have been £179.61.

For the past three years, the Council's Financial Forecasts had shown expenditure on services outstripping the available income. In October 2002 the Council had adopted a policy of reducing net expenditure by £1 million per annum from 1 April 2004, increasing the Council Tax in even steps until incoming resources balanced outgoing resources, and until this balance was achieved, using revenue reserves to pay for the shortfall.

The Committee noted that Council Tax would have to pay for an increasing share of the Council's expenditure over the period covered by the forecast as the use of reserves and capital receipts declined. Government grant and investment income would remain relatively flat leaving Council Tax to shoulder the burden of inflation over the period.

The Government had decided to exercise its capping powers under the Local Government Act 1999 in 2004/05 in response to local authority decisions on their budgets. Five Councils and one fire authority had been deemed to have set excessive budgets and were required to reduce their budgets in accordance with criteria determined by the Secretary of State. If the Government adopted the same approach in future years, it would mean that the Council would be capped if its tax were greater than the shire district average (£137 this year) and the budget requirement had increased by more than 6 ½% and the Council Tax demand by more than 8 ½%. This meant that the Council should be able to increase its Council Tax in line with last year's Financial Forecast for the next two years without facing the threat of capping. Thereafter, it could be vulnerable unless it moderated its tax demands.

The Chancellor of the Exchequer had announced the Government's spending review in July. While the Chancellor was providing for Formula Spending Shares to increase by over 5% each year, most of this was directed at Education and Social Services. The increase for Environmental, Protective and Cultural Services (EPCS), the spending block that covered all of Runnymede's services, was 0.58% for 2005/06, which represented a reduction in real terms (although it was followed by increases of 3.5% and 3.7% in the following two years). The amount of grant that the Council would receive would depend upon how this was translated into the formula for floor protection. The assumption made in the Forecast was that there would be no increase in the floor in 2005/06 but that it would be increased by 2.5% in subsequent years. This was lower than last year's projection (3%). The Government appeared to attach weight to the claims in the Gershon report that efficiency savings of 2 ½% were achievable across the public sector and it was likely that this argument would be used to resist demands for a more generous settlement for Local Government.

The financial strategy approved two years ago included the objective of making annual savings of £1 million commencing in 2004/05. Last year the Council had approved budgetary reductions of £650,000 towards this target, leaving £350,000 still to be identified. In addition, the Council had decided to increase the savings target by £155,000 in order to offset the cost of new initiatives. At that stage the savings that were still required to meet the target stood at £505,000. The target included savings of £84,000 attributable to increased income generated by the Safer Runnymede CCTV operation. It now seemed unlikely that this would generate income growth of more than £5,000 each year because this income was generally subject to long-term agreements. The shortfall in the savings previously identified would need to be added back to the target (£54,000 by 2009/10). The Council approved growth items totalling £60,000 in the 2004/05 Budget for which no provision had been made

in last year's Financial Forecast. There would also be the full year costs of the new posts approved in the Annual Personnel Report, the cost of the increased grant awarded to the Runnymede Association of Voluntary Services in April 2004 and the cost of the new Communications Officer post. These spending commitments would require compensating savings in order to preserve the integrity of the Council's financial plans, so this increased the target to £717,000. On top of this there were developments in the Forecast which the Council would only be able to afford if the cost was met by savings elsewhere. These increased the target to £1,307,000. The target was offset by savings of £353,000 that had already been identified. Some of these savings had not yet been considered by Committee and would require approval.

This left savings of £954,000 to be found. The Council faced a considerable challenge in achieving its spending and taxation plans. The target savings now required was almost back to the original £1 million target, in spite of the savings that had already been achieved.

Over the last two years the Council's financial strategy had been to reposition itself so that by the end of five years its outgoings were in balance with its income. In the last resort, it had been assumed that the Council had the option of increasing its tax to pay for services. The potential imposition of a cap on tax increases removed this flexibility and meant that the Council would have to reduce its expenditure by a further £550,000 in order to keep within what were assumed would be the Government's future capping restrictions.

Almost 90% of the capital programme would be financed by the use of capital receipts. By far the most significant scheme in the programme was the potential redevelopment of the Civic Offices site in Addlestone, providing a new Community Centre and Civic Offices. It was noted that this redevelopment had been the subject of a number of reports to the Economic Development Committee and it had been concluded that this was preferable to repairing the current building. It was proposed to finance this development from capital receipts, part of which would be generated by the disposal of the land occupied by the present office building after the new offices had been constructed.

The Committee considered anticipated developments and decided that it was content with each of these developments, decided to make no change to the minimum level of revenue balances and agreed the details of the schemes proposed in the General Fund related capital programme. The Forecast continued the strategy of stepped increases in the Council Tax but it had been modified to restrict increases from 2005/07 to avoid the potential imposition of Council Tax capping. The Committee was content with those projections. The Committee also approved savings on top of the savings approved last year and requested the relevant Committees to make plans for their effective implementation. Key assumptions had been made in order to arrive at the financial projections. However, there was a risk that some of these assumptions might prove to be inaccurate or that other developments might occur which would require the Forecast to be revised. The significant areas of risk were noted.

The major issues facing the Housing Revenue Account were the requirement to meet the Decent Homes standard by 2010, continued major investment in improvements to existing stock and the estate redevelopments at Roakes Avenue and Wapshott Road. The Business Plan assumed that the estate developments would proceed in line with the current plans to develop new housing in partnership with Apex Housing Group. It was noted that if a decision were to be made to transfer the housing stock, and many conditions would need to be satisfied before this took place, any implementation would not coincide with and therefore would not offset the costs arising from the Civic Offices redevelopment. Even if the stock were to be transferred, a substantial proportion of housing staff would be retained in-house.

In the General Fund Capital Programme for 2005/06, provision appeared for £1,500,000 for a vehicle procurement exercise, an assumption having been made in this case that the vehicles would be bought rather than leased. The General Fund Revenue Forecast made provision for expenditure on recycling and environmental issues of £294,000 in 2005/06 and future years. It was suggested that this might be a conservative estimate of the amount of expenditure which might be incurred. The amount allocated to this expenditure would be adjusted in future years, if necessary.

RECOMMEND that -

- i) the Financial Forecast for the five year period to 2009/10 be approved;**
- ii) the savings set out below be approved with effect from the 2005/06 financial year:-**

Details	£
<u>Leisure and Environment</u>	
Review of Public Conveniences	12,000
Pest Control	5,000
<u>Planning</u>	
Review of Enforcement Function	25,000
Total	42,000

- iii) relevant Committees identify the service areas that should be examined in more detail with a view to achieving the "savings to be identified" target and Officers be instructed to bring forward reports as appropriate;**
- iv) each Policy Committee be requested to consider increasing the contribution that users make to the cost of services where it is lawful to do so when undertaking the next review of fees and charges; and**
- v) the Forecast form the basis for drawing up detailed service budgets for 2005/06.**

b) Website Content Management System

(Ref: Minutes of Corporate Management Committee, November 2003, page 927, para. 444)

The Committee considered the results of the investigation into the most appropriate website Content Management System (CMS) to satisfy the needs of the Council, along with the purchase and implementation of a system.

A CMS would allow the increased volume of material on the website to be more effectively managed, assist in maintaining accuracy, provide improved search facilities, make the sites easier to access for the disabled, provide integration with other software at Runnymede and help the Council comply with Implementing Electronic Government (IEG) requirements imposed by the Office of the Deputy Prime Minister (ODPM). As a result of its IEG3 submission the Council had been awarded £350,000 in 2004/05 and £150,000 in the following year in order to implement outcomes specified in detail in "Defining e-Government Outcomes for 2005" circulated by the ODPM. The Outcomes document detailed 29 required outcomes, 8 of which could only be achieved by the introduction of a content management system. Failure to achieve these required outcomes gave the ODPM the option of recovering all or part of the grant distributed and would also have a serious impact on the Council's Best Value Performance Indicator scores (BVPI 157) and its rating compared with similar Councils.

After a thorough review of the market place that had taken place over the last nine months, three products had been assessed in depth by the Information Strategy Member Working Group. Microsoft Content Management Services (MCMS), Vignette V7 (the market leader whose products had been used by New York City and UK Central Government and who had just purchased Tower Technologies, the supplier of the Council's document management system), and a newcomer to this marketplace, Macromedia. The Macromedia products were very new and did not have the same functionality as the Vignette and Microsoft solutions and would require the introduction of further software to meet all of the outcomes covered in the specification. Microsoft and Vignette both offered a package which would meet Council requirements and showed similar costs for licences, configuration and implementation.

However, Vignette showed greater integration potential, especially in relation to the Council's Corporate Document Management System, now renamed Vignette IDM. In addition, the version of the product that would be used, version 7, was highly scalable with sophisticated

user interfaces and development potential. In particular, the ability of the software to build web applications presented through "portlets" was attractive to an information provider such as the Council with many public interaction requirements.

In order to achieve the ODPM outcomes identified using the Microsoft product set, licences would be required to be purchased for further Microsoft products. Vignette supplied the Application Portal (VAP) and Application Builder (VAB) which contained the functionality that would allow future development, without the need for further licences. The roadmap for Vignette products indicated that the content management and document management solutions would be integrated in the next 12 months, giving the Council's Intranet and Internet sites ready access to the information stored within the imaging and workflow applications. Achieving the same end by interfacing the Microsoft product set would be more costly and complex. It was therefore recommended by the Committee that the Vignette solution should be adopted.

Adoption of CMS would allow the activities of staff in all parts of the organisation to be refocused. In user departments, volatile information would be updated directly by staff closest to the data. In the Web team the three part time members of staff (one and a half full time equivalent) would require a degree of retraining to carry on development, administration and support of the sites. The team would concentrate on achieving the targets in the Council's IEG programme. The Committee queried whether staffing costs of this process would be neutral and suggested that Officers should look at whether staff time costings might be incurred on the project. Additional hardware would be required so that a reorganisation could make available a database server for the SQL Server back end. The total capital and revenue costs of the project through pursuing the Vignette package were noted.

RECOMMEND that -

- i) capital programme provision and a capital estimate of £211,120 be approved for the supply and installation of a Content Management System;**
 - ii) the Council purchase Vignette Portal and Application Builder licences for use on the Council's Web site and intranets and install, configure and implement Web and Intranet sites in order to assist in achieving Implementing Electronic Government (IEG) and Best Value Performance Indicator (BVPI) 157 targets;**
 - iii) the associated licences and installation be purchased for the sums set out in Exempt Appendix '1' to the Corporate Management Committee report;**
 - iv) suitable hardware be purchased to facilitate the implementation at a sum not exceeding £10,000;**
 - v) the capital expenditure be financed from the IEG3 grant received from the Government; and**
 - vi) a supplementary revenue estimate of £67,481 be approved, in respect of the annual support costs and capital charges.**
- c) Purchase of Two DSO Vehicles Currently On Lease Hire

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter under Section 100A(4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraph 8 of Schedule 12A to Part 1 of the Act.

The contracts for two Transit tipper trucks that the DSO currently leased expired at the end of October 2004. The DSO could acquire replacement vehicles on short-term leases until the new fleet vehicles were delivered in the summer of 2005, or they could take advantage of the leasing company's offer to sell the vehicles to the Council.

The Committee noted the costs of leasing the vehicles including chargeable repairs and the costs of buying the vehicles and their likely disposal value if sold next summer. Having considered this information, the Committee recommended purchase of the vehicles. There was no provision in the capital programme for this expenditure and therefore both capital programme provision and a capital estimate would need to be approved. The revenue implications could be met from within existing budgets.

RECOMMEND that -

- i) the purchase of the two Transit tipper vehicles on expiry of the leasing contracts at the end of October 2004 be approved; and**
- ii) capital programme provision and a capital estimate for the sum set out in the report to the Corporate Management Committee be approved for this purpose, to be financed from capital receipts.**

d) Former Beomonds Allotments Site – Soil Remediation

The acting Chairman agreed that this item be considered as a matter of urgency as it was necessary for Standing Orders to be waived to allow work to start before the onset of winter, otherwise the work would be delayed until late spring 2005 to avoid increased risk of spreading contamination in wet winter weather.

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter under Section 100A(4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraph 8 of Schedule 12A to Part 1 of the Act.

The Committee's approval was sought to waive Standing Orders and appoint a selected contractor to carry out the remediation works to the former Beomonds allotment site without obtaining competitive tenders. Work was in hand to undertake remediation and clearance of the contaminants found at the site, for which a capital estimate had been approved. At its meeting on 16 September 2004 the Leisure and Environment Committee had declared the site to be surplus to requirements for allotment purposes.

The source of contamination had been identified as the material used to backfill an old pond on the Beomonds site. The remediation works would involve the removal by excavation, of approximately 1000m³ of contaminated material and the backfilling of a similar volume of clean non-contaminated soil.

There was a need to carry out the excavation work as soon as possible as the ground water and river levels and the amount of rainfall were normally higher during the winter months. Exposing the contaminated material at that time could result in a greater risk of the contaminants being spread by those sources of water. A tender process would take several weeks to complete.

Capital programme provision existed for the excavation work in the sum of £80,000. The Council's Standing Orders stated that at least four tenders should be invited for contracts with an estimated value exceeding £30,000. A waiver of the relevant Standing Order would be needed if the Council were to award the Contract to a particular company without seeking tenders. The Committee compared the costs which would be incurred by a company identified in the report which proposed to undertake the excavation, with the costs of other methods of procurement. The Committee concluded that the company identified in the report would be more cost effective and would be capable of undertaking the work satisfactorily.

However, the Leisure and Environment Committee's decision that no further action be taken in respect of the construction of a proposed pond at Bourne Meadow, Chertsey, had been called in for consideration at the Council's Review Board at its meeting on 7 October. It had been envisaged that the soil from the Bourne Meadow site which would need to be excavated to create the pond might be used to fill in the hole resulting from the removal of the contaminated soil at the former Beomonds Allotments site. This would be significantly cheaper than using a landfill site.

In view of the interrelation of the pond and the soil remediation projects, concern had been expressed by some Members that the Review Board's consideration of the Bourne Meadow pond issue might be prejudiced if a decision was taken on the method of dealing with Beomonds, in advance of that Review Board consideration.

A delay of a fortnight would not seriously affect any excavation works. The Review Board would have the power to make a recommendation to the Council meeting of 14 October regarding the pond.

The Committee therefore agreed to recommend its support for the soil remediation proposals to the Council meeting on 14 October, so that, subject to the Review Board's process, the Council could consider the question of the pond and the question of the soil remediation proposals together at the same meeting.

RECOMMEND that -

- i) Standing Order C2.5 be waived in order to award the contract for removing the contaminated soil and replacing it with uncontaminated soil to the company identified in the report thus achieving significant cost savings compared to other methods of procurement; and**
- ii) a capital estimate be approved for the work to be undertaken by the company identified in the report in the sum reported to the Committee.**

REVIEW BOARD - 7 OCTOBER 2004

e) Report of Review Board – Call In – Proposed Pond at Bourne Meadow

1. Background Information

- 1.1 The Board considered a request under Standing Order 27.7 of the Council to call-in the Leisure and Environment Committee's decision that no further action be taken in respect of the proposal to create a pond at Bourne Meadow.
- 1.2 The Board noted the Officer report to the Council's Leisure and Environment Committee on 16 September 2004, which sought the Committee's endorsement of proposals to create a pond at Bourne Meadow, Chertsey. The Officers' Recommendation was that the proposal to create a pond at Bourne Meadow be approved, subject to the results of consultation with Ward Members and planning permissions being granted and external funding remaining available.
- 1.3 Having considered the Officer report, the Committee had decided that no further action be taken. The minute of the Leisure and Environment Committee's discussion of the matter was noted. A request to call in the decision of the Leisure and Environment Committee had been made by Councillors A. Alderson and R.J. Ray. Councillor Alderson was not at the Board's meeting and the call-in had been affirmed by Councillor Mrs Gillham, who was in attendance.
- 1.4 The full text of the call-in letter was:-

"Decision taken by Leisure and Environment Committee on 16th Sept. in respect of Item 9
The above committee decided against Officer recommendation not to proceed with the proposed new flood alleviation pond at Bourne Meadow.

We are of the opinion that this decision should be called in to the Review Board as we do not believe that it was taken in accordance with the principles set out in item 12 (Decision Making) of the Council's Constitution.

Furthermore we cannot see that the financial implications for RBC would have been significant in agreeing the scheme and we are aware that our Officers and AIR have put a great deal of effort into taking the scheme forward to its present stage since 2001. Also, a grant has been made available from SITA and the Environment Agency are prepared to provide their services free of charge.

In the circumstances we would like to see this proposal debated fully by the Review Board as soon as possible."

- 1.5 The Members calling the matter in were of the opinion that the decision should be reviewed as they did not believe that it had been taken in accordance with the principles set out in Article 12 of the Council's Constitution. The Board noted that Article 12.02 of the Council's Constitution which related to principles of decision making was as follows:-

"12.02 Principles of decision making

All decisions of the Council will be made in accordance with the following principles:

PRINCIPLES OF DECISION MAKING

- (a) proportionality (i.e. the action must be proportionate to the desired outcome);
- (b) due consultations and the taking of professional advice from Officers;
- (c) respect for human rights;
- (d) a presumption in favour of openness; and
- (e) clarity of aims and desired outcomes."

- 1.6 When the call-in letter had been received the Review Board Chairman had to determine how the Board would consider the matter. The Chairman of the Board had decided that it would be dealt with by report, advice and debate. The Chairman of the Leisure and Environment Committee had agreed to attend and answer questions and give evidence relating to the Committee's decision. When it considered the matter, the Review Board could either refer the matter back to the policy committee or sub-committee, or report to the Council, with any comments and recommendations it wished to make. The matter would be reconsidered at the next ordinary meeting of the policy committee or sub-committee, or the Council, unless the matter was sufficiently urgent to require a special or extraordinary meeting. The subsequent decision of the policy Committee or sub-committee or the Council upon the matter would not be subject to further call-in.
- 1.7 The Leisure and Environment Committee at its meeting had noted that the pond had two purposes – to visually enhance the area around the River Bourne, and to have a limited effect on flooding in the area. Pipes would link the pond to the River Bourne, so that in the event of the field becoming flooded in the Winter months and remaining so for extended periods owing to the topography of the site, flood water would more speedily return to the river through the aforementioned pipes. When the site was excavated to create the pond, unwanted soil, amounting to approximately 920 cubic metres, could be used to replace contaminated soil which was due to be removed from the Beomonds site in the near future. This proposal would save the cost of purchasing soil to be imported into Beomonds. It would also save the cost of disposal of arisings from the pond at landfill, estimated to be £17,000.
- 1.8 The total cost of the scheme was estimated to be £57,000. Funding for the proposed scheme had, in part, been secured from the Environment Agency and SITA Environmental Trust, through an application made by the Association for the Improvement of Runnymede (AIR) each to a value of £17,500. This left a shortfall of £22,000 to be met by the Council.
- 1.9 The Committee had noted that the Environment Agency had originally offered cash funding of £17,500. The Environment Agency had since reduced the cash offer to 'in-kind' funding. This would take the form of the Environment Agency providing the equipment and labour required to manage and execute the scheme in accordance with the Council's drawings and specification, to a value of £17,500. The Committee was informed that there was a time limit on funding from SITA Environmental Trust. Given the delay necessitated by consultation and applying for planning permission if the scheme was approved, it was possible that the SITA grant of £17,500 would in any case be lost. It was confirmed that there was no other scheme which could utilise the grant at this time.

- 1.10 Originally, the SITA grant had been earmarked for a flood alleviation scheme in Chertsey which consisted of raising the footpaths in Gogmore Farm Park. This project had not been progressed, and funding had then been directed towards a balancing pond at the Barrsbrook Farm site. However, this too had not gone ahead and Officers had finally settled upon a proposal to create a pond at Bourne Meadow.
- 1.11 Members of the Committee had noted that if approval was given to the proposal, Ward Members, Chertsey Society and local residents would be consulted. If the parties agreed with the scheme, planning permission would then need to be sought.
- 1.12 Although some Members of the Committee had considered that any scheme which would help to alleviate flooding would be worthwhile, the Committee had agreed that the proposal would not sufficiently address the problem of flooding to justify expenditure of £22,000 and on going maintenance costs of approximately £1,750 per annum. In addition, the Committee concluded that the value of the pond was not outweighed by the potential saving of £17,000, in landfill costs, achieved by re-using the soil from the pond at the Beomonds site. The Committee had therefore resolved that no further action be taken in respect of the proposal to create a pond at Bourne Meadow.
- 1.13 The Board also noted that at its meeting on 30 September 2004, the Council's Corporate Management Committee had considered an urgent report on soil remediation at the former Beomonds Allotment Site. Contaminants had been found at the site and the Committee had considered a way of carrying out the excavation needed as part of the work to remediate the contamination. The Corporate Management Committee had been mindful of the fact that if the project to create the pond at Bourne Meadow did proceed, it was envisaged that the soil from the Bourne Meadow site which would need to be excavated to create the pond would be used to fill in the hole resulting from the removal of the contaminated soil at the former Beomonds Allotment site. Therefore, the pond and the soil remediation issues were interrelated. Concern had therefore been expressed by some Members that if a decision was taken on soil remediation at the former Beomonds Allotment site at the Corporate Management Committee, then the Review Board's consideration of the Bourne Meadow pond project might be prejudiced.
- 1.14 The Corporate Management Committee had noted that the Board had the power to make a Recommendation to the Council meeting of 14 October regarding the pond. The Committee therefore agreed that its Recommendations on the soil remediation should be submitted to the Council meeting on 14 October, so that, subject to the Board's process, the Council could consider the question of the pond and the question of the soil remediation proposals together at the same meeting.

2. Board Discussion

- 2.1 In discussing the call-in the Board took into account the following:-
- i) the reasons for calling-in the matter put forward by Councillors Mrs Gilham and Ray;
 - ii) the answers to questions and evidence given relating to the decision of the Leisure and Environment Committee from the Chairman of that Committee;
 - iii) submissions from Mr Walker, the Chairman of AIR and from Mr Wheeler, the Vice-Chairman of the Chertsey Society; and
 - iv) advice given by Officers present at the Board meeting in response to questions.

3. Reasons for Calling In The Decision.

- 3.1 The Members calling the matter in stated it had been called-in as the item, in their view, had not been properly debated at Leisure and Environment Committee and the full ramifications had not been explored. They could not understand why, if the Council was receiving £17,500 from one source and £17,500 from another and could make a saving of £17,000 by transferring soil to the Beomonds Allotments site, resulting in the Council being required to find £5,000 in total, it was not advisable to proceed with this scheme. They recognised that it would not have a major effect on flood relief but considered that a small amount of assistance would be beneficial, particularly taking into account the level of cost involved.

4. Answers to Questions and Evidence Given Relating to the Decision of the Leisure and Environment Committee from the Chairman of the Committee
- 4.1 The Chairman of the Leisure and Environment Committee, Councillor Norman, stated that a scheme had been devised two years ago for raising footpaths in Gogmore Farm Park, supported by the Chertsey Society. £17,500 had been granted by SITA. The Environment Agency had originally offered matched funding as they were reluctant to fund the scheme in isolation. The Council's Drainage Section drew up a scheme to the value of £57,000. No local Members were consulted to his knowledge at that stage. A flood related project was then sought on which to spend the money. A Barrsbrook Farm scheme was dropped. A scheme was then put forward to locate a pond at Bourne Meadow. He had been involved in developing the pond scheme. He had been advised by Officers that the scheme would have a limited effect on wider flooding in Chertsey but would allow better management of flood water in Bourne Meadow by allowing it to return to the river more quickly.
- 4.2 The Council would need to find an extra £22,000 in order to connect the pond to the Bourne. A motion had been carried at the Leisure and Environment Committee by seven votes to three that no further action be taken on the pond.
- 4.3 The contention that £17,000 could be saved if soil was used at the Beomonds Allotment site was, in his view, a "red herring". A good scheme had been devised with a contractor at that site which would offer significant savings, with proper landscaping and minimal Officer support required. He appreciated the work that AIR had put in on the pond scheme and stated that he had devoted much time to the project himself. However, he considered that the pond did not offer any significant benefits, it did not represent value for money and would result in increased expense for Runnymede residents. Originally the scheme had had his support but he had emailed the Environment Agency on 21 July and had asked them to honour their promise of £17,500 for the scheme in cash. When that money was not forthcoming, he was no longer prepared to support the scheme. The Council would also need to find extra money for contributory third party funding and AIR's administrative costs.
- 4.4 The motion at the Committee had been moved by the Vice-Chairman and the discussion had taken approximately 8 to 10 minutes. It was suggested to the Chairman by some Members that it was strange that Officer time had been spent on the project and yet it had been abandoned at a late stage and against an Officer recommendation at the Leisure and Environment Committee meeting. It was also suggested that all the money should have been in place for the scheme before it went before Committee. The Chairman stated that he was aware that other Members had put work into the scheme and it therefore deserved an airing at the Committee and supporters of the scheme had argued in favour of it at the Committee.
- 4.5 It was suggested that the item might have been deferred in order to try and find further funding. The Chairman of Leisure and Environment Committee stated that he had emailed the Environment Agency and Officers had also had discussions. There was, in his view, no prospect of further cash funding coming forward.
- 4.6 The Chairman of the Leisure and Environment Committee clarified that he had supported the project when the Environment Agency were promising "real money". At the point where the Environment Agency decided that they could only offer "funding in kind", he was no longer prepared to support the project.
- 4.7 The Chairman of the Leisure and Environment Committee stated that he had taken into account that the project would cost £22,000 at a time when the Council was being required to make net revenue savings. This particular area, in his view, did not flood very often.
- 4.8 The Chairman could not agree with statements made by AIR that the project funding had always been for Bourne Meadow alone. He could not agree with AIR's contention that SITA would not look favourably on the Council any more as a result of SITA's offer of support for the pond project not having been taken up.
- 4.9 The Chairman of the Leisure and Environment Committee confirmed that the possibility of funding the pond project through virement had not been pursued (ie funding it by taking monies from another budget).

5. Submissions from Chertsey Society and AIR

- 5.1 The Board received submissions on behalf of the Chertsey Society, from Mr Wheeler, the Vice-Chairman of the Society.
- 5.2 Mr Wheeler stated that the Society had supported AIR in every way that they could. In his view, this scheme would drop for the sake of £5,000. Savings should be sought from elsewhere. Although the scheme would only have a limited effect, the relief of even one household from flooding should be supported, given the small sum involved in proceeding.
- 5.3 Mr Wheeler was asked whether Members of the Chertsey Society had been consulted and stated that this had not happened to his knowledge.
- 5.4 The Board received a detailed submission from Mr Walker, the Chairman of AIR. AIR was a registered distributive environmental body, set up by Runnymede to secure maximum grants from the Landfill Tax Credit Scheme (LTCS) for the benefit of Runnymede. AIR did not evaluate the merit of projects or initiate or manage them, or have any involvement in how they should be carried out. It was a not for profit company limited by guarantee, managed by a Board of Directors who received no remuneration or expenses. The pond project would meet LTCS criteria as it was a project that that would provide or maintain public amenities or parks within 10 miles of a landfill site. The process by which AIR applied for grants was noted.
- 5.5 AIR's annual budget was about £13,000, with sources of income being a small contribution from successful applicants and a Runnymede Borough Council cash subsidy. Details of projects in the current year and grants secured by AIR to date were noted by the Board.
- 5.6 Mr Walker stated that AIR's success depended upon being seen as a reliable environmental body. Landfill operators would not want to see grants refused.
- 5.7 The maximum cost of this project to the Council was £22,000. If the Council did not proceed with the pond project it was likely to cost the Council several times that amount over the next few years. It was important that SITA should not be upset, through their offer of support not being taken up.
- 5.8 Mr Walker also contended that the Leisure and Environment Committee decision had not been in accordance with proportionality, there had not been adequate consultation, professional advice had not been taken and there had not been clear aims or clear desired outcomes.
- 5.9 Mr Walker presented a history of the project as recorded by AIR and a costing of the scheme produced by AIR. He contended that the Chairman of the Leisure and Environment Committee had committed the Council to the project through his email to the Environment Agency of 21 July. He was informed by the Chairman of the Board that the Leisure and Environment Committee Chairman could not commit the Council in this way - a Committee decision would be needed to proceed with the project.
- 5.10 Mr Walker could not understand the change of position of the Leisure and Environment Chairman. He thought that the decision must have been made on purely financial grounds, although the costs had not changed.
- 5.11 AIR also contended that the funding situation was entirely clear-cut. The Environment Agency's offer had always been to match funds, either in cash or in kind. AIR stated that the original grant application was for flood alleviation work to be undertaken in Gogmore Farm Park and Bourne Meadow. AIR had requested a grant of £35,000 from SITA and was offered £17,500. AIR therefore eliminated any work to Gogmore Farm Park at this stage. AIR also stated that preliminary discussions had taken place between AIR and the Council on whether the grant could be switched to a balancing pond at the Barrsbrook Farm site. AIR stated that SITA were not prepared to contemplate transferring the grant so this proposal was a non-starter. AIR was also surprised that Chertsey Society were in the list of proposed consultees as the Society had sponsored the project since 2001 and had given it their enthusiastic support throughout.

- 5.12 AIR asked the Review Board to report to Council that
- i) at the Leisure and Environment Committee the effect on AIR and its potential fund raising capability had not been considered;
 - ii) there was strong local support for the pond as an amenity, as evidenced by the Chertsey Society (who AIR considered to be the representative body for the area) and the extent of any local opposition would best be determined by proceeding with a planning application;
 - iii) the Committee formed its opinion without full information;
 - iv) the funding position should be clarified;
 - v) AIR should be requested to take up the SITA grant offer immediately;
 - vi) the Council should write to the Environment Agency to seek confirmation that they were still prepared to carry out the work; and
 - vii) the Council should check whether the soil in the area was contaminated.
- 5.13 Mr Walker claimed that not pursuing the pond project would be damaging for the future of AIR. It would, in his view, have serious implications for AIR's finances. The Board of AIR was entirely voluntary and it was also possible that resignations might ensue, unless the Council changed its decision on the Bourne Meadow pond.
6. Advice Given by Officers Present at the Board Meeting in Response to Questions
- 6.1 The pricings for the pond project had been drawn up by Council Officers. The figures were based on the drainage term contract. The Environment Agency would be the contractor. The rates had yet to be agreed with the Environment Agency and would be the subject of negotiation if the project proceeded.
- 6.2 Officers confirmed that the pond project would offer limited flood protection. A volume of 1000 cubic metres would produce a reduction in flood water of about 25 millimetres in the immediate area. If there were to be extensive flooding, as there had been in January 2003, the pond would have resulted in a reduction in flood levels of about three millimetres, over the whole of Chertsey.
- 6.3 The pond would occupy about 500 cubic metres. It would not make a flooding situation worse in any way.
- 6.4 The Environment Agency were examining schemes for flood relief in the borough which involved large volumes of water making a significant difference, for example, Thorpe lakes was being looked at for this purpose. The Bourne Meadow project was too small in its impact to be relevant to that kind of flood relief measure.
- 6.5 The pond would allow better management of flood water in Bourne Meadow by allowing it to return to the river more quickly than was currently the case.
- 6.6 An assessment of the risks presented by the pond had been prepared and the findings taken into account in its design. This had been a health and safety risk assessment to establish whether the banks of the pond were shallow enough. It had been concluded that the pond was safe.
- 6.7 Preliminary costings for projects at Gogmore Farm and Bourne Meadow had been produced by Officers in March 2002 at the request of the Runnymede Chief Executive Officer. In December 2002, the Chief Executive Officer had indicated that the Bourne Meadow project should be concentrated on by Officers. This was because the Gogmore Farm project no longer appeared possible. It was not unusual for Officers to spend time on projects which did not eventually come to fruition.

- 6.8 The pond would not have a pump. The pond would be controlled by valves which would be looked after by park keepers. This cost had been included in the figures reported to the Leisure and Environment Committee.
- 6.9 Records of Officer time spent on projects were not kept. It was, however estimated that there had not been a large proportion of Officer time spent on the pond project.
- 6.10 The pond would help in reclaiming the damaged area after flooding. At present the land was left to dry out naturally and left to recover. The pond would, however, provide an environmental gain by increasing biodiversity and introducing an interesting and attractive feature to the area.
- 6.11 The pond would not be connected by pipes to the Council's main flood alleviation work.

7. Board Discussion

7.1 Amongst the arguments put forward by Members in favour of the pond were:

- i) it would provide some flooding benefit, an environmental benefit and may encourage more people to use the park;
- ii) the Environment Agency had always been willing to fund the scheme whether in cash or in kind;
- iii) if the project was not pursued quickly the SITA grant would probably be lost;
- iv) not proceeding would cost the Council money in the longer run and would have an adverse effect on AIR and on Runnymede's relationship with landfill operators; and
- v) now that the Board had discussed the matter in more detail the benefits of the pond were clearer.

Amongst the arguments put forward by Members against the pond were:

- i) the pond would only have limited effects in alleviating flooding;
- ii) the pond had never formed part of the Environment Agency's main plans for flood alleviation in the area;
- iii) the Council needed to reduce expenditure wherever possible; and
- iv) they had doubts about whether the pond was safe.

- 7.2 The Board agreed that more detailed costings were needed in order for the Council to reach a decision on the matter. Costings will be circulated separately.
- 7.3 A motion was put forward that the Board refer the matter to the next full Council meeting with the Council being informed that the Board supported the proposed pond at Bourne Meadow. That motion was lost.
- 7.4 A motion was put forward that the Board conclude that the Leisure and Environment Committee made the correct decision and recommend that no further action be taken. That motion was carried.

REVIEW BOARD RECOMMENDATION that -

the Leisure and Environment Committee made the correct decision and no further action be taken in respect of the proposal to create a pond at Bourne Meadow.