

Runnymede Borough Council
ECONOMIC DEVELOPMENT COMMITTEE

Thursday 13 January 2005, at 7.30 p.m.

in the Council Chamber
at the Civic Offices, Addlestone



Members of the Committee

Councillors J.R. Furey (Chairman), J.E. Haas (Vice-Chairman), A. Alderson, M.J. Brown, Mrs E. Gill, C Knight, Mrs Y.P. Lay, R.J. Ray, Mrs M. Roberts and C.J. Ruane.

A G E N D A

Notes:

- i) 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.
- ii) 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 **Mr. G. Marson, Committee Section, Administration and Leisure Department, Civic Offices, Station Road, Addlestone (Tel. Direct Line: 01932 425625). (Email: gary.marson@runnymede.gov.uk).**
- iii) Agendas and Minutes are available on a subscription basis. For details, please ring Mr. B.A. Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on www.runnymede.gov.uk.
- iv) 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.

LIST OF MATTERS FOR CONSIDERATION

PART I

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PART II

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

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b) Confidential Information

(No reports to be considered under this heading)

1. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

2. MINUTES

To confirm and sign as a correct record the Minutes of the meeting of the Committee held on 11 November 2004.

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

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

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is personal and prejudicial.

5. REVENUE ESTIMATES 2005/06 (DF)

1. Members are asked to consider the draft Revenue Estimates for 2005/06.
2. A budget is the expression in financial terms of the Council's policies over the next year and is a statement of intention against which achievement can be compared. The main objectives of budgeting are:
 - satisfaction of statutory requirements
 - determining the amount which needs to be raised from Council Tax or rents
 - assisting in the planning and policy making process
 - policy implementation and control
 - a means of measurement, and
 - strategic planning
3. The report of the Director of Finance containing the draft Revenue Estimates and fees and charges for the services under the remit of this Committee is attached at Appendix 'A'. This Appendix has been printed separately and is enclosed with this Agenda. The papers comprise:
 - i) Estimates for Highway Services (pages 1 to 17)
 - ii) Estimates for Economic Development Services (pages 18 to 46)

OFFICERS' RECOMMENDATION that –

- i) the Corporate Management Committee be requested to approve a supplementary revenue estimate in the sum of £3,700 in 2004/05 for the net additional costs of establishing a new car park at the former Safeway site in Addlestone;**
- ii) the draft Revenue Estimates for 2005/06 be approved as submitted and the Corporate Management Committee be requested to make provision accordingly; and**
- iii) the proposed increases in rents and charges for 2005/06, as set out in Appendix 'A', be approved to be effective either from the first week of April 2005 or 1 April 2005 as appropriate.**

(TO RESOLVE)

Background Papers

Director of Finance's Estimates Working Papers 2005/06 file for the Economic Development Committee (part exempt)

6. FERNLANDS OPEN SPACE, CHERTSEY – DISPOSAL (DAL)
(Ref: Minutes of Economic Development Committee June 2002, page 151, para. 76)

1. Purpose of Report

- 1.1 **The purpose of this report is to set out for consideration representations received in respect of the proposed sale of land at Fernlands Open Space.**

2. Background Information

- 2.1 The Committee at its meeting on 6 June 2002 resolved that subject to the Housing and Community Services Committee declaring the land surplus and the views of the Leisure and Environment Committee, the Borough Secretary and Leisure Services Officer be authorised to investigate the potential for disposal of the Fernlands Open Space and that Officers report back firstly to consider any objections to the proposals and secondly to determine whether to proceed with the disposal.
- 2.2 Housing and Community Services Committee subsequently declared the land surplus to requirements and Leisure and Environment Committee resolved that there was no compelling need for the retention of Fernlands Open Space but that any proposals should respect the needs of the area for play provision without crossing major roads.

3. Report

- 3.1 In March 2003 letters outlining the proposed disposal were sent to 110 residents adjoining the site. This resulted in 13 telephone calls, 4 e-mails and 16 letters in response.

Of the responses 16 were opposed
 8 were in favour
 6 were not opposed in principle subject to further detail

- 3.2 The main area of concern appeared to be the location of the proposed new access which would be required to service the development and traffic issues.
- 3.3 The original intention had been to market the site and test the level of interest leaving potential developers to make their own access arrangements.
- 3.4 It was felt, however, that this may not maximise the potential receipt for the land and could cause resentment amongst those opposed to the development if a large number of potential developers were to make approaches to adjoining landowners.
- 3.5 The Borough Valuer has therefore sought to secure an acceptable access point and has negotiated terms to take an option on a suitable property. This action was undertaken in consultation with the Chairman under Standing Order 42 and is reported elsewhere on the Agenda.
- 3.6 The land has been in use as open space and there is a requirement under S.123 of the Local Government Act 1972 to advertise the intention to dispose of the land and to consider any representations made before taking a final decision.
- 3.7 The proposed disposal was advertised in the local newspapers published on 8 December requesting representations to be made by 31 December 2004.
- 3.8 Following the advertisement Councillor P. Greenwood circulated a letter on 19 December 2004 inviting residents to object to the proposal (Appendix 'B'). Further letters, also at Appendix 'B', were then circulated by some residents which are misleading.

3.9 The Borough Valuer also circulated a letter on 21 December 2004 to 160 residents who are most closely affected by the proposals. As most of the earlier objections had related to the question of not knowing where the access point would be, the intention had been to try to finalise this before writing to residents. The option agreement, however, was not concluded in time.

3.10 This most recent activity has resulted in:

8 telephone calls
12 e-mails
41 letters

Of these responses 46 were opposed, 5 were not opposed in principle and 5 were in favour of the development.

3.11 Many people responded both in 2003 and to the latest advertisement. In total the response has been:

53 opposed
10 not opposed in principle subject to details
14 in favour.

3.12 Many objections are principally concerned with access issues and traffic generation. There is a strong local feeling on this issue and in particular with traffic using Bittams Lane.

3.13 Those favouring development do so on the grounds that this will improve an area which attracts vandals and trouble makers.

3.14 The letters received to date are attached at Appendices 'B1' and 'B2'. Of the points relevant to the Section 123 Notice (Disposal of Open Space), the written objections in descending order of frequency cover:

Loss of an area for children to play
Loss of trees/visual amenity
Effect on wildlife
Loss of areas for general recreation
Distance to alternative children's facilities

One correspondent felt that building on the land would deprive local young troublemakers of a place to meet and displace them closer to dwellings. Two objected without giving reasons.

4. Potential Disposal

4.1 The Borough Valuer has established that the site is capable of redevelopment and has put together a marketing brochure which is available on the web site from 7 January 2005 with a view to seeking development schemes for consideration by the Committee at its meeting in March.

4.2 The marketing particulars make it clear that a potential disposal of the land is subject to the requirement of S.123 of the Local Government Act and consideration of the matter by this Committee and do not prejudice the decision of this Committee.

4.3 Issues raised by objectors to the disposal have been covered in the brief for the site and if the proposals do move forward then developers will be required to carry out a tree audit and produce a tree management scheme. In addition they will be required to provide a formal children's play area as part of the development.

5. Legal Considerations

5.1 As the land has been in use as open space the Council is obliged to advertise the intention to dispose under S123 of the Local Government Act 1972 and to consider any objections before coming to a final decision.

6. Council Policy

6.1 The Asset Management Plan and Property Strategy require the Council to review its land holdings and optimise land use.

6.2 Para 9.2.1 of the Leaders Position Statement 2004/05 provides that:-

'We will seek to secure prudent and effective management of the Council's asset portfolio, land acquisitions and disposals to assist both in the medium term financial strategy and support other major corporate goals and those of this Committee.'

7. Summary

7.1 The initial fairly limited opposition to the proposed disposal has strengthened following the circulation of a number of letters in the neighbourhood, the contents of which have been factually incorrect and misleading. It is fair to say, however, that the majority of objections have been consistent in their content and do not appear to have been influenced by such inaccuracies.

7.2 Members are obliged to take into account representations received before coming to a conclusion as to whether or not to proceed but may consider that the majority of objections could be dealt with at the planning stage.

7.3 It is understood from the contents of one of the circulars that a petition is being considered but Officers have not had sight of this. Any petition received together with any further representations made up to the date of the Committee Meeting will be reported verbally.

OFFICERS' RECOMMENDATION that -

in light of the representations received Members instruct Officers as to whether or not they wish to proceed with the disposal of the land indicated at Appendix 'C'.

(TO RESOLVE)

Background Papers

Property Services File 81.15.205 (relevant papers only).

7. BISHOPSGATE ROAD, ENGLEFIELD GREEN – APPLICATION FOR NEW STREET TRADING CONSENT (DAL)

1. Purpose of Report

1.1 **The purpose of this report is to consider a new application for a street trading consent in Bishopsgate Road, Englefield Green.**

2. Background Information

2.1 The following street trading consent application has been received:-

Mr. S. Pasmore to trade in roadside refreshments, including fast food and soft drinks, at Bishopsgate Road, Englefield Green between 7.00 a.m. and 9.00 p.m. each day of the week.

2.2 The above-mentioned road is designated as a consent street. Traders are only permitted to operate in such roads in specific locations with the benefit of a consent issued by the Council. Trading is prohibited on all other publicly maintainable roads.

3. Report

3.1 Two specific locations are authorised for trading within Bishopsgate Road, as set out below:-

a) From a point level with the north east boundary of 'The Dell Cottage' on Bishopsgate Road extending for 143 metres north west on the southern side of the road.

- b) From a point 6 metres north west from the northern corner of 'The Lodge' (nearest to the Fox and Hounds Public House) extending 85 metres north west along the southern side of the road.
- 3.2 These locations are on either side of the Fox and Hounds Public House. A map showing the two locations is attached at Appendix 'C1'.
- 3.3 A trader operated from Bishopsgate Road in the above locations selling ice cream and soft drinks, from August 1995 to March 1998 on Saturdays and Sundays from 10.00 a.m. to 6.00 p.m. and from April 1998 to March 2001 on Sundays only from 10.00 a.m. to 6.00 p.m. No problems were reported during these periods of trading.
- 3.4 The trader advises that he would intend to use a burger trailer pulled by an LDV Convoy van and that the dimensions of the area in which he would be required to trade are 7 foot by 16 foot.
- 3.5 Surrey County Council has not offered any comments in relation to this application.

Comments from Ward Members

- 3.6 Any comments received from Ward Members will be circulated or will be reported to the meeting.

Comments from the Police

- 3.7 Surrey Police do not consider that either of the locations in Bishopsgate Road are suitable for trading.
- 3.8 By allowing trading at this location Surrey Police consider that it is likely that it would be a magnet for youths in both Englefield Green and other areas and that there would be an increase in the fear of crime in this area, while at the present time the Police receive few complaints and reports of anti-social behaviour.
- 3.9 Surrey Police report that they are having to deal with an increase in reports of anti-social behaviour by groups of youths nearby on The Green at Englefield Green. The siting of a fast food van close by would, in their view, only attract more youths to this location or move them to where the van would be located.
- 3.10 The Police also state that historically the area has suffered from crime relating to theft from motor vehicles. Over the last twelve months the Police, working in partnership with the Council, have managed to reduce the number of reported break-ins to motor vehicles. The Police strongly believe that the siting of the van will increase the number of vehicles attending the location, making it again vulnerable to motor vehicle crime.
- 3.11 Surrey Police also do not believe that the location of the fast food van is safe bearing in mind the number of vehicles that use the road at the times stated. The road is used by members of the public in order to gain access to Windsor Great Park and the Fox and Hounds Public House. The siting of the van would, in their view, increase the number of road users and also persons on foot at the location. The Police also state that a number of pedestrians would remain at the location to consume their food and this creates concerns from the Police regarding the safety of road users and pedestrians, bearing in mind the poor lighting in the area.
- 3.12 The Police also state that the siting of the van at either of the marked areas would also reduce the number of parking spaces available to members of the public. This would have a significant effect during the spring and summer months when there is a large increase in people visiting Windsor Great Park.
- 3.13 Police also do not see the need for a fast food van at this location bearing in mind the number of takeaways and convenience stores that are currently located in and around Englefield Green. Concerning this comment, the Committee must consider the suitability of trading specifically in Bishopsgate Road, not the presence or otherwise of hot food facilities in the immediate vicinity.

Comments from Runnymede Environmental Protection Division

- 3.14 Environmental Protection comment that there is no rubbish bin at this location and that Mr Pasmore would have to provide adequate means of rubbish and waste food disposal for his business and there would need to be consideration for waste bins for the public. One of the standard conditions of any consents which have been previously granted is for the trader to place refuse arising from trading in suitable covered containers, which are also to be removed from the site when trading ceases. Environmental Protection also comment that there is no provision for the use of any WC by the trader. Fast food (i.e. burgers, onions, etc.) has a lingering odour which may cause complaint from the local residents. The trader may also attract non park users to the location. The trader would probably also need to use a generator in order to trade which may lead to noise complaints in an otherwise extremely quiet location. Environmental Protection suggest that if the consent is granted, there should be a condition imposing a requirement for the trader not to play radios or recorded music. Environmental Protection also comment that the suggested 16 feet of space required to trade would be lost car park space as well as permanent parking for the trader's vehicle (potentially up to five spaces could be required).

Comments from Runnymede Engineering Services Division

- 3.15 Engineering Services comment that ideally trading areas should have space for the trading vehicle to safely park, sufficient space for the customers to queue and wait whilst being served or eating their food, good lighting, space for passing trade to park, a clear passage for pedestrians or vehicles, and sufficient access to adjacent property at all times. It would be preferable that the trading area was covered by closed circuit television. Bins and seating are also desirable.
- 3.16 This area, in the view of Engineering Services, fails to satisfy conditions of adequate lighting and a safe area for the customers. The location requested would mean that the trailer would either park on the grass verge or use the limited parking bays used by the visitors to Windsor Great Park and The Fox and Hounds Public House. The main concern would be that wherever the trailer parks, customers would have to queue in or very close to the road.
- 3.17 Engineering Services also comment that although the locations are close to a public house, there will be little other natural passing trade. However, this Committee can only consider the suitability of trading specifically in Bishopsgate Road. Commercial considerations such as the amount of trade, are for the trader to assess.

Representations From The Crown Estate

- 3.18 Representations regarding this application have been received from the Crown Estate, who are based in Windsor Great Park.
- 3.19 Whilst the Crown Estate does not own any of the land in the immediate vicinity of the application area, they have extensive land holdings beyond Bishopsgate Road, which necessitates a considerable amount of traffic making use of the Bishopsgate Road.
- 3.20 The Crown Estate oppose street trading in this location as they comment that the area is already very heavily congested with vehicles, particularly during weekends when a great number of people make use of the parking area, so that they can exercise in the Great Park. They take the view that any form of street trading is going to exacerbate the existing parking problems. They consider that the extensive hours proposed also present a problem as they predict that litter would result from trading which could not only pollute the existing lay-bys, but may also spread into the Great Park. Overall they are of the opinion that this is a most inappropriate application for the area.

4. Council Policy

- 4.1 Council Policy is to give due consideration to the suitability of all applications to trade on consent streets and to prohibit trading in all streets where it will be detrimental to road safety and where evidence of detriment to public amenity exists.

5. Resource Implications

- 5.1 Street Trading consents run from 1 April to 31 March. The consent if granted would be valid for a temporary period until 31 March 2005 at a basic annual fee of £575 per year plus an additional charge of £130 for each day of the week the trader is licensed to operate. The maximum fee for a trader operating seven days a week for a year is therefore £1,485. This amount would be reduced on a pro rata basis to take account of the fact that the consent would only be for a limited period expiring on 31 March 2005.

6. Legal Implications

- 6.1 Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 gives local authorities discretion when issuing, varying or revoking consents. Schedule 4 does not specify any particular grounds on which such decisions may, or may not, be made but while the Committee is able to grant or refuse a consent it must do so for sound and valid reasons and has a duty to act reasonably at all times bearing in mind the consequences to the trader. While a trader has no right of appeal under Schedule 4 he is at liberty to take other legal action if the Council is seen to act unfairly or unreasonably or has reached its decision without due consideration of all material facts.
- 6.2 Under Section 17 of the Crime and Disorder Act 1998, the Council has a duty to do all that it reasonably can to prevent crime and disorder in its area. Clearly, if there were to be demonstrable disorder resulting from the existence of street trading, then this would be a material consideration in the determination of this issue.
- 6.3 The European Convention on Human Rights secures certain fundamental human rights. The Human Rights Act 1998 makes it unlawful for a local authority to act in a way which is incompatible with a convention right.
- 6.4 A refusal of consent to street trading at this location may constitute an interference with the right under Article 1 of the First Protocol to the peaceful enjoyment of possessions. Such interference is permissible if it is in accordance with the law and in the public interest. Such refusal could also interfere with the right under Article 8 of the Convention to respect for private and family life and the home. Interference is permissible provided that it is in accordance with the law and is necessary in the interests of protecting the rights and freedoms of others in the community.
- 6.5 Article 1 of the First Protocol states :

Protection of Property

'Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law'.

'The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties'.

- 6.6 The word 'possessions' is to be given a broad meaning. Possessions include all types of real and personal property. Article 1 of the First Protocol applies both to natural and legal persons. Traders therefore have the right to peaceful enjoyment of possessions, although the use of such possessions can be controlled in the general interest.
- 6.7 Article 8 of the Convention states:

Right to respect for private and family life

'Everyone has the right to respect for his private and family life, his home and his correspondence'.

'There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the Country, for the prevention

of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others'.

6.8 It must be remembered that local residents as well as prospective traders enjoy convention rights. Clearly, when considering whether or not a consent should be granted the Council should seek to balance the interests of the person seeking to trade against those of local residents and the concerns set out in paragraphs 3.7 to 3.20 above. The power to attach conditions to any consent may enable the Council, in some instances, to achieve a balance between the opposing interests.

7. Conclusions

7.1 The comments received in section 3 of this report include a concern that allowing a trader in this location may give rise to anti-social behaviour. The safety of road users and pedestrians, and adequate lighting have also been raised as difficulties. The number of parking spaces in the area would also be reduced. Fast food trading would result in lingering odour causing nuisance to residents and would probably require the use of a generator, thus increasing noise. There is a lack of toilet facilities for the trader. Customers leaving litter and having to queue in or very close to the road are other potential problems which have been identified.

7.2 If the Committee was minded to grant a consent, some of the above problems could be mitigated by limiting the hours of trading or by requiring the trader not to trade in hot food items, and only in cold refreshments.

OFFICERS' RECOMMENDATION that -

the application from Mr Pasmore for a street trading consent in Bishopsgate Road, Englefield Green, be refused.

(TO RESOLVE)

Background Papers

Relevant papers on Director of Administration and Leisure File 64.26

8. PROPERTY SERVICES PERFORMANCE REVIEW (DAL)

1. Purpose of Report

1.1 **The purpose of this report is to advise Members of the performance of key aspects of the Property Service function within the Department of Administration and Leisure. The matters identified in the report are managed by the Borough Valuer's Section.**

2. Background Information

2.1 The Government White Paper "Modern Government - in Touch with People" encourages Councils to manage their property to best effect.

2.2 The Council is required to maintain an Asset Management Plan and a requirement of that Plan is to report annually on the property portfolio and the National Performance Indicators.

2.3 The Asset Management Plan also identifies a number of local performance indicators to be reported annually.

2.4 Separate reports on the commercial portfolio and non operational property review are contained elsewhere on the Agenda.

2.5 This report deals with the performance of the Property Services function and in particular the local performance indicators identified in the Asset Management Plan. Progress in respect of the National Performance Indicators is reported at Appendix 'D'.

3. Report

- 3.1 Members will be aware that over the last 3 years strategic property management has become of increasing interest to Government. Indications are that property, and in particular asset utilisation, will play a significant part in the next round of CPA.
- 3.2 Having recognised the increased workload and pressures that this has brought and the importance of property to the Council's capital and revenue budgets Members approved an additional post of Assistant Valuer. An appointment has now been made and the Officer took up his post in June 2004.
- 3.3 Activity in the current financial year can be summarised as follows:
- | | | |
|--------------------------------------|---|---------|
| Acquisitions | - | nil |
| Disposals completed | - | £1.892m |
| Disposals agreed awaiting completion | - | £5.498m |
| Current Rent Roll | - | £1.419m |
| Voids | - | £42,000 |
| Arrears at 30 November 2004 | | £14,900 |
- 3.4 Voids amount to 2.96% of the total rent roll against a target rate of 2%. This total, however, represents just 2 vacancies and terms have been agreed on one of these which will reduce the voids to 0.56% of rental value.
- 3.5 Arrears amount to 1.05% against a target rate of 2%.
- 3.6 During the course of the year three tenants have gone into liquidation owing a total of £19,200, amounting to 1.35% of the rent roll which is irrecoverable. Officers believe that these figures represent a reasonably successful year in difficult market conditions.
- 3.7 The tenant survey, which was planned for Autumn 2004, has been postponed until Spring 2005.
- 3.8 The additional resource means that it is possible to become more proactive in the management of the portfolio and work is continuing to develop a planned maintenance programme to complement that already in place in respect of the operational portfolio.
- 3.9 During the year the Property software has been considerably expanded and a rent collection module specifically written for property portfolio management is to be introduced within the next two months with a view to improving rent collection and cash flow.
- 3.10 Less successful has been progress in developing service reviews and individual property reviews as envisaged by the Asset Management Plan. Whilst some ad hoc work continues to take place it is important that this becomes much more structured in order to support the next round of CPA. With the additional staff resources now in place the Borough Valuer hopes to devote more time to this in the coming year.

(FOR INFORMATION)

Background Papers

None

9. URGENT ACTION - STANDING ORDER 42 (DAL)

The following action has been taken after consultation with the Chairman of this Committee under Standing Order 42.

<u>Officer</u>	<u>Action Taken</u>	<u>Central Index No.</u>
Director of Administration and Leisure	Agreement to enter into a short term lease of the former Safeway car park, Addlestone.	563

Director of Administration and Leisure	Grant of new lease in respect of 4 Manton Terrace, Victory Park Road, Addlestone.	565
Director of Administration and Leisure	Acquisition of a 12 month option to purchase a property capable of serving as a suitable access point for the Fernlands Open Space in the event of the development of the site.	566
Director of Administration and Leisure	Grant of lease in respect of office premises at 7 High Street, Egham.	567
Director of Administration and Leisure	Amendment of the terms of the lease in respect of the River Bourne Health Club, Heriot Road, Chertsey, so as to enable the club to make further investment in its facilities. The amendment is essentially a technicality and does not prejudice the Council's position.	568

(FOR INFORMATION)

Background Papers

Proformas dated 8, 12, 22, 26 and 30 November 2004 on Head of Corporate Administration's file

10. ENERGY EFFICIENCY INITIATIVES (DHCS)

1. Purpose of Report

1.1 The purpose of this report is to:

- i) advise Members of the progress that has been made in introducing energy efficiency initiatives; and**
- ii) request approval for the allocation of funds recently received for energy efficiency to assist vulnerable private sector households with energy efficiency improvements.**

2. Background Information

- 2.1 Under the Home Energy Conservation Act (HECA) 1995 and the Sustainable Energy Bill 2003 all local authorities are required to take action to promote and improve the energy efficiency of homes in their area. Runnymede has a designated post holder to manage and promote energy conservation and fuel poverty initiatives. The post holders line manager has responsibility as HECA Officer for the Borough.
- 2.2 In 1996 an Energy Conservation Report was prepared, approved by Members and accepted by the Secretary of State. This set out a strategy and a reference base designed to respond to the specific requirements of the Home Energy Conservation Act 1995.
- 2.3 In November 2001, a Fuel Poverty Strategy was prepared by the HECA Officer and adopted by Members and following this a Borough wide energy efficiency survey was carried out in order to directly target those households most in need of assistance. Areas where fuel poverty existed were identified by postcode and Ward and targeted for promotion of energy efficiency grants that were available through the various agencies.
- 2.4 The Council is also expected to take a lead role in increasing the number of Decent Homes in the private sector. The Decent Homes Target was amended by the Government following the 2004 Spending Review and now reads:

“By 2010, bring all social housing into a decent condition with most of this improvement taking place in deprived areas, and for vulnerable households in the private sector, including families with children, increase the proportion who live in homes that are in decent condition.”

To achieve Decent Homes adequate heating and insulation must be provided.

2.5 The Census of 2001 revealed that –

- 6.4% of all privately owned and privately rented properties within the Borough may be without central heating, equating to 2,026 properties.
- 417 pensioner households within the private sector may be without central heating and 33 pensioners who are over 75 lack central heating.
- There are likely to be over 70 lone parent households with dependent children in the Borough without central heating.
- There are approximately 1,300 park/mobile homes and other temporary structure dwellings within Runnymede that lack thermal insulation and have an inherent low SAP rating.

2.6 There are therefore a significant number of households living in both owner occupied and privately rented homes in the Borough which are without central heating and thermal insulation. Whilst some of these will be through choice, in other cases it is due to a lack of financial resources. This, in turn, increases fuel poverty and has a significant impact on the health of these residents. These households include families with children as well as elderly households.

2.7 It is also known that, on average, deaths in Runnymede are estimated to rise in the winter by 16% over the figure for the remainder of the year. This equates to 656 persons, of which 449 are aged 75 and over (Source: Public Health Unit Woking PCT 2002/2003).

2.8 The Council's Energy Management Co-ordinator has undertaken a number of initiatives to promote the energy efficiency grants that are available to private homeowners under the Warm Front and Warm Front Plus grant schemes. Government grants up to the value of £2,500 may be available to some householders depending on their circumstances. These are managed by The Eaga Partnership (The Energy Action Grants Agency).

2.9 There is now available through Eaga a free Benefits Health Check service that can identify those missing out on a qualifying passport benefit. For those households not eligible for a Warm Front grant, a discounted insulation scheme is offered with funding from the Energy Efficiency Commitment (EEC) programme via all energy suppliers.

2.10 In October 2004, a targeted Warm Front mail-out to those residents on Council Tax and Housing Benefit within the Borough was sent out to over 1,900 properties. A Borough wide mail-out to all private sector households offering discounted insulation initiatives commenced in September 2004 and will continue through to May 2005. Both these initiatives are at nil cost to the Council. Ongoing promotions have been held at various public events, outlining all schemes available to residents. The schemes have also been publicised through the local press and radio, and through the Runnymede Energy Efficiency Partnership Newsletter and the Council's web site. These initiatives will undoubtedly have helped many households but more direct targeting at individual vulnerable groups is also needed and assistance over and above these schemes is required to assist a wider number of households in need.

2.11 Energy Management in the Borough is a matter for this Committee, but as this report affects a number of the Housing and Community Services Committee's functions it was also due to be submitted to the Housing Committee on 12 January. The views of the Housing Committee will be reported at the meeting.

3. Proposal

3.1 The Council has recently received an Energy Efficiency Commitment (EEC) grant of £25,862 from the British Gas "Here to Help" scheme managed by the Eaga Partnership. This funding was provided retrospectively following the completion of energy efficiency improvement work to the Council's own housing stock. Further funding applications have been made to the [Eaga Partnership](#) for additional work carried out to the Council's stock in subsequent years

and, if received, these together with the previous funding received, will be windfall payments that have not been taken into account in the approved Financial Forecast.

- 3.2 The Council must use the funds received to improve energy efficiency and has the option of either spending these on the existing Council stock or using them to facilitate improvements in the private sector. Application of the funds in the private sector has the potential of levering in still more funding to help eradicate fuel poverty and would also be seen as a positive move in meeting the Government's target to ensure decent homes within the private sector. Achievement of this is also likely to be assessed in any subsequent inspection undertaken for CPA. The Council will have the opportunity of making further applications for funding in support of its own housing stock under the EEC2 scheme, which commences in April 2005.
- 3.3 It is proposed that the grant of £25,862 be used to establish a capital budget for providing assistance to vulnerable households in the private sector to pay for the installation of certain energy efficiency measures. It is proposed that this assistance is offered on a first come first served basis from early in the new year. The eligibility criteria for the scheme is proposed as follows:-
- i) households living in privately rented or owner occupied housing, where they currently lack cavity wall insulation and/or loft insulation; and
 - ii) households including children, a pregnant woman, a disabled person or a person over 60 years of age; and
 - iii) households not currently eligible for similar assistance under the Warm Front grant scheme or the EEC discounted Insulation Scheme, but whose total household income is still less than £18,000 per year.
- 3.4 The assistance offered will be to arrange and pay for the full cost of cavity wall insulation, and/or loft insulation and a hot water cylinder jacket up to a maximum of £1,500 per property.
- 3.5 The cost of the works is likely to be in the region of £500 - £700 per household. The likely number of households, therefore, that can be assisted through this initiative, and the number of homes improved, is in the region of 30 – 50. Whilst this is a small number this will generate considerable savings for these households in future years as their fuel costs reduce and some positive impact on their health is also achieved. An increase to the overall Borough energy rating will also be achieved.
- 3.6 Demand for this assistance will be closely monitored and measured so as to substantiate any further bids for funding.
- 3.7 Eaga has expressed an interest in running the scheme on behalf of the Council. They are willing to take referrals, check eligibility and arrange for the works to be carried out. They will also assist clients in obtaining additional funding where necessary.
- 3.8 The Council's Energy Management Co-ordinator would promote the scheme, handle enquiries and make referrals to Eaga. This could be done within existing resources but if there is considerable interest, then some back up assistance may be needed from the Private Sector Housing Team.
- 3.9 Eaga would need to make a charge for their service. This would equate to a percentage fee of the cost of the works. This would be added to the total cost of the works which would then be invoiced to the Council. Officers are currently negotiating with Eaga and will be able to report the percentage fee verbally at the meeting.
- 3.10 Officers would build safeguards into the agreement with Eaga to ensure that the scheme is administered efficiently and effectively, ensuring that no work is undertaken without Council approval and the budget for the scheme is not overspent.
- 3.11 The Energy Management Co-ordinator and Private Sector Housing Team would promote the scheme through local press, distribution of flyers and the Council website. Any costs of promotion would be kept to a minimum and would be covered by existing budgets.

4. Resource Implications

4.1 The grant of £25,862 is available to spend and it is proposed that the scheme commences as early as possible in 2005.

4.2 A capital estimate is required to establish the authority to spend on this scheme.

5. Risks

5.1 This will be a cash limited initiative and the scheme will be closed once funds are exhausted.

6. Policy Implications

6.1 The Leader's Position Statement commits to "advertise all available schemes to improve private housing through loans and grants with priority for those who are unable by reason of finance or health to improve their own properties."

7. Conclusions

7.1 The Council has an obligation to reduce energy consumption under the Home Energy Conservation Act 1995. It is also required to give consideration and support to vulnerable people living in homes within the private sector that do not meet the Decent Homes Standard. The money received via the Eaga Partnership is available to progress initiatives to assist such households. Further opportunities are likely to emerge to assist people in the Council's housing stock and therefore it seems appropriate that, on this occasion, the funding should be used in the private sector.

OFFICERS' RECOMMENDATION that –

subject to the views of the Housing and Community Services Committee:-

i) the Corporate Management Committee be requested to approve a capital estimate in the sum of £25,862 to meet the cost of awarding assistance towards energy efficiency measures as set out in this report, to be financed from the grant received from the British Gas "Here to Help" scheme; and

ii) the grant be used to reduce fuel poverty and in line with the arrangements set out in Section 3 above.

(TO RESOLVE)

Background Papers

None stated.

11. EXCLUSION OF PRESS AND PUBLIC

OFFICERS' RECOMMENDATION that –

the press and public be excluded from the meeting during discussion of the following reports under Section 100A(4) of the Local Government Act 1972 on the grounds that the reports in question would be likely to involve disclosure of exempt information of the description specified in paragraphs 3, 7 and 9 of Part I of Schedule 12A of the Act.

(TO RESOLVE)

PART II

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

a)	<u>Exempt Information</u>	<u>Para</u>
12.	NON OPERATIONAL PROPERTY PORTFOLIO REVIEW	3 and 7
13	COMMERCIAL PROPERTY PORTFOLIO REVIEW	7
14	LAND AT WASPE FARM – DISPOSAL	9
b)	<u>Confidential Information</u>	
	(No reports to be considered under this heading)	