

Runnymede Borough Council
LEISURE AND ENVIRONMENT COMMITTEE

Thursday 17 March 2005 at 7.30 p.m.

in the Council Chamber

at the Civic Offices, Addlestone



Members of the Committee

Councillors C.J. Norman (Chairman), M.J. Brown (Vice-Chairman), Mrs. P.I. Broadhead, A.J. Davis, Mrs. C.E. Gant, Mrs. E. Gill, Miss M. N. Heath, Mrs. S.E. Jacobs, A.M. Moore, 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 **Miss C. Pinnock, Committee Section, Administration and Leisure Department, Civic Offices, Station Road, Addlestone. (Tel. 01932 425627). (Email: clare.pinnock@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.

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a) Exempt Information

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(No reports to be considered under this heading)

1. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

2. MINUTES

To confirm and sign the Minutes of the meeting of the Committee held on 20 January 2005 as a correct record. These Minutes were included in the March 2005 Council Summons/Minute Book, previously circulated.

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. SERVICE PLAN 2004/05 - PROGRESS REPORT (DAL)

(Ref: Minutes of Leisure and Environment Committee, September 2004, page 284, para. 210)

1. **Purpose of Report**

1.1 **The purpose of this report is to update Members on progress with the Leisure and Environment Service Plan 2004/05 for the period October – December 2004.**

2. Background Information

2.1 At its meeting in September 2004 this Committee reviewed progress on the second quarter of the Leisure and Environment Service Plan which serves as a basis for the monitoring and review of the Committee's objectives.

3. Report

3.1 Members will recall that in order to provide a more coherent reporting and monitoring process, both at political and management levels, Officers wove the various objectives and targets together into a single document for each Committee. The format was modified from the "Aims and Targets" approach, which Members will recall flowed from the Leader's Position Statement, to include more detail of timescales, potential barriers and additional resource requirements. The source of each target is, however, clearly identified so as to preserve the place of the original documentation.

3.2 The Service Plan attached at Appendix 'A' draws together objectives from the following sources:

- i) The Leader's Position Statement
- ii) The Best Value Performance Plan
- iii) Best Value Continuous Improvement Plans
- iv) Best Value Performance Indicators
- v) Other plans and strategies such as the Community Strategy. Where relevant these will be mentioned.

3.3 Current performance is highlighted throughout the Service Plan and, where corrective action is required, or additional text and updated information has been added, it is noted, accordingly, in bold.

4. Council Policy

- 4.1 "We will further develop the Performance Management Framework, to build in continuous improvement to Service Plans, rationalise targets and further integrate into departmental management." (Leader's Position Statement 2004/05).

(FOR INFORMATION)

Background Papers

None stated.

6. PROPOSED HYTHE PARK - PUBLIC CONSULTATION RESULTS (DAL)
(Ref: Minutes of Economic Development Committee, September 2004, page 242, para. 180)

1. Purpose of Report

- 1.1 **The purpose of this report is to advise Members of the results of the public consultation exercise in respect of the proposed Hythe Park and to seek approval in principle for a set of detailed proposals including the submission of a planning application in respect of the proposed park.**
- 1.2 **A similar report has been submitted, for information, to Economic Development Committee which is due to meet on 10 March 2005.**

2. Background Information

- 2.1 Following earlier discussions at both Member and Officer level about the future of the ageing Hythe Social Centre and the surrounding land, an Officer project team was established in 1998 with the remit to review landholdings in Egham Hythe, to consider the re-provision of the Social Centre and the construction of a new town park, and to identify potential social housing opportunities and youth provision. The matter was referred to in the Leader's Position Statement for 1999/2000.
- 2.2 After extensive local consultation and planning, a scheme including a new public hall and park was approved. The original scheme costs were estimated at £2m and a budget of £1.5m was approved with the remainder to be funded from other development opportunities in the area. However, local residents were firmly opposed to additional development with the exception of the doctors surgery, and housing development adjoining 97 Pooley Green Road. It was envisaged that the receipts from these two developments would be utilised in making up the budget shortfall.
- 2.3 In June 2002, the Committee agreed, in principle, to the development of a Doctors' surgery to the rear of the new Hythe Centre and to the disposal of land adjoining 97 Pooley Green Road for a small affordable housing scheme. The housing scheme is currently in the course of construction.
- 2.4 The new Hythe Centre, which was completed within budget, was opened in December 2002.
- 2.5 Following discussions with the North Surrey Primary Care Trust, the original proposals for the re-location of the Thorpe Road Surgery have been abandoned in favour of a new health centre of approximately 17,000 sq.ft. (1600m²) to be developed by Community Healthcare Investments. A planning application has now been submitted and it is expected to go before the Planning Committee on 16 March 2005. The outcome of that application will be reported to the meeting.
- 2.6 A "Friends of Hythe Park" Group was established and has been working with Officers in developing an architectural brief for the proposed park and other open spaces in Hythe.

3. Report

- 3.1 Having taken the results of earlier consultation in September 2000 and more recent discussions with youth groups into account, a series of suggestions for each of the 5 open spaces in Runnymede ownership (indicated at Appendix 'B') was taken out to public consultation.

- 3.2 Following a trial run with the Friends of Hythe Park, public consultation took place over a period of 6 days in 4 different venues.
- 3.3 The process took the form of a series of suggestions (all made by the public) which residents were requested to either support or reject by placing map pins in the appropriate columns of the display. They were then asked to indicate their own preferences for each of the open spaces by placing an "activity flag" in the appropriate place on the map (see photographs to be displayed at the meeting).
- 3.4 A total of 383 people were registered as participating in the exercise and they expressed 4,088 opinions on the various issues, together with a further 1,096 suggestions in relation to the 5 sites.
- 3.5 The breakdown of these results is shown at Appendix 'C', and a schedule of additional comments is shown at Appendix 'D'.
- 3.6 The results are very encouraging and mainly positive. There was however a reaction against the proposal for a teen shelter in the park with 62% rejecting this whilst 56.6% also rejected a similar provision on Pooley Green Recreation Ground. Interestingly, there was 89.2% and 93.7% support for a Multi Use Games Area (MUGA), on these respective sites.
- 3.7 The objections, understandably, tend to be from those most closely connected with each of the sites and who could potentially be most affected by any proposals.
- 3.8 A major concern is that of security and the perception that the provision of any youth facilities and the opening up of the park will lead to an increase in anti-social behaviour.
- 3.9 Having carefully considered the results of the consultation Officers amended the proposals for the park to take account of the views expressed and drew up a schedule of improvements for the other open spaces.
- 3.10 These proposals were then discussed with the Police and colleagues from Safer Runnymede to assess the impact they might have.
- 3.11 As a result of this process the following proposals are recommended for approval;

Hythe Park

Delete the proposed teen shelter.

Redesign allotments to meet plotholder requirements.

Delete Adventure Play boulders in south-east corner

Swap the position of the MUGA and formal garden

Delete the southern access to Roundway

Fence Field View boundary

Provide a minimum of 2 CCTV cameras

Liaise with Highways regarding minor improvements to Davis Road and the road to the rear of Rowan Avenue.

Pooley Green Recreation Ground

Level out the land and include some perimeter works, landscaping, including new fencing

Reconfigure and refurbish the existing play area together with additional facilities for older children

Provide a new MUGA at top end of site with lighting on time switch

Provide footpaths, benches, bins, etc.

Bishops Way Open Space

Reduce and refurbish play area for toddlers

Provide site drainage

Provide new adventure play

Provide footpath links and benches

Charta Road Recreation Ground

Refurbish existing play area

Provide BMX/Skateboard facilities

Improve fencing

Some footpath works

Investigate cost of fencing Medlake ditch

Land to Rear Hythe Centre

Provide under 5's play area to complement Hythe Centre and Health Centre together with some swings for older children.

Reorientate the pitch

- 3.12 The intention is to carry out further consultation with mother and toddler groups, youth clubs and the local schools to establish precisely what type of equipment would go into each play area.
- 3.13 Whilst recognising there are some local objections to a teen shelter, the Police and Safer Runnymede are of the opinion that such a provision on the Pooley Green Recreation Ground may be appropriate in the future and should not be written off entirely.
- 3.14 Officers' view is that the Council should proceed with the improvements outlined above and monitor the situation. The provision of a teen shelter can then be revisited at a future date if considered appropriate.

4. Financial Implications

- 4.1 Economic Development Committee has previously agreed to recycle £300,000 from the receipts from the sale of land in Pooley Green Road and the lease of the Health Centre to this project together with an estimated £100,000 which would be funded by Woodland Environmental.
- 4.2 There is also a provision of £34,000 in the Capital Programme for the refurbishment of the Pooley Green Recreation Ground play area.
- 4.3 The intention is that the Friends of Hythe Park raise additional funds through whatever grant schemes are available, and in this respect they have registered the scheme with AIR.
- 4.4 The levelling of the Pooley Green Recreation Ground, which is a former tip, together with limited perimeter landscaping may give rise to additional funding from Woodland Environmental and it is hoped that this site might be self financing. Officers will investigate this further with Woodland Environmental.
- 4.5 It is now intended to work up detailed costs for the total package of proposals and to then prioritise the proposals depending on the available budget.

4.6 A planning application on the proposed park will require the carrying out of ecological studies. Officers are seeking to find the most cost effective way of delivering these through discussions with Surrey Wildlife Trust. The cost will be met from the existing budget.

5. Council Policy

5.1 Paragraph 8.8.1 of the Leader's Position Statement provides that:-

"We will continue to encourage the relocation of the Swan Sanctuary to a new site. This will enable us to pursue the possibility of creating parkland with allotment facilities in Egham Hythe.

5.2 Paragraph 8.10.2 provides that:-

"We will continue to work with other agencies to widen the range of leisure activities as a contribution to the Surrey Youth Strategy."

5.3 Paragraph 8.10.4 provides

"We will keep under review the management of our parks and open spaces that are highly regarded by residents and we will seek to maintain the current high standards of service we provide."

6. Summary

6.1 The public consultation has been very successful and generally very supportive of the proposals to improve facilities in the area.

6.2 There are a number of objections to specific elements of the proposals and, where possible, these have been addressed. It is not possible, however, to accommodate all objectors without compromising the scheme.

6.3 The next stage is to work up and cost detailed proposals and to submit the appropriate planning applications including the commissioning of ecological studies for Hythe Park.

OFFICERS' RECOMMENDATION that –

i) approval in principle be given to the proposals set out in paragraph 3.11;

ii) a planning application be submitted for the proposed Hythe Park; and

iii) Officers report back in due course with a detailed development programme, costs and method of funding

(TO RESOLVE)

Background Papers

Relevant papers on DAL's file 81.15.13.

7. ENVIRONMENTAL INFORMATION REGULATIONS 2004 - PROPOSED SCHEDULE OF CHARGES (DF)

1. Purpose of Report

1.1 **The purpose of this report is to recommend a charging policy for enquiries made to the Council which fall under the Environmental Information Regulations 2004.**

2. Background Information

2.1 Under the Environmental Information Regulations 2004 the Council has a duty to:

- i) Review service provision to the public for supplying environmental information so that information can be provided proactively and requests can be met more promptly and where possible more economically;
 - ii) Organise the environmental information relevant to its functions;
 - iii) Proactively disseminate environmental information;
 - iv) Provide advice and assistance to persons making requests for environmental information;
 - v) Make environmental information available to any person who requests it within 20 working days or within 40 working days if additional time is needed;
 - vi) Refuse only in accordance with the limited exceptions available, giving reasons and details of the mechanisms available for reconsideration and appeal; and
 - vii) Have in place an internal procedure to consider complaints.
- 2.2 The Committee already sets a charge for enquiries about contaminated land. At its meeting in January 2005, Members resolved to increase this charge from £84 to £95 from 1 April 2005. This charge is intended to cover routine and relatively straightforward enquiries only.
- 2.3 The Regulations provide that an authority which holds environmental information shall make it available on request. The request need not be in writing but the Council may request (but not insist) that it is in writing if the request is of a complex nature. Further particulars may be requested within 20 days of receipt of the request if it is too general in nature. The duty is to provide advice and assistance "so far as it would be reasonable to expect the authority to do so".
- 2.4 The Code of Practice to the Regulations sets out the following examples of what appropriate assistance might include:
- providing an outline of the different kinds of information that might meet the terms of the request;
 - providing access to detailed catalogues and indexes, where these are available, to help the applicant ascertain the nature and extent of the information held by the authority;
 - providing a general response to the request setting out options for further information that could be provided on request; and
 - advising the person that another person or agency (such as a Citizens Advice Bureau) may be able to assist them with the application or by making it on their behalf.
- 2.5 The Code of Practice provides that an authority should publish its procedures for dealing with requests for information.
- 2.6 There is no cost limit on information an authority is expected to provide (as exists under the Freedom of Information Act). However, a charge may be made for provision of this information. Where a ceiling on charges has been made by the applicant, the authority must provide details of the information which may be provided within this ceiling.
- 2.7 If the Council does not hold the information requested but is aware of another authority which does, the application should be either transferred or the applicant supplied with the name and address of that authority.
- 2.8 Environmental information requested is to be made available as soon as possible but within 20 working days from the date of receipt of the request. The 20 days may be extended to 40 working days if the public authority reasonably believes that the complexity and volume of the information requested means that it is impractical to comply with the request or make a decision to refuse to do so.

2.9 There are limited exceptions to the duty to disclose environmental information. For example, the Council may refuse to disclose environmental information requested if the request for information is manifestly unreasonable, or if the information would adversely affect the public interest.

3. Report

3.1 The Regulations allow authorities to charge for making environmental information available subject to the following:

- No charge may be levied for allowing an applicant –
 - i) to access any public registers or lists of environmental information held by the public authority; or
 - ii) to examine the information requested at the place which the public authority makes available for that examination.
- Any charges levied shall not exceed an amount which the public authority is satisfied is a reasonable amount.
- A public authority may require advance payment of a charge for making environmental information available, and if it does, it shall, no later than 20 working days after the date of receipt of the request for the information, notify the applicant of this requirement and of the amount of the advance payment.
- A public authority shall publish and make available to applicants a schedule of its charges and information on the circumstances in which a charge may be made or waived.

3.2 For routine enquiries the current charge (£95 from April 2005) is considered sufficient.

3.3 However, a number of enquiries have recently been received that require Officers from a number of Departments to make extensive searches of Council records. In these circumstances it is considered appropriate to base a charge for the work on the estimated time taken by Officers to provide the information.

3.4 The following schedule sets out the rates proposed:

Table 1 - Proposed charges for the supply of information under the Environmental Information Regulations	
Officer involved	Hourly Rate £
Principal Environmental Health Officer	41.00
Environmental Health Officer	35.00
Environmental Health Technician	24.00
Principal Drainage Engineer	41.00
Senior Planning Assistant	35.00
Planning Assistant	35.00
Planning Administrative Staff	19.00
Senior Building Control Surveyor	35.00
Property Services Section	29.00

3.5 Officers would assess the expected time it would take to provide the information and apply the above rates accordingly. The applicant would then be informed of the proposed charge, and would be expected to pay the assessed charge in advance if he or she chooses to proceed with their enquiry.

4. Resource Implications

4.1 The charges are set at a level that enables the Council to recover the full cost, including overheads, of providing the information. The impact on the net budget of the service is therefore neutral.

5. Legal Implications

- 5.1 From 1 January 2005 any request for information held by/on behalf of a public authority or a body carrying out a public function is technically a Freedom of Information request in the first instance. Section 39 of the Freedom of Information Act 2000 (FOI) then exempts environmental information from being dealt with under the FOI Act and provides that it should be dealt with under the Environmental Information Regulations 2004.
- 5.2 If it is determined that part/all of the information requested is personal information, where the applicant is the subject of the information, access to that information will be dealt with under the Data Protection Act 1998.
- 5.3 In effect the three pieces of legislation work together, the Environmental Information Regulations 2004 enabling access to environmental information, the Data Protection Act 1998 enabling access to personal information of which the applicant is the subject, and the Freedom of Information Act, 2000 enabling access to all other information.

6. Council Policy

- 6.1 Each policy committee is expected to consider increasing the contribution that users make towards the cost of services where it is lawful to do so when undertaking reviews of fees and charges.

OFFICERS' RECOMMENDATION that -

- i) the charging schedule for enquiries under the Environmental Information Regulations set out in Table 1 of this report be approved; and**
- ii) the Director of Finance be given authority to vary these charges to ensure that overheads are fully recovered.**

(TO RESOLVE)

Background Papers

1. www.informationcommissioner.gov.uk
2. www.defra.gov.uk/environment/pubaccess/index.htm
3. The Environmental Information Regulations 2004
4. Code of Practice – Environmental Information Regulations 2004

8. EGHAM LEISURE CENTRE - TRADING ACCOUNT (DF)

(Ref: Minutes of Leisure and Environment Committee, January 2005, page 632, para. 479)

Attached at Appendix 'E' is the current trading account for Egham Leisure Centre , including membership figures, for the period April 2004 to January 2005.

(FOR INFORMATION)

Background Papers

None.

9. CABRERA TRUST MANAGEMENT COMMITTEE - MINUTES (DAL)

The Minutes of the meeting of the Committee held on 10 January 2005 are attached at Appendix 'F'.

(FOR INFORMATION)

Background Papers

None.

10. RUNNYMEDE ARTS DEVELOPMENT STEERING GROUP - MINUTES (DAL)

The Minutes of the meeting of the Steering Group held on 8 February 2005 are attached at Appendix 'G'.

(FOR INFORMATION)

Background Papers

None.

11. ABBEY FIT JOINT MANAGEMENT COMMITTEE - MINUTES (DAL)

The Minutes of the meeting of the Committee held on 22 February 2005 are attached at Appendix 'H'.

(FOR INFORMATION)

Background Papers

None.

12. URGENT ACTION - STANDING ORDER 42 (DTS)

The following action has been taken since the Committee's last meeting after consultation with the Chairman under Standing Order 42.

<u>Officer</u>	<u>Action Taken</u>	<u>Central Index No</u>
Director of Technical Services	Formally concurring with the Surrey Police request to designate a geographical area of Pooley Green under Section 30 of the Anti-Social Behaviour Act 2003, granting discretionary powers to Surrey Police to disperse groups for a six month period.	574

(FOR INFORMATION)

Background Papers

Proforma dated 28 February 2005 on Committee Section file for Standing Order 42s.

13. EXCLUSION OF PRESS AND PUBLIC

OFFICERS RECOMMENDATION that -

the press and public be excluded from the meeting during discussion of the following report 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 7, 8, 9 and 10 of Part 1 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) Exempt Information

Paras

14. ABBEY FIT

7, 8, 9 and 10

b) Confidential Information

(No reports to be considered under this heading).