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Date: 06 September 2021

Notice of meeting

Environment and Sustainability Committee

Date: Tuesday, 14 September 2021

Time: 7.00 pm

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

To the members of the Environment and Sustainability Committee

Councillors:

I.J. Beardsmore (Chairman)	M. Gibson	J. McIlroy
O. Rybinski (Vice-Chairman)	K.M. Grant	S.C. Mooney
J.T.F. Doran	N. Islam	R.J. Noble
T. Fidler	T. Lagden	J.R. Sexton
N.J. Gething	V.J. Leighton	V. Siva

Substitute Members: Councillors S.M. Doran, R.D. Dunn, H. Harvey, R.A. Smith-Ainsley, B.B. Spoor and J. Vinson

Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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Agenda

Page nos.

1. Apologies for Absence and Substitutions

To receive any apologies for absence and notification of any substitutions.

2. Minutes

5 - 22

To confirm the minutes of the meeting held on 30 June 2021, and the Extraordinary meetings held on 13 July and 23 August 2021 as a correct record.

3. Disclosures of Interest

To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.

4. Questions from members of the public

The Chair, or his nominee, to answer any questions raised by members of the public in accordance with Standing Order 40.

Note: the deadline for questions to be considered at this meeting is 5pm on Tuesday, 7 September 2021.

At the time of publication of this agenda no questions were received.

5. Ward Issues

To consider any issues raised by ward councillors in accordance with Standing Order 34.2.

Note: the deadline for ward issues to be notified for consideration at this meeting is 12 noon on Tuesday, 7 September 2021.

At the time of publication of this agenda one ward issue has been received from Cllr Rybinski concerning bonfires.

6. Review of Rules and Regulations: Allotments - Key Decision

23 - 36

To consider proposed changes to the Rules and Regulations for Allotments.

7. Update on Government's Proposed Waste Strategy

37 - 62

To receive and note a report summarising the Government's consultations on its proposed Waste Strategy for England and the potential impacts to Councils if it was introduced.

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|------------|--|------------------|
| 8. | Engine Idling Poster Campaign | 63 - 68 |
| | To receive and note a report on the 'Engines Off' campaign in the borough. | |
| 9. | Revenue Monitoring Report (Qtr. 1 April - June) | To Follow |
| | To note the current revenue spend for the quarter April to June 2021. | |
| 10. | Capital Monitoring Report (Qtr. 1 April - June) | 69 - 72 |
| | To note the current capital spend for the quarter April to June 2021. | |
| 11. | River Thames Scheme update | 73 - 80 |
| | To receive and note a report on the River Thames Scheme. | |
| 12. | Local Cycling and Walking Infrastructure Plan (LCWIP) Update | |
| | To receive a verbal update on the Local Cycling and Walking Infrastructure Plan (LCWIP). | |
| 13. | Updates from Task and Finish and/or Working Groups | |
| | To receive updates from the following Task and Finish/Working Groups: | |
| | Local Plan Task Group: Cllr Ian Beardsmore | |
| | Climate Change Working Group: Dr Sandy Muirhead | |
| | Local CIL Spending Boards: Cllr Ian Beardsmore | |
| 14. | Forward Plan | 81 - 84 |
| | A copy of the Environmental & Sustainability Committee Forward Plan is attached. | |

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**Minutes of the Environment and Sustainability Committee
30 June 2021**

Present:

Councillor I.J. Beardsmore (Chairman)
Councillor O. Rybinski (Vice-Chairman)

Councillors:

J.T.F. Doran	N. Islam	R.J. Noble
T. Fidler	T. Lagden	J.R. Sexton
N.J. Gething	V.J. Leighton	V. Siva
K.M. Grant	S.C. Mooney	

Apologies: Councillors M. Gibson and J. McIlroy

In Attendance: Councillors C. Bateson

192/21 Declarations of Interest

There were none.

Cllr Gething joined at the beginning of this item.

193/21 Nominations for Development Sub-Committee

It was **resolved** that Councillors John Doran and Richard Smith-Ainsley were nominated by the Environment and Sustainability Committee for membership of the Development Sub-Committee.

The Committee's nominations, together with those from the Corporate Policy and Resources Committee to be considered and determined by Council at their meeting on 15 July 2021.

Reason for Decision:

To ensure nominations for a politically balanced Development Sub-Committee were made in accordance with the Constitution.

194/21 Introduction to the Environment and Sustainability Committee

Cllrs Lagden and Mooney joined the meeting.

Sandy Muirhead, Group Head of Commissioning and Transformation advised that the Committee's remit covered a wide range of areas which were outlined in the Terms of Reference, which was the next agenda item.

Sandy focused on some of the major issues facing the Committee, highlighting that one of those was climate change which weaved into all areas of work. Also mentioned was the River Thames Scheme, a plan to reduce the risk of flooding in the borough, the outline business case for which had recently been approved by the Government. This scheme would be added to the Forward Plan for the Committee's consideration in September.

In response to a question on what funding could be spent on and any limits, the Committee were advised that an issue would have to be within the remit of the Committee and the budget allocation for the year. Any additional funding required without a budget would need the approval of the Corporate Policy and Resources Committee and full Council for anything over £1m.

The Committee **resolved** to note the introduction.

195/21 Environment and Sustainability Committee - Terms of Reference

The Committee **resolved** to note the Terms of Reference.

196/21 Local Plan (revised Local Development Scheme timetable)

The Local Development Scheme (LDS) sets out the timetable for producing a new Local Plan. An update was required to reflect delays in the timetable as a result of the Covid-19 pandemic, new or updated policy and guidance and change in the political administration of Spelthorne Borough Council last year.

The Committee asked questions about the Local Plan timetable, and at what stage the Planning Inspector would raise queries or concerns about the content of the proposed Local Plan. Also, if there was a point when the policies in the emerging plan would begin to carry more weight in the decision-making process for planning applications.

In response, the Committee were advised that if the Inspector had any fundamental concerns, they would be flagged after the submission date but well in advance of the Examination to allow an opportunity to review any areas of concern. They were also advised that at the point of Reg.19, Public Consultation on Publication Local Plan, scheduled for February - March 2022, the policies in the emerging plan would begin to carry some weight; and the closer to the adoption date, the greater the weight placed on them.

It was observed that there was potentially a period where planning decisions would have to be made when emerging policies would only have limited weight. Heather Morgan, Group Head of Regeneration and Growth, acknowledged this was a valid point, but all local plans must go through the same process.

It was requested that reference to the Spelthorne Development Framework key dates for the adoption of the Spelthorne Development Framework be made clearer in the timetable.

It was noted that the proposed Local Plan Adoption date was after the next local election and officers were asked if the date could be brought forward. The Committee was advised that if it was possible to accelerate the process that would be done.

The Committee **resolved** to agree the publication of the updated Local Development Scheme.

Alternative options considered and rejected:

No other options were considered.

Reason for decision:

The LDS is a regulatory requirement so it must be maintained and it is not an option to decline to update it.

197/21 Formation of Strategic Planning Task Groups

Following the Council's change to a Committee system form of governance in May 2021, it was necessary for the task groups set up by the Leader under the previous system to be reconstituted.

The Committee considered the recommendations for each task group individually.

Although the report had recommended the Local Plan Task Group (LPTG) was reconstituted on the whole unchanged, the Chair proposed that membership of the LPTG was politically proportionate to allow input from all political groups. The Chair acknowledged that some previous LPTG members would feel disappointed that they did not have the opportunity to continue the work but believed it was a fairer selection method.

During discussion, the appointment of Chair and Vice Chair to each task group was raised and there was support for a proposal that each task group should have the opportunity to elect their own Chair and Vice Chair.

Surprise was expressed that the Mayor was able to be a member of a task group as that was a civic role, however whilst the constitution did not allow the

Mayor to be part of a Committee or Sub-Committee, there was nothing to prevent the Mayor being a member of a task group.

The Committee asked that brief confidential minutes of task group meetings were kept recording decisions as this had been a source of frustration previously to many. It was considered important that confidentiality was maintained whilst ensuring transparency and not stifling discussion in those meetings.

It was also proposed by the Chair that an external opinion on the Local Plan was sought from a suitably qualified consultant to ensure that all conceivable options for the Local Plan had been considered. This would allow a twin track approach where all possible avenues could be investigated to challenge the government plans and allocated housing figures whilst continuing with the timetabled Local Plan process to ensure there were no further delays and a Plan would be in place within the required timescale.

The proposal was well received generally, and discussion centred around the process to be followed and the Committee's involvement in the appointment and input to the issues to be considered to ensure there was no bias. It was acknowledged that time was of the essence and the appointment of an external consultant could not wait until the next Committee meeting in September.

The Committee resolved:

1. Local Plan Task Group

- a) That the Local Plan Task Group comprise of 16 members, politically proportioned consisting of the Chair and Vice Chair of the Environment and Sustainability Committee, the Chair of Planning and one member from each ward in the borough.
- b) To delegate authority to the Chief Executive in consultation with the Chair and Vice Chair of this Committee to agree the names of those ward members on the Local Plan Task Group.
- c) That the Chair and Vice Chair of the Task Group were elected by members of the Task Group at their first meeting.
- d) That brief minutes of decisions made by the Task Group were recorded and made available to all councillors on a confidential basis.

2. Staines Development Task Group

- a) That the Staines Development Task Group comprise of the Chair and Vice Chair of the Environment and Sustainability Committee, the Chair of Planning, Councillor J. Sexton as Staines resident, and all ward councillors for Staines, Staines South, and Riverside and Laleham.
- b) That the Chair and Vice Chair of the Task Group were elected by members of the Task Group at their first meeting.
- c) That brief minutes of decisions made by the Task Group were recorded and made available to all councillors on a confidential basis.

3. Community Infrastructure Levy Local Spending Boards

- a) That 5 CIL Local Spending Boards were created comprising all ward members from each locality.
- b) That the Chair of each CIL Local Spending Board was elected by the members of each respective Board.
- c) That the Committee recommend to the Spelthorne Joint Committee that the CIL Task Group includes the elected Chair of each Local Spending Board.

4. External Opinion on Local Plan

To require the Group Head for Regeneration and Growth, in consultation with the Chair and Vice Chair to seek an external opinion on the Local Plan options from a suitably qualified consultant. The Chair and Vice Chair would first seek Committee members' views on the issues they would like considered by the consultant and what should be contained in the person specification. Any contract awarded for this purpose not to exceed £10,000.

Alternative options considered and rejected:

To reconstitute the task groups in other ways.

Reasons for decision:

To ensure that all political groups and wards were represented in a fair and proportionate manner.

198/21 Outside Gym Proposal

In March 2021 the Spelthorne Joint Committee agreed to fund the purchase and installation of 10 outdoor gyms across the borough using Community Infrastructure Levy (CIL) funding.

As a result of this, the Committee considered a request from the Group Head of Neighbourhood Services to conduct a public consultation exercise to ensure that the opportunity was taken to engage with and listen to residents to endeavour to meet their needs in terms of outdoor gym activities in their local parks where possible.

Equipment previously installed in an Ashford park was well used by a range of age groups and whilst there had been some vandalism initially, this had significantly reduced, was petty and generally confined to where mobile phones could be plugged into the equipment to charge.

As funding approval had already been granted and in view of the health benefits to residents (especially in light of Covid-19), it was suggested that the project move directly to the procurement stage.

Jackie Taylor, Group Head of Neighbourhood Services, advised that this would speed up the process by approximately 3 months. Jackie also stated

that if anyone put forward specific concerns in the interim, she would be happy to discuss those with them.

The Committee **resolved** to authorise the Group Head of Neighbourhood Services to initiate a procurement exercise to purchase and install OGE equipment in locations considered by officers to be the most appropriate in parks as indicated in Appendix C to the report.

Alternative options considered and rejected:

To authorise the Group Head of Neighbourhood Services to initiate a public consultation exercise related to the installation of 10 outdoor gyms in parks across the borough.

Reason for decision:

The funding had already been agreed by the Spelthorne Joint Committee from the Community Infrastructure Levy scheme and a public consultation would delay the installation unnecessarily.

199/21 Climate Change Projects and Green Initiatives Fund

The Committee received a report from Sandy Muirhead, Group Head of Commissioning and Transformation, providing members with details of projects undertaken to date and indicating potential future projects to reduce carbon in Council operations and the wider community.

In response to a question regarding prioritisation of projects and how they would be monitored, the Committee were advised that this was partly covered by the next item, the setting up of a Climate Change Working Group, and would be included in the Forward Plan.

The Committee **resolved** to:

1. Note the report.
2. Agree the draft Environment and Sustainability Action Plan which sits within the wider draft Corporate Recovery Plan due to be considered by the Corporate Policy and Resources

Alternative options considered and rejected:

No alternative options were considered.

Reason for decision:

The Council has declared a Climate Emergency and needs to progress projects to further carbon reduction in line with Council policies and to move to a net zero position.

200/21 Climate Change Working Group and Terms of Reference

Following the change to a Committee system form of governance it was necessary for all task groups to be reconstituted. The former Climate Change Working Group had gathered information and started to focus on actions to reduce the borough's carbon footprint. However, it was acknowledged that it was a huge agenda and a specific focus for the working group might be beneficial.

Sandy Muirhead, Group Head of Commissioning and Transformation presented her report which proposed the working group was reconstituted to undertake an audit function on the Council's carbon reduction projects to ensure they were effective and to assess and evaluate initial ideas before they came to the Committee for wider discussion and consideration.

The Committee suggested seeking wider participation from other members who may have suitable skill sets and to have flexibility on the membership numbers. Cllr Leighton considered that interest, ability, and energy to participate was more important than political proportionality in this instance.

The Committee **resolved**:

1. To agree the setting up of a working group to focus on monitoring of actions towards carbon neutrality and to assess initial ideas on measures to address climate change before submission to the Environment and Sustainability Committee.
2. Sandy Muirhead, Group Head of Commissioning and Transformation to contact Group Leaders and ask for expressions of interest for any members interested in joining the group.
3. It was agreed to delegate authority to the Group Head of Commissioning and Transformation, in consultation with the Chair and Vice Chair to agree members of the working group.

Alternative options considered and rejected:

Not to set up a Climate Change Working Group. This would make it difficult to ensure there was a continued focus to achieve carbon reduction in the borough.

Reason for decision:

As climate change issues permeate all the Committee's remit in some form it was considered that a working group could play a role in managing the Council's approach to climate change.

201/21 Community Orchards

Sandy Muirhead, Group Head of Commissioning and Transformation provided a verbal report advising the Committee that there may be several proposals coming from areas within the borough for projects such as community

gardens and it would be necessary to find a mechanism for assessing these to ensure a fair and equitable process.

The Committee agreed it was important that a procedure was set up to ensure community bids were considered in a fair and transparent manner.

The Committee **resolved** to note the report and include the issue for consideration in the forward plan.

202/21 Forward Plan

The Committee noted that the Forward Plan was a living document and would be further updated with items arising from this evening and as they arose.

203/21 Training for E&S Committee Members

In view of the wide remit of the Committee's work, it was suggested it may be appropriate to arrange training opportunities for members to cover some of the areas covered. Members were also invited to suggest areas of interest.

The following topics were proposed:

- Climate Change
- Emergency Planning (for those who had been unable to attend the recent members' training)

Discussions were also taking place with external providers to provide training for Local Plan Task Group members.

The Committee **resolved** that training sessions should be arranged.

204/21 Exempt Business

Resolved to move the exclusion of the Press and Public for the following item in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to Information) (Variation) Order 2006.

205/21 Part-Exempt Amendment to Specific Policies in the adopted 2009 Local Plan

The Committee considered a report regarding whether or not it was possible to amend specific policies in the adopted 2009 Local Plan to prevent developments over 6 storeys in Staines-upon-Thames.

Cabinet had on two occasions considered reports on the very significant consequences of halting all development in Staines-upon-Thames. On both occasions, members highlighted concerns about developments being brought forward in advance of the adoption of a new Local Plan and the Staines Development Framework. A particular issue was the proposed height, bulk, and massing of developments. Officer recommendations on both occasions were rejected, and a time limited Moratorium was put in place on virtually all Council developments in Staines-upon-Thames.

Expert legal advice had been sought on whether there was scope, legally, to change a limited number of policies in the adopted 2009 Local Plan to prevent development over 6 storeys in Staines upon Thames. This expert legal advice stated that to amend the Local Plan 2009, even for a single issue, would require compliance with the Local Plan Regulations 2012. A proposal to include a policy preventing development over 6 storeys would need to be supported by a proportionate evidence base and be subject to consultation and examination. For such a policy to be adopted soundness tests would need to be fulfilled. The external legal advice concluded that there was no likelihood that this policy would be considered sound by an inspector as one of the tests for soundness is compliance with national policy and the National Planning Policy Framework (NPPF) 2019 places an enhanced role of higher density in appropriate locations.

Cabinet had rejected the advice as they considered that residents' views should be taken into account and a wider debate was required, and referred it to this Committee for consideration with a request that it be deferred to Full Council.

Very clear advice had been given on the severe consequences of amending the Local Plan 2009 which were set out in the Extraordinary Cabinet report dated 25 January 2021 – adverse financial impact, less affordable housing, no Council developments, and risk to delivering housing numbers and the Local Plan.

It was agreed that every opportunity should be taken to ensure that all possible avenues were actively explored, and this message needed to be conveyed to residents. A twin track approach of challenging the government's housing figures in every possible way, whilst continuing with the current review of the Local Plan was considered the best option. Any further delay would jeopardise the Council's ability to control their own planning decisions, and there was a risk that Surrey County Council or the government would write our Local Plan for us.

The Chair advised that an Extraordinary meeting of the Environment and Sustainability Committee had been convened for 13 July to discuss the Local Plan Strategy.

It was acknowledged that some very difficult decisions which would likely prove unpopular with residents would need to be faced and whilst the

government's housing figures would be challenged, the success rate of other authorities was not encouraging. Furthermore, the pandemic would likely place more pressure on families. It was confirmed that currently just over 3,000 people were on the Council's housing register.

Concern was expressed that Staines was the focus for development and that the spread should be more evenly distributed across the borough. Equally a view was put forward that green belt had to be protected or it would be lost forever and that to place a limit of no more than 6 storeys in Staines was unreasonable.

It was felt beneficial for a second external expert opinion to be sought on whether it was possible to undertake a limited policy review, and that this should be undertaken by the external consultant agreed under item 6/21 – Formation of Strategic Task Groups.

Alternative options considered and rejected:

1. To reject the expert professional advice and agree that there should be a limited review of the relevant policies within the adopted Local Plan.
2. To refer the matter to the Corporate Policy and Resources Committee on 5 July 2021 for consideration.
3. To defer the matter to Council for consideration.

Resolved:

1. To note the advice received from Counsel at confidential Appendix 4.
2. That in the light of this advice to seek a second opinion of Counsel's advice, but to continue with the current process which has been underway for the past two years to revise the Local Plan in its entirety.
3. The Leader and Deputy Leader to write a strongly worded letter to Kwasi Kwarteng, the Constituency MP, expressing deep concern over the housing numbers allocation for the borough and extend an invitation to attend a meeting of the Committee to discuss the housing figures.

**Minutes of the Environment and Sustainability Committee
13 July 2021**

Present:

Councillor I.J. Beardsmore (Chairman)
Councillor O. Rybinski (Vice-Chairman)

Councillors:

J.T.F. Doran	K.M. Grant	R.J. Noble
T. Fidler	N. Islam	J.R. Sexton
N.J. Gething	T. Lagden	V. Siva
M. Gibson	V.J. Leighton	

Apologies: Councillors J. McIlroy and S.C. Mooney

In Attendance: Councillors C. Bateson, L. E. Nichols and R.W. Sider BEM

225 Disclosures of Interest

There were none.

226 Local Plan Strategy

The Chair introduced the subject for discussion and advised the Committee that whilst the priority was to strongly challenge the government's housing figures allocation for the borough, it was also necessary to plan an alternative strategy in tandem with this.

The report for consideration proposed a revised strategy for the new Local Plan to meet the borough's housing need by releasing a small amount of green belt, thus reducing the impact on Staines.

Cllr Sexton proposed and Cllr Siva seconded an alternative option for the Committee's consideration:

"The Committee notes:

Members believe that they would benefit from independent support and advice on the formulation of a strategic vision for the borough.

The Committee is asked to agree:

- a) *To undertake an exercise of member engagement focused on developing a shared understanding and/or their role in formulating the Local Plan.*

- b) To develop a shared vision for the borough that is endorsed by a majority of members.*
- c) To appoint a suitably qualified external advisor to facilitate members in formulating the vision.*
- d) To incorporate the vision into the Local Plan documentation by no later than the end of October 2021.*
- e) Once the vision has been agreed it will be used to review existing policies and inform future ones.”*

Ann Biggs, Strategic Planning Officer, was invited to respond to the proposal.

Ann advised the Committee that officers could support work on the vision to run concurrently alongside the proposed strategy, however she could not recommend it as an alternative approach. To complete the vision first and then incorporate that into the strategy at a later date would take several months, thus pushing the Local Development Scheme timetable further back. Whilst officers could support work on the vision, other factors had to be taken into consideration: the time to procure and appoint an external advisor; work on the feedback from the public consultation on the Staines Development Framework (SDF) would have to be paused and could not be considered until the vision had been completed or progressed by the Local Plan Task Group (LPTG). Ann also considered that the delay put the borough at risk from speculative developers; local plan policies and the SDF were required to be in place as a priority as a guide to where and how development takes place.

Ann then outlined some of the background information to her report, setting out the reason for the proposed strategy. The previous LPTG had spent considerable time reviewing the strategy and considering only brownfield sites but had been unable to reduce the deficit beyond an overall figure of 625, equating to a shortfall of 42 homes per year over a 15-year period. The appendix to the report included a list of potential indicative green belt sites which met set criteria and were considered the least bad option.

The proposed strategy had previously been informally agreed by the former Local Plan Task Group and formalisation was sought from the Committee to enable progress on the site detail and policies. If agreed, then depending on the outcome of the SDF, it may be possible to allow a reduction in heights in some areas of Staines and enable the development of more family homes and affordable housing.

The Chair advised that a recent planning appeal decision had allowed development on green belt where two of the main criteria for upholding the developer's appeal was poor housing delivery and no up-to-date Local Plan; both factors that applied to this authority and thought this of grave concern.

Some members were confident that a clear vision agreed by the majority of all members would be the best way forward and would not unduly delay the new Local Plan, whilst others felt running both options in tandem was the best approach to avoid any further delay.

It was proposed by Cllr Leighton and seconded by Cllr Noble that the Committee consider combining the two recommendations and running them in tandem.

Clarification was sought from officers regarding comments made in a number of earlier meetings that some councils have had control of their plan removed.

Ann Biggs advised that in plans submitted since the introduction of the standard method; there weren't many years to look at but 3 planning authorities who attempted to proceed under their standard methodology numbers were advised to withdraw or advised that they were not going to proceed. Others have been advancing plans that meet their planning need. Those not progressing, including Spelthorne, have received communications from government asking when they will come to fruition. Ann was not aware that any local authority had had their plan taken away, but three were in danger of doing so and had been told to produce a better plan. Oxford had been previously mentioned, however that was before the standard method and those mentioned here were a better parallel.

Some members believed that in creating a vision, it might be difficult to take on board all views and find general agreement in the time allowed, whilst others felt that it was imperative to do this first and the concerns raised about timescale and vulnerability of green belt amounted to scaremongering; there was a moral obligation to consult an external advisor and look at a vision to factor in all the issues to put up the best defence possible.

Members commented that the issue of release of green belt had generated a great deal of debate amongst residents and many members had received communications on the subject.

Heather Morgan, Head of Regeneration and Growth, acknowledged that members were looking to achieve the best possible outcome for residents and that officers were doing the same, but believed there needed to be a degree of realism and balance between what residents would want and what is achievable in the timescale. Heather pointed out that the vision could be at odds with the present situation resulting in a review of evidence and further pushback on dates. Officers believed that the strategy, as it stood at present, delivered in terms of housing, climate change, flood plain and would result in developments of good character across the borough. The concern was that if the plan was not sufficiently robust or the Planning Inspector did not believe it robust, then it would not be allowed to go to inquiry and there would be insufficient time to progress by the December 2023 deadline.

In response to a question asking if the Strategic Planning team needed further resource, Ann Biggs advised that she considered there was sufficient resource to deliver the new Local Plan as set out in the report considered at the Committee's meeting on 30 June but lacked the decision on strategy to move forward.

In support of the case for agreeing a vision before progressing the strategy the following comments were made:

- It was important to remember the borough was a home for residents and there was a need to ensure future quality of life and a legacy to be proud of.
- Green belt was sufficiently protected and there was no risk of predatory development
- Green belt should be preserved and re-greened where appropriate, it was vital in the fight against climate change, and the flood plain
- Not all brownfield sites had been maximised and the external advisor could examine housing density and provide sufficient housing from those sites.
- The original proposal pits Staines against green belt.
- The council should group together with other local authorities and challenge the government
- Why were the council using housing figures based on the 2014 census; they should work out their own figure and methodology and factor in Brexit also to work out the housing need.
- The green belt sites identified in the list for consideration were not evenly spread across the borough and some wards shouldered a greater share than others
- The process to date had not been inclusive and some members and residents felt they had not been given the opportunity to put forward their views
- A fresh view from an independent person could be useful

Views expressed in support of the strategy and running the two proposals in parallel included:

- As councillors they had to make difficult decisions on behalf of residents, which may include building on some green belt.
- The population was increasing, and the borough had to take a share,
- Everyone had been given an opportunity to put forward their views: The previous LPTG had included a member representing each ward and there had been a period of public consultation
- The Planning inspector will look at the law not the politics and there was a need to be realistic
- The previous LPTG had worked hard to move the plan forward and made significant progress and improvement to it
- There was insufficient time to agree a vision first and it was possible that may not be as straightforward as suggested
- Green belt wasn't the only way to protect against climate change
- There was still a great deal of work to be done in a short space of time, there had been sufficient opportunity to put forward views and counsel's advice had been sought. It was now necessary to work out the best compromise.

There was some confusion as to whether the vision would be a high-level strategy, or a more detailed study and Cllr Sexton was asked to clarify this. In response, Cllr Sexton repeated the proposal.

In response to a question about the method of calculating housing figures, Ann advised that the Strategic Planning team had carried out their own methods of calculation of housing figures and those fell roughly within the same range as the government's. Comprehensive exercises had been carried out of brownfield sites by those who knew the sites well and whilst if blanket density was applied, they might be able to accommodate a specific number, in some instances they would not be appropriate. The best option for Staines was through the SDF in consultation with the public.

Cllr Sexton advised that there was an external facilitator they had in mind, who she considered would be the best person for the job. However, Heather Morgan advised that it would be necessary for any appointment to be through the prescribed procurement process.

The Committee were advised that If the vision required a different approach to that already underway, for example to remove any green belt sites, then any alternative would need to deliver a sound plan that delivered on all elements. It was not possible to take parts out of the plan and drop others in because of the impact on other areas.

In response to a question asking why 18 months wasn't sufficient time to incorporate the vision, Ann explained that Regulation 19 consultation would need to start in February 2022, to slot in with the ensuing key timetabled dates. Assuming the vision was completed and agreed by October 2021, it would only allow between then and February 2022 (approximately 6 months) for the results of the vision to be taken into account and adjustments to the strategy evaluated and considered. It had taken years to reach the current stage.

Heather advised the Committee that the sites listed in the appendix to the report were indicative, and members were not being asked to decide yes or not to those sites but to the principle of releasing a small amount of green belt, the sites would then be considered by the LPTG and assessed for suitability. The final recommendation would then come back to this Committee for decision.

Ann advised that it was not an option to delay assessment of the green belt sites as that was the next stage in the process for the LPTG. If the sites were not included and slotted in at a later stage, then the work on viability assessments and transport modelling would not be sufficiently accurate. It was necessary to understand the full impact and worst-case scenario to complete the evidence bases.

The Chair said it needed a sound vision to deliver a sound plan.

A recorded vote was requested. The Committee were advised that the first vote would be on the combined motion and if that fell, they would then be asked to vote for the officer recommendation or Cllr Sexton's proposal on an either/or basis.

FOR (8)	Beardsmore, Doran, Gething, Gibson, Islam, Leighton, Noble, Rybinski
AGAINST (4)	Fidler, Lagden, Sexton, Siva
ABSTAIN (1)	Grant

The Committee **resolved**:

1. To agree the revised strategy for the new Local Plan to meet our housing need by releasing a small amount of Green Belt, reducing the impact on Staines by not including an additional allocation, including opportunities to reduce some building heights in Staines if this is the outcome of the Staines Development Framework consultation and allow for more family homes with gardens to be built.
2. That they would benefit from independent support and advice on the formulation of a strategic vision for the borough.
 - a) To undertake an exercise of member engagement focused on developing a shared understanding and/or their role in formulating the Local Plan.
 - b) To develop a shared vision for the borough that is endorsed by a majority of members.
 - c) To appoint a suitably qualified external advisor to facilitate members in formulating the vision.
 - d) To incorporate the vision into the Local Plan documentation by no later than the end of October 2021.
 - e) Once the vision has been agreed it will be used to review existing policies and inform future ones.
3. That 1 and 2 above would run in parallel to avoid any further delay to the formulation of the new Local Plan.

**Minutes of the Environment and Sustainability Committee
23 August 2021**

Present:

Councillor I.J. Beardsmore (Chairman)
Councillor O. Rybinski (Vice-Chairman)

Councillors:

J.T.F. Doran	T. Lagden	J.R. Sexton
T. Fidler	V.J. Leighton	
N. Islam	S.C. Mooney	

Substitutions: Councillors R.D. Dunn (In place of K.M. Grant)

Apologies: Councillors M. Gibson and V. Siva

In Attendance: Councillors S.M. Doran, C. Bateson, M. Beecher and M.M. Attewell

311 Disclosures of Interest

There were none.

312 Update to Membership of Local Plan Task Group

The Committee considered a report proposing that, at the request of Cllr Siva, her Independent Labour seat on the Local Plan Task Group was relinquished in favour of Cllr Beecher, a Green Party councillor, who also represented Staines Ward.

The Committee had agreed at their meeting on 30 June 2021 that the Local Plan Task Group would comprise of 16 members politically proportioned: the Chair and Vice Chair of the Environment and Sustainability Committee, the Chair of Planning Committee and one member of each ward. The Committee was advised that the proposed change didn't meet political proportionality but would allow a member who was not a member of a political group to take up the seat.

The change was mutually agreeable to both parties and did not make a significant difference to the political proportionality.

The Committee agreed to:

1. Approve the revised membership of the Local Plan Task Group; and
2. Acknowledge that this revision does not fulfil the political proportionality requirements of the task group as previously agreed by this committee but allows a Councillor not within a political group to be part of this task group.

Environment & Sustainability Committee



Date of meeting 14 September 2021

Title	Rules & regulations for allotment sites
Purpose of the report	To make a decision
Report Author	Jackie Taylor – Group Head of Neighbourhood Services
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	<i>n/a</i>
Corporate Priority	Clean and Safe Environment
Recommendations	Committee is asked to: Agree the updated Rules & Regulations- Appendix B
Reason for Recommendation	The rules & regulations for allotment sites were last reviewed in 2012 and need updating.

1. Key issues

- 1.1 Allotment letting agreements are a form of tenancy agreement. The tenancy agreement is a legally binding document setting out the rights and responsibilities of the plot holder. Common clauses include rent, duration of the lease and termination, undertakings of the allotment holder as well as permissible activities, the building of structures and subletting issues
- 1.2 Allotment holders are required to pay rent, which the law says should be at such a rate 'as a tenant may reasonably be expected to pay for the land'. The current yearly rent is £76.50 with water and £60.75 without water. Spelthorne as the landlord is responsible for the payment of water rates and general maintenance.
- 1.3 The Allotments Act 1922 provided allotment holders with some security of tenure by setting out specific periods of notice for ending a tenancy. Landlords could only end an allotment garden tenancy by giving the allotment holder a minimum of six months' notice. This was increased to 12 months by the Allotments Act 1950. The landlord may end the tenancy by giving one month's notice where the allotment holder has breached any of the conditions of the tenancy agreement. The tenancy agreement will set out the obligations of the allotment holder and what they can or cannot do. Obligations include:
 - **keeping the plot free of weeds and keeping it in good condition.**
 - **not to use the allotment for the purpose of any trade or business.**

- not to cause any nuisance or annoyance to the occupiers of other allotments or obstruct any path used by the other occupiers of surrounding allotments.
 - not to sublet the plot without the written consent of the landlord.
 - not to build any structures without the written consent of the landlord.
- 1.4 The tenancy agreement refers to the rules and regulations of allotment sites and are made pursuant to Allotments Act 1908-1950 and apply to all rented allotments.
- 1.5 Spelthorne has 13 allotment sites located around the borough with a total of 756 worked or available plots: -
- **Ashford Close 11 plots**
 - **Ashford Clumps 62 plots**
 - **Commercial Road Staines-upon-Thames 262 plots**
 - **Groveley Road Sunbury 142 plots**
 - **Halliford Close Shepperton 47 plots**
 - **London Road Staines-upon-Thames 59 plots**
 - **Moor Lane Staines-upon-Thames 10 plots**
 - **Shortwood North Staines-upon-Thames self-managed**
 - **Shepperton Village self-managed**
 - **Oakhall Road Sunbury 63 plots**
 - **Town Lane Stanwell 32 plots**
 - **Sunbury 63 plots**
 - **The Vineries, Stanwell 5 plots**
- 1.6 Of these sites two are fully self-managed, Shortwood North and Shepperton Village which are run by an Association and the other 11 are managed by the allotments officer who works with the site reps where appointed.
- 1.7 There are 2 other very small sites which are not open to the public. Kempton Avenue Sunbury has 3 plots and Shortwood South has 1 plot.
- 1.8 The current Rules and Regulations were last updated in 2012 and are now in need of refreshing in terms of format and presentation. The Rules & Regulations document at **Appendix B** is an updated Contemporary English Version.
- 2. Options analysis and proposal**
- 2.1 **Option 1** to not agree and keep the same outdated rules & regulations
- Option 2 (preferred)** to agree the updated rules & regulations applicable to all allotments sites **Appendix B** which will enable all who use and access them to fully understand the general regulations that apply to all sites.

3. Financial implications

- 3.1 There are no financial implications as the update relates to a wording change only and will be distributed to all allotment plot holders along with the annual billing invoices which go out in October.

4. Equality and Diversity

- 4.1 The only changes to the document at **Appendix A** have been to change outdated wording to Contemporary English.
- 4.2 Plot holders will continue to be supported by the allotment site reps, customer services and the Councils allotment officer to help them abide by the Rules and Regulations of Allotments Sites.
- 4.3 Allotment sites provide opportunities for urban dwellers to learn and experience gardening and horticultural activities.
- 4.4 All plots at all sites are let on a fair & equal basis and provide opportunities for people to undertake activities that are beneficial to physical and mental well-being and provide opportunities for social inclusion.

5. Sustainability/Climate Change Implications

- 5.1 Apart from the physical benefits of allotment gardening the sites form part of the urban open space resource. Allotments sites are also beneficial in that they are known to: -
- Create and maintain green 'lungs' in the urban landscape.
 - Contribute to diversion of waste from landfill by composting
 - Reduce the effect of climate change by decreasing the energy associated with the production and delivery of food.
 - Contribute toward maintaining biodiversity particularly where plots are maintained using organic methods.

6. Timetable for implementation

- 6.1 If the new Contemporary English Version of the Rules & Regulations 2021 are approved the document will be made available to all when the annual billing for plots goes out in October.

Background papers: There are none.

Appendices:

Appendix A Current rules and regulations

Appendix B Updated rules & regulations

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BOROUGH OF SPELTHORNE
DIRECTORATE OF RESOURCES
RULES FOR ALLOTMENT GARDENS

Tenants of allotment gardens shall comply with the following: -

1. Tenants will be given forty days during which to respond to the annual rent reminder. After the expiration of forty days it will be assumed that the Tenant no longer wishes to occupy the allotment garden and one month's notice of termination may be issued.
2. The allotment garden shall be kept free from noxious plants and weeds and kept in a proper state of cultivation and on the termination of the tenancy it shall be delivered up in such a condition.
3. No tenant occupier of an allotment garden shall cause any nuisance or annoyance to the occupier of Tenant of any other allotment garden or neighbouring residents, or obstruct any path laid out by the Council for the use of the occupiers or tenants of adjoining allotment gardens and shall keep in good condition and shall maintain one half of the width of any such path or strip not less than 9" in width as a border between the allotment garden and any adjoining allotment garden and shall not plant trees or other plants in such positions as to encroach on any path or border.
4. No building or structure may be erected on an allotment garden without the written consent of the council first had and obtained. Where such consent has been obtained any such building or structure shall be maintained to the entire satisfaction of the Parks Officer and on or before the termination of the tenancy such building or structure shall be removed and the land on which it has been standing shall be reinstated to the entire satisfaction of the Parks Officer.
5. Any Tenant or occupier of an allotment garden failing to remove any structure as aforesaid shall be deemed to have authorised the Council to remove the structure and dispose of it as they think fit without compensation to the Tenant or occupier.
6. Except as provided in these conditions no Tenant shall cut or prune any timber or other trees or wood or take or sell or carry away any minerals gravel sand or clay unless the written consent of the Council shall first be had and obtained.
7. Every Tenant shall use his best endeavours to prevent wilful damage to hedges, fences, gates and other property on the allotment garden estate.
8. No pasture on any allotment garden shall be broken up without the prior written consent of the Council first had and obtained.

9. No barbed wire shall be erected adjacent to any path laid out by the Council for the use of occupiers or Tenants of allotment gardens.
10. No dogs of other animals shall be permitted to enter into or upon any part of the allotment garden unless kept on a lead (in the first case) and in the case of the latter unless otherwise under property control.
11. The allotment garden stakes shall be maintained unharmed and in good order and each Tenant or occupier of an allotment garden shall provide and maintain to the satisfaction of the Parks Officer a numbered plate correctly stating the number of the allotment garden as determined and recorded by the Council in the register of allotment gardens.
12. All Tenants or occupiers of an allotment garden shall notify in writing to the Customer Services any changes of address during the continuance of the tenancy or occupation of the allotment garden.
13. The Tenant shall pay compensation to the Council in respect of any deterioration of the land caused by failure of the Tenant to maintain the allotment garden in due order and in clean and good state of cultivation and fertility and the amount of such compensation shall be the amount certified by the Parks Officer as being the cost of reinstating the land in due order.
14. No weed killer of a residual or like nature or other chemicals detrimental to plants growth shall be used on any allotment garden without consent of the Parks Officer in writing first had and obtained.
15. The Tenant shall obtain a key to the gates of the allotment garden site from the Council paying in respect thereof a deposit of £ 15.00 will become payable upon the issue of a new key.
16. The Tenant or occupier of an allotment garden shall comply with all additions to or amendments of these rules that the Council from this time to time consider necessary as though they were written into the rules at the time the tenancy or occupation of the allotment garden commenced. The Tenant or occupier of any allotment garden shall also comply with all reasonable directions of the Parks Officer concerning the use of the allotment gardens.
17. The Tenant or occupier of an allotment garden shall permit any duly authorised officer of the Council to enter upon the allotment garden at any time and for any purpose.
18. Any notice required by these rules or the tenancy agreement to be served on a Tenant may be either sent by registered post or delivered to their last known address or by fixing the same in some conspicuous manner on the allotment garden.

NOTE: NON-COMPLIANCE WITH ANY OF THESE RULES WILL CONSTITUTE A BREACH OF THE TENANCY AGREEMENT.



Allotments

Rules & Regulations

2021

Further information contact:
Customer Services

Council Offices, Knowle Green, Staines-upon-Thames, TW18 1XB

www.spelthorne.gov.uk

Appendix B spelthorne Borough Council rules.2021



www.customerservices@spelthorne.gov.uk

Spelthorne Borough Council Allotment Rules & Regulations

1.0 Assignment/Sub-letting

- 1.1 These rules are made pursuant to Allotments Act 1908 – 1950 and apply to all rented allotments.
- 1.2 The tenancy of an allotment is personal to the plot holder named in the agreement. The plot holder may not assign, sublet or part with possession or control of all or any part of their allotment.
- 1.3 Within the first three months the plot holder is within a probationary period. If the plot holder does not work the plot, the tenancy will be terminated and the plot re let.

2.0 Site safety, security and duty of care

- 2.1 No plot holder must discriminate against, harass, bully or victimise any other plot holder or person/s on the grounds of race, colour, ethnic or national origin, social origin, language, religion, political or other opinion, belief, gender, marital status, age, sexual orientation, sexuality, medical condition, disability or disadvantaged by any condition which cannot be shown to be justified.
- 2.2 No plot holder must cause another plot holder harassment, alarm or distress. Any use of violence or threats of violence or damage to another's property will provide grounds for immediate termination of tenancy and potential prosecution.
- 2.3 The allotment site or any structures cannot be used for any illegal, immoral, or anti-social purpose. Plot holders found to have committed an illegal or immoral act will be subject to immediate termination of tenancy and prosecution.
- 2.4 In the case of two plot holders having an unresolved dispute and no one party can be proven as being in breach of any sites rules, Spelthorne Borough Council reserves the right to end the tenancy of both parties. And reserves the right to consult with the site representative regarding any such dispute. The final decision is of the Allotment Officer.
- 2.5 Plot holders have a duty of care to everyone, including visitors.
- 2.6 Storage of fuels and hazardous materials is prohibited.

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- 2.7 Extra care should be taken when using strimmer's, rotovators and other mechanical/powered equipment in both relation user and any third-party person. Appropriate personal protective equipment should be worn at all times.
- 2.8 Unsafe working practices may result in termination of the plot holder's tenancy and the plot holder shall be liable for any damage or injury caused by unsafe working practice.
- 2.9 Plot holders may not bring, use, or allow the use of barbed or razor wire on the allotment.
- 2.10 All plot holders must lock the gates on entry and departure to prevent access by unauthorised persons. This applies even if the gate is found to be already unlocked on arrival/departure.
- 2.11 Spelthorne Borough Council is not liable for loss by accident, fire, theft or damage of any structure, tools, plants or contents on the allotment. Plot holders are advised not to store any items of value on the allotment site and to insure and mark any items kept on the allotment plot. Plot holders should report incidents of theft and vandalism to the police and obtain a crime reference number.

3.0 Unauthorised Persons

- 3.1 Only the plot holder, or a person authorised or accompanied by the plot holder is allowed on the site.
- 3.2 The plot holder is responsible for the behaviour of children and adults visiting their plot on the allotment site. Children are not permitted to play on the allotment site and must be respectful of other plot holder plots. In an instance where a visitor/child breaches site rules then the plot holder will be held equally responsible, and their tenancy can be terminated.
- 3.3 The authorised officer or other authorised persons may order any unauthorised person on the site in breach of these rules to leave immediately.
- 3.4 Allotments are not suitable for private gathering and any such gatherings are not permitted. The playing of amplified music is forbidden. Breach of these rules will result in termination of tenancy with immediate effect.

4.0 Rent

- 4.1 The plot holder must pay the invoiced rent within 40 days of the due date. Failure to do so will result in the tenancy terminated and the plot re allocated.
- 4.2 The rent runs from **01 October – 30 September**. Plot holders taking up any allotments within the rent year will normally be invoiced for the remainder of the year with a pro rata amount.
- 4.3 Rent will be reviewed annually and will increase with UK Bank inflation rate.

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Appendix B spelthorne Borough Council rules.2021



- 4.4 A key will be sent to the plot holder and invoiced for £21.00. When leaving the site the key must be returned to the Council Offices at Knowle Green. If not returned an invoice for a replacement key and administrative costs will be issued.

5.0 Giving up your allotment plot

- 5.1 A plot holder can voluntarily relinquish their allotment plot at any time in writing to Customer Services during the current billing period. No rebate will be payable. In order to give up your plot, you need to contact Customer Services in writing either via email or post stating your site and plot number. Failure to do this will generate an invoice automatically.
- 5.2 The departing plot holder shall remove any items or derelict structures from their plot before the end of their tenancy. Should Spelthorne Borough Council have to remove any items, the full cost of disposal will be charged to the outgoing plot holder.

6.0 Termination of Tenancy

- 6.1 A tenant may have their tenancy terminated for breach of the tenancy agreement before the year end and no rebate will be payable.

7.0 Plot use

- 7.1 Plot holders must use their allotment and any structures on it for their own personal use and must not carry out any business or sell produce from it. Plot holders may not use their allotment as a place of residence and/or sleep overnight.
- 7.2 The allotment is rented to the plot holder for the purpose of cultivation of herb, flower, fruit, and vegetable crops.
- 7.3 Only materials for use on the plot may be stored there, such as beanpoles, cloches, pots and netting for seasonal use.
- 7.4 Construction materials, paving, and timber for infrastructure work must be used within 6 months. If after this period of time the materials have still not been used the plot holder is required to remove and take off site any unused materials.
- 7.5 Quantities in excess of the above will be regarded as unacceptable and the plot holder requested to remove them. Failure to do so will result in the materials being removed by the Council and the tenant being charged.

8.0 Plot numbering

- 8.1 Plot holders must mark their allotment number clearly on their plot and keep it clean and legible to be visible from the pathway.

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Appendix B spelthorne Borough Council rules.2021



9.0 Cultivation and weed control

- 9.1 The cultivated area is defined as the area that is cultivated for crop or flower production. Cultivation requires the plot holder to regularly dig, or mulch, or prune and weed 75% of the plot. Compost bins, greenhouses, water butts and poly tunnels are also included within the cultivated area.
- 9.2 Allotments must be kept clean and maintained in a good state of cultivation – minimum of 75% in cultivation and fertility throughout the whole year. The whole plot must be kept tidy, safe and free from flowering weeds. Failure to do so will result in a non-cultivation letter and automatic termination of tenancy.
- 9.3 It is the plot holder's responsibility to keep the plot free of weeds that cause a nuisance to adjoining plot holders.

10.0 Paths

- 10.1 Paths within the allotments must be kept free from flowering weeds.
- 10.2 Shared paths in between plots should not be less than 9" in width. And must be maintained and kept cut and clear of obstruction.
- 10.3 All paths should be wide enough for easy pedestrian access to neighbouring plot holder's plot.
- 10.4 Where car parking is available on site, the allotment holder must ensure that the pathway has free access to other plot holders.

11.0 Trees

- 11.1 Plot holders must not cut or prune trees outside their own allotment or plant any trees which will exceed a height of 2.5 metres (8 feet) and/or allow self-seeded trees on their allotment.
- 11.2 Invasive plants such as bamboo, all types of willow and fast-growing conifers are not permitted.

12.0 Hedges and ponds

- 12.1 Plot holders are responsible for maintaining any hedge on or abutting their plot. They should be kept to a height of around 2 metres with an absolute maximum height of 2.5 metres (8 feet). Hedge sides shall be trimmed at least once per year so as not to obstruct pedestrian or vehicular access.
- 12.2 Where hedges abut a perimeter boundary, road or vehicular access, the council is responsible for maintaining the outside and top. The council may remove overgrown hedges if they obstruct vehicle access.

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Appendix B spelthorne Borough Council rules.2021



- 12.3 Hedges should not be cut back during the bird nesting season, which runs March until August.
- 12.4 The maximum surface area for a pond is 1.5 square metres and will be no deeper than 50cm deep. The pond area will be included as part of the non-cultivated area. The pond needs to be fenced and covered with strong fencing to avoid accidents.
- 12.5 Ponds must be temporary and should not be constructed out of concrete or any other hard landscape material. All ponds should be sited at least 2 metres distance from any haulage way or path.
- 12.6 The use of sunken baths as ponds or for water storage is not permitted on safety grounds. Baths being brought onto the allotment space by a tenant will be seen as unwanted waste and will result in a tenant being put on notice. Historical baths brought on site before the 2021 rule review that are both functional and above ground will be exempt.

13.0 Bonfires, Water and Other Restrictions

- 13.1 To avoid complaints about smoke drifting towards neighbouring houses, bonfires are not allowed on any sites between **01 April – 31 October inclusive**.
- 13.2 Bonfires are not permitted for the burning of manufactured materials such as plastic and rubber (which give off toxic fumes that aggravate asthmatic and pulmonary medical conditions). Plot holders should take into consideration local householders and whether people have windows open or washing on the line which is likely to be affected by smoke.
- 13.3 Smoke from a bonfire, which could be a nuisance to neighbours by interfering with the use and enjoyment of their garden or property or could affect the comfort or quality of life to the public and could result in action under the Environment Protection Act of 1990 and referred to for prosecution.
- 13.4 Fires must be attended at all times and fire extinguished before leaving the site. Any fire managed in an unsafe manner will result in cancellation of tenancy.
- 13.5 Bonfires are permitted for burning dry, diseased plants and perennial weeds. The burning of any other materials such as plastics, tyres, carpet, MDF, laminated wood is strictly prohibited, and the tenancy will be terminated and may be referred to for potential prosecution.
- 13.6 Sprinklers are prohibited. Hose pipes may be used to water directly, if handheld or to fill water butts.
- 13.7 All stand pipes will be considered as a common resource to be shared with surrounding plot holders. Any plot holder who uses excessive quantities of water, or who is seen to consistently monopolize the water supply to the detriment of fellow plot holders could face their tenancy terminated.

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Appendix B spelthorne Borough Council rules.2021



13.8 All potentially toxic materials should be removed from the allotment site and disposed of at the Community Recycling Centre, Charlton Lane, Shepperton TW17 8QA

13.9 Plot holders may not remove any mineral, sand, gravel, earth or clay from the allotment plot.

14.0 Waste materials and pollutants

14.1 Waste from external sources, including any green waste, may not be deposited on the allotment or any other part of the site. It is illegal to fly tip and will result in termination of tenancy and prosecution may be commenced.

14.2 The bringing on the site and use of polluting materials such as tyres, asbestos, glass and carpet shall be treated as illegal disposal of waste and may result in termination of tenancy and prosecution. Historical tyres/carpet on site will be permitted prior to December 2020. If the plot holder leaves the site, the tyres/carpet needs to be removed. Failure to do so may result in prosecution.

14.3 The creation of concrete pad footings for sheds or green houses, or concrete pads for paving, or any solid brick and cement structures is prohibited.

14.4 The use of glass bottles for any form of construction or raised beds is forbidden.

14.5 Any scrap metal brought on site will be considered as fly tip material and will be considered as fly tipped waste. This will result in prosecution.

15.0 Structures and fences

15.1 A shed measuring no more than 4.32 square metres (8ft x 6ft) should be sufficient for allotment use.

15.2 Any structure on the allotment must be temporary and maintained in a safe order with an appropriate external appearance and condition.

15.3 Consent from the Council is required before installing any sheds, green houses and poly tunnels, please contact Customer Services for a form which needs to be completed and sent back before bringing any materials on site.

15.4 Any structures on the allotment plot should not be made from hazardous materials (e.g., asbestos).

15.5 All structures must be adequately secured to the ground to prevent uplift. All structures must be kept within the boundary of the allotment plot and not be constructed over any manhole cover.

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Appendix B spelthorne Borough Council rules.2021



- 15.6 Solid fences adjacent to a neighbour's plot should not exceed 1 metre in height. Trellis fences should not exceed 1.5 metres in height. Any fences deemed to be blocking sunlight to the neighbour's plot will be asked to be removed.

16.0 Dogs, livestock and bees

- 16.1 Dogs are allowed on site and should be kept on a short lead and not roam around the site. Please ensure that you pick up after your dog.
- 16.2 The burial of any pets or animals on any allotment land is strictly forbidden and will result in termination of tenancy.
- 16.3 Poultry can be kept on allotment site with the permission of the Allotments Officer. Failure to obtain permission will result in the termination of your tenancy. Guidelines are available online at www.spelthorne.gov.uk
- 16.4 Cockerels are **not** permitted on any allotment sites and will be removed, and you will be charged for the removal of the animal.
- 16.5 Plot holders are allowed to keep bees on the allotment site, before installing the hives, written permission from the Allotment Officer is required. Unofficial installation will result in termination of your tenancy. Keeping Bees guidelines are available online at www.spelthorne.gov.uk

17.0 Observance of Rules

- 17.1 Plot holders must observe and comply with current rules and regulations and policies and those which the Council may make at any time in the future.
- 17.2 Rules will be posted online on the Council website www.spelthorne.gov.uk
- 17.3 Plot holders must comply with any reasonable or legitimate directions given by an authorised officer in relation to an allotment.

18.0 Vehicles, tents and caravans

- 18.1 Motor vehicles may not be parked overnight or deposited on the allotment site. Caravans and live-in vehicles are not permitted on any allotment land.
- 18.2 Overnight erection of tents, yurts and other temporary structures as well as overnight camping are not allowed on allotment land.

19.0 Change of address

- 19.1 Plot holders must immediately inform the council in writing of changes of address status.

NOTE: NON-COMPLIANCE WITH ANY OF THESE RULES WILL CONSTITUTE A BREACH OF THE TENANCY AGREEMENT.

Council Offices, Knowle Green, Staines-upon-Thames, TW18 1XB

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Appendix B spelthorne Borough Council rules.2021

Environment & Sustainability Committee

14 September 2021



Title	Resources & Waste Strategy for England
Purpose of the report	To note
Report Author	Jackie Taylor - Group Head of Neighbourhood Services
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	<i>Not applicable</i>
Corporate Priority	Economic Development Clean and Safe Environment Financial Sustainability
Recommendations	Committee is asked to: Note the report
Reason for Recommendation	The Government has consulted on different elements of its Waste & Resources strategy for England. This report provides a summary of the consultations and the potential impacts to Councils across England if the strategy was introduced.

1. Key issues

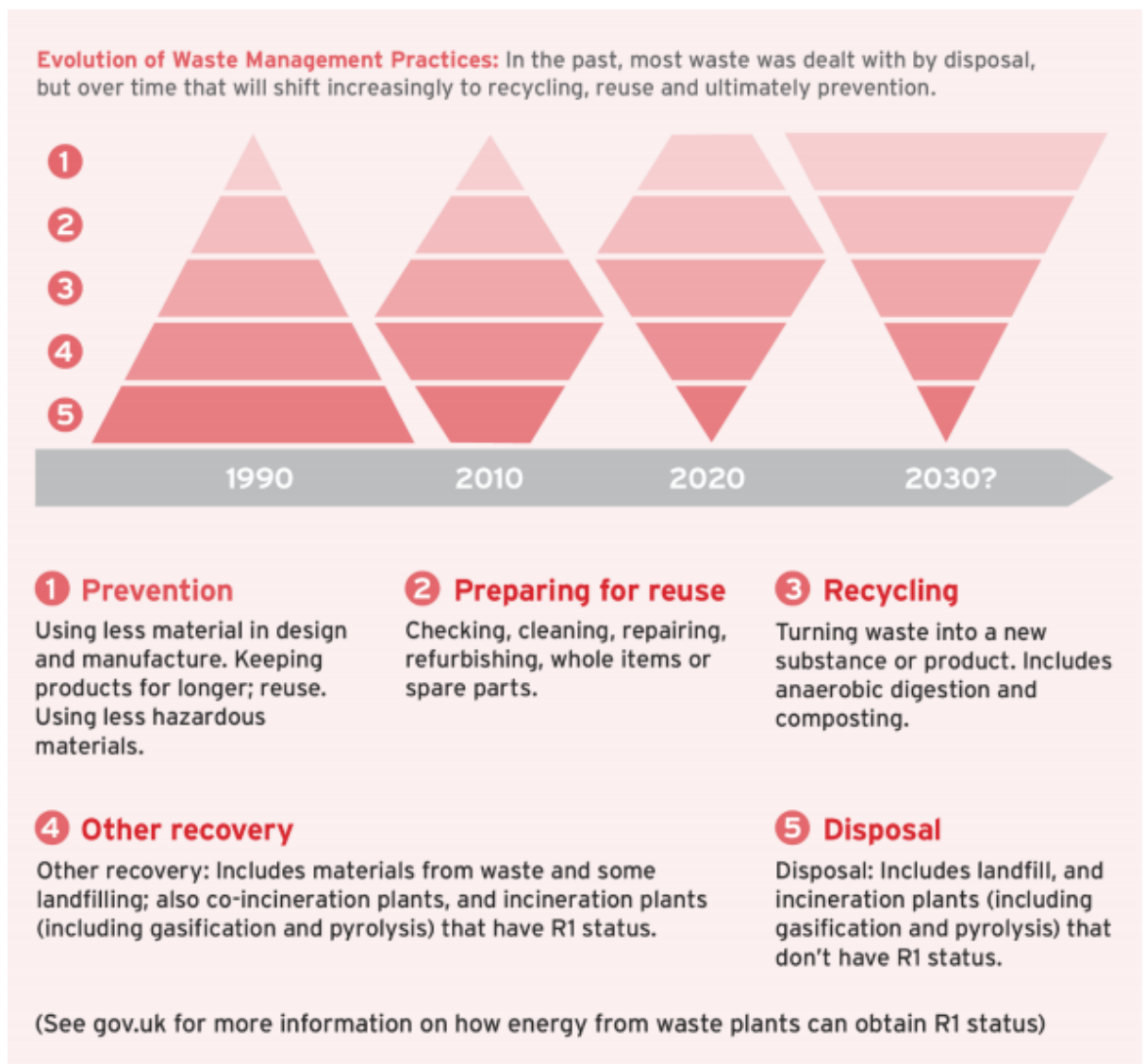
- 1.1 The Government's Resources & Waste Strategy sets out their ambitions for higher recycling rates, increased resource efficiency and a more circular economy in England. The circular economy means **moving away from the world's current wasteful economic model of 'take, make, throw away', in which resources are extracted, turned into products, used, and discarded.** It entails redesigning products to be more durable, reusable, repairable, and recyclable. These ambitions will require changes in how we produce and consume products & materials, as well as how we treat and dispose of them at end-of-life.
- 1.2 The Strategy sets out how the Government plan to minimise the damage caused to our natural environment by reducing and managing waste safely and carefully, and by tackling waste crime. The Strategy combines actions and commitments for the coming years and gives a clear long term-policy direction in line with the Government's twenty-five-year Environment Plan. This plan is a blueprint for eliminating avoidable plastic waste, doubling resource productivity, and eliminating avoidable waste of all kinds before the year 2050. This can be summarised as follows:



- 1.3 The Government Strategy also supports frequent and comprehensive rubbish and recycling collections which ensures that a core set of recyclable materials are collected from households and businesses and other organisations.
- 1.4 The Government has been reviewing the National Waste Strategy for some time. The initial consultation as in 2019 and we responded to this through the Surrey Environment Partnership (SEP).
- 1.5 This was part one of a two-part consultation, the second part was expected in 2020, but was delayed due to the Coronavirus pandemic.
- 1.6 Spelthorne officers have now received and responded to five consultation documents, two of which are more technical or industrial and do not directly affect us. The other three have far reaching consequences for all local authorities. These are:
- Extended Producer Responsibility (EPR)
 - Deposit Return Scheme (DRS)
 - Consistency in Collections (CiC)
- 1.7 Further details on these three consultations can be found at **Appendix 3**
- 1.8 It is anticipated that following the outcome of the latest consultation on recycling consistency, the government will specify the types of materials to be collected within each recyclable waste stream. The key milestones for the Governments Strategy are detailed in Appendix 1.
- 1.9 To achieve high quality recycling, it is also anticipated that the Government will, to achieve high quality recycling, require these waste streams to be collected separately from each other, except where this is not Technically, Environmentally and Economically Practicable (TEEP), or where there is no significant environmental benefit from separate collections.

- 1.10 Government have already stated that they have set out requirements of separate collection in law to make the TEEP requirements clearer for local authorities and waste operators to follow. Statutory guidance will also be provided to help with decision making on separate collection and when local authorities should carry out assessment of the feasibility or otherwise of separately collected recyclable materials.
- 1.11 There is also a proposal within the resources and waster strategy to introduce a free minimum collection service of garden waste for all householders producing green waste. During the first round of consultations in 2018 there was mixed support for the idea of “free” garden waste collections for all. As a result of this the Government is now seeking “alternatives” to a “free” minimum collection service that could achieve the aim of maximising garden waste recycling or composting and reducing the garden waste treated through residual waste treatment methods, including landfill and incineration.
- 1.12 In proposing these “free” services the Government recognises that these new duties will impose additional costs on local government, and it proposes to follow the “new burdens guidance” to ensure that the costs of new statutory duties for local authorities are covered.
- 1.13 In England the waste hierarchy is both a guide to sustainable waste management and a legal requirement, enshrined in law through the Waste (England & Wales) Regulations 2011.

Evolution of waste management practices



- 1.14 Nationally household recycling rates have increased considerably from an average of 11% in 2001 to 45% in 2019/20. However, since 2015 progress for domestic recycling has been slower and rates are remaining static with no signs of improvement. It is recognised within the strategy that there is a need to drive better quantity and quality in recycling which will require more investment in domestic recycled materials markets.
- 1.15 Managing waste further up the waste hierarchy has required a change in our waste management practices. As waste is increasingly treated as a resource it has led to complexities in our waste management services. These complexities are enhanced by the variation in waste services across England which are delivered by the different tiers of local government, i.e., unitary, county and district levels and by the private sector. Waste services, more specifically waste collection schemes and major disposal and recovery installations for municipal waste, are a matter for local authorities to develop fit for purpose local solutions within the context of the Environmental Protection Act 1990, as amended, and subsequent Regulations.

- 1.16 Government published its national waste strategy 'Our Waste, Our Resources, A Strategy for England' in December 2018. It included two elements in line with the 'polluter pays' principle – Extended Producer Responsibility (EPR) and the Deposit Return Scheme (DRS)
 - 1.17 **EPR:** producers of packaging are to pay for its subsequent collection in councils' recycling, refuse and litter collections. A 'modulated payments' system will incentivise low-volume, easy to-recycle packaging with a high content of recycled materials.
 - 1.18 **DRS:** producers place deposits on drinks containers – cans, glass bottles and certain plastic bottles. Consumers will be able to redeem the deposits after use via 'Reverse-Vend Machines' in supermarkets and shops, etc.
 - 1.19 It is also suggested that online retailers may be obligated to collect used drinks containers that they sell and give the purchaser back the deposit. Government is consulting on two potential versions of DRS:
 - 'On-the-go': designed to combat littering
 - 'All-in': also covering drinks containers consumed at home
 - 1.20 Consistency is a third, major element of the national waste strategy. Consistency deals with what, and how, councils should collect for recycling. It proposes, for example, to obligate collections of foil, foil trays, plastic films/flexible packaging (e.g., crisp packets/pet food pouches) and cartons (e.g., Tetra Pak®) – none of which are easily recyclable now. This element of the strategy also consults on proposals for 'free' garden waste collections.
- ## 2. Options analysis and proposal
- 2.1 At this stage there are no options as the Government's waste strategy is in the consultation stage. We will be required to comply with any changes as and when legislation is passed.
- ## 3. Financial implications
- 3.1 Both EPR and DRS propose alternative funding methods for council collections of packaging waste and drinks containers. The Government expects business to take over funding portions of our collections, rather than money coming from Council Tax.
 - 3.2 It is important to note that this is not new, or more, money. It is simply money from a different source with the purpose of stimulating less waste and more recycling.
 - 3.3 It is expected that most consultation responses, including ours, will stress the need for councils to be fully funded by the EPR changes. There is however a risk that the Government's modelling approach to calculating producer payments (as opposed to calculating the actual costs for each council) risks a shortfall versus current funding which has the potential to impact all Councils as early as 2023. The Council in its medium-term Outline Budget modelling will flag this risk and attempt to allow for an adverse impact on our overall funding
 - 3.4 The District Councils Network have in their response identified many areas of concern including: -
 - The proposed changes are contrary to devolution

- Maintain the principle that authorities should have discretion in the collections of different waste streams
 - Composting as a more sustainable alternative to “free” garden waste collections
 - Carbon impact assessments related to the statutory garden waste proposal
 - Ensure that waste collection authorities receive just benefits for efforts made to improve recycling rates whatever mechanism is put in place
 - Confirmation that all Councils will be treated equitably in relation to the new burdens fund
 - Confirmation of how ongoing funding will be assured and accurately assessed
- 3.5 A key risk of both EPR and DRS is that councils may collect less recycling, and so be able to obtain less income from recycled materials. There may be a balancing benefit from reduced collection costs, but the effect on collection costs cannot be assessed until we see the outcomes and actual effects of EPR, DRS and Consistency.
- 3.6 Whatever the outcome of the consultations and what we will subsequently be required to deliver we will still need to visit each household to collect some recycling. The overheads (vehicles, fuel, staff, bins) needed to do so mean that a % reduction in packaging waste may not result in the same % reduction in collection costs.
- 3.7 In principle, any additional costs arising from new burdens such as the proposed obligation to collect new packaging materials (plastic pouches, etc.). would be accommodated by the Government’s New Burdens doctrine. The impacts of any such changes will need to be assessed within any overall changes to collection services including any requirements within Consistency.
- 3.8 The Government also proposes to provide extra funding to councils that offer “efficient and effective” collections, but they have yet to define the meaning of this.
- 3.9 The Government’s Waste and Resources Strategy is expected to result in a significant change to the way in which local authorities receive funding for recycling, refuse and litter collection. The Neighbourhood Services team will work with finance colleagues to ensure that the financial impact of any change is quantified and built into the budget setting process.
- 3.10 At this stage it is not possible to consider what the financial implications are as they are not known, however what we can do is look at what waste services we currently provide against what we may need to provide once the new legislation becomes law. Details can be found at **Appendix 2**. As commented the risk of a funding shortfall will be considered in the Outline Budget projections modelling
- 4. Other considerations**
- 4.1 Neighbourhood Services has 48 operational posts to deliver waste and recycling services. This comprises of: -
- 8 alternate weekly Rubbish & recycling rounds

- 2 alternate weekly garden waste rounds
 - 1 difficult property round
 - 3 food, textile & waste electrical rounds
 - 1 commercial waste company SDS Ltd
- 4.2 Spelthorne's current collection methodology for its 43,864 banded domestic properties is: -
- Alternate weekly recycling & rubbish
 - Alternate weekly paid for garden waste (Feb-Dec) (13411 active customers)
 - Weekly food, textiles & waste electrical (3 in 1 service)
- 4.3 The collection fleet is partly owned and partly leased
- 4 food/textile/WEE vehicles (all Council owned)
 - 12 waste collection vehicles (10 leased, 2 owned)
- 4.4 These leased vehicles are currently leased on a 6-year term which is due to expire in 2023 and a procurement exercise will need to be undertaken for the replacement of these vehicles in 2022. This timing is not particularly beneficial as we will, without knowing the outcome of the consultations and the Government's decision, need to decide on our choice of waste vehicles for the next 6 years to ensure we maintain scheduled services. It is essential that these vehicles are replaced in 2023 as refuse vehicles are prone to increased breakdowns and subsequent service failures once they enter their 5th & 6th years.
- 4.5 When undertaking a procurement exercise which will form part of a separate report early next year, we will consider all options for electric vehicles.
- Appendix 2** also shows that we may require more vehicles and staff as well as waste containers and on-site storage for both fleet and supplies.
- 4.6 The current cost of services in **Appendix 2** i.e., garden waste, rubbish/recycling, food/textiles/WEE is approx. **£2,205,600** per year.
- 4.7 The Government is suggesting that a new burdens fund will plug the gap between existing budgets and future budgets to deliver the strategy. However, it is anticipated that to deliver the additional new services in Spelthorne alone in line with the proposed strategy could cost as much as 40% to 50% extra.

5. Legal implications

The waste strategies will be introduced by way of a series of primary and secondary legislation on waste resource efficacy. That includes the Environment Bill. The Council is required to comply with new and changing requirements once they become law.

6. Equality and Diversity

- 6.1 At this stage it is not possible to establish how this proposed new legislation may affect our residents, this will become clearer as government makes its decisions on the way forward.

7. Sustainability/Climate Change Implications

- 7.1 The national waste strategy aims to increase recycling and reduce waste and it seems reasonable to expect that the strategy will achieve those aims. But that does not necessarily mean that councils' recycling rates will rise. Government will need to measure all the strategy elements combined, to measure success.
- 7.2 The national waste strategy aims to improve sustainability. However, we must again assess and wait to see what the combined effects will be, and how we may be affected individually.
- 7.3 We recognise that there will be a negative Environmental impact to various elements of the Strategy. Not least of all is the increase in vehicle movements because of the separately collected wastes. It is estimated that if all the Governments proposals are implemented Spelthorne will need to increase its current operational fleet from eighteen to twenty-eight vehicles.
- 7.4 As well as submitting Borough consultation responses, officers have worked with the Surrey Environment Partnership (SEP) to compile overall SEP responses. It may be noted that, while there are some differences reflecting local views or interpretations, in general the responses are very closely aligned and are not different on overall thrust or direction.

8. Timetable for implementation

- 8.1 The key milestones for the strategy are at **Appendix 1**

Background papers:

<https://www.gov.uk/government/publications/25-year-environment-plan>
<https://www.gov.uk/government/publications/resources-and-waste-strategy-for-england>
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/364759/141015_National_Planning_Policy_for_Waste.pdf
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/955897/waste-management-plan-for-england-2021.pdf
https://consult.defra.gov.uk/waste-and-recycling/waste-prevention-programme-for-england-2021/supporting_documents/WPP%20Evaluation%20and%20description%20of%20potential%20waste%20prevention%20measures%20FINAL.pdf

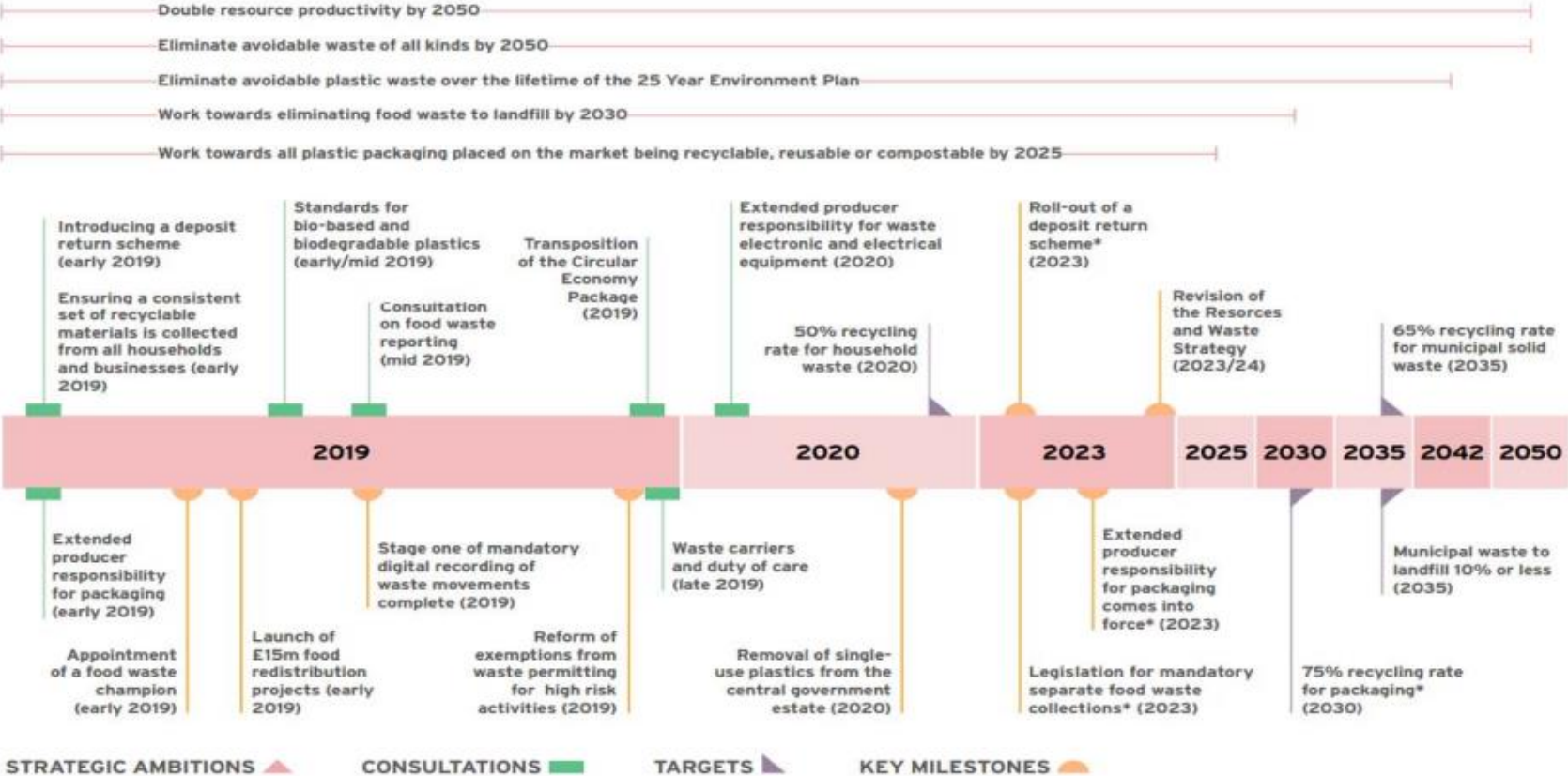
Appendices:

Appendix 1 Key milestones

Appendix 2 Costs




Appendix 3 National Resources & Waste Strategy summary

KEY MILESTONES



*subject to consultation

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Current service 2021	Current vehicles	Current operational staff
Waste/recycling & spares	12 vehicles 	33
Food/textiles/WEE	4 vehicles 	9
Garden waste	2 vehicles 	6
Total	18 vehicles	48 operational staff
Potential service requirements in 2023		
Rubbish collection	13	46
Recycling collection, plastics, tetra, metal	Included in rubbish total	Included in rubbish total
Paper & card collection	4	12
Glass collection	Included in rubbish total	Included in rubbish total
Food, textiles & small electricals	4	12
Garden waste	7	21
Total	28	91

National Waste Strategy consultations

Background

The Government has been reviewing the National Waste Strategy for some time. The initial consultation was in 2019 and we responded on this via the Surrey Environmental Partnership (SEP).

This was part one of a two-part consultation and the second part was expected in 2020, but was delayed by Coronavirus.

We have now received 5 consultation documents, two are technical or more industrial, three will have far reaching consequences for local authorities. These are:

Extended Producer Responsibility (EPR)

Deposit Return Scheme (DRS)

Consistency in Collections (CiC)

Extended Producer Responsibility

Key headlines

- **More items recyclable and more expectation on collection range**
- **Expectation of “efficient collections” and compliance with “high quality” recycling to receive funding**
- **New funding streams – not necessarily more “net” though as grant may be reduced to ensure there isn’t a double hit for the consumer**
- **Costs covered include collection (including as litter) as well as disposal/reprocessing costs**

About this consultation

The first consultation in 2019 set out the case for reform and was broad in scope. A key principle underpinning the proposed reforms was the introduction of EPR for packaging, so that producers pay the **full net costs** of dealing with the waste they produce. Overall respondents to this first consultation were positive of the intent to reform the current system and introduce EPR.

In developing the final proposals for EPR in this second consultation, the Government have drawn on previous feedback submitted and have continued to engage with stakeholders from across the packaging value-chain. The proposals have been set out over several sections in this consultation:

- What the Government want to achieve – principles, outcomes, and targets,
- Producer obligations for full net cost payments and reporting,
- Proposals for single use disposable cups,
- Incentivising packaging design through modulating the fees paid by producers and packaging labelling,
- Payments for managing packaging waste and littered packaging waste,
- Scheme administration and governance,
- Reprocessing and exporting packaging waste,
- Monitoring compliance and enforcement,
- Digital design,
- Implementation timeline,
- Costs and benefits.

The key points for local authorities in this second consultation have been summarised in the paragraphs below.

Scope - packaging types and core set materials

The proposals extend to all types of packaging used in relation to the distribution and supply of products that are placed for sale on the UK market, and to both single-use and reusable packaging with the exception of packaging drinks containers that are to be in the scope of DRS (Both the schemes in Scotland, and England, Wales, and Northern Ireland).

The core set of packaging items that will be collected from households and businesses include many packaging items that already are widely collected for recycling such as:

- Glass containers – such as condiment bottles, jars.
- Paper and card packaging.
- Plastic bottles / containers – including for milk, detergents, shampoo, cleaning products.
- Plastic pots, tubs, and trays.
- Steel and aluminium cans.

The core set will also include additional packaging materials that are not currently collected for recycling by all local authorities but which it is proposed will be required to be collected from both households and businesses from the start of Extended Producer Responsibility. These include other types of metal packaging such as foil trays and aerosols, and food and drink cartons.

For plastic film and flexible packaging, consumers will need to take their used film and flexible packaging to their nearest front of store collection point or check whether their local authority includes it in their collections.

Full net costs

Following strong support in the 2019 consultation, the Government intends to progress with the broad scope of full net costs of managing packaging waste. This includes:

- The collecting, sorting, and recycling of packaging waste from households and businesses.
- The collecting and disposing of packaging in the residual waste stream from households only.
- Litter and refuse management costs, including bin and ground litter.

Modulated fees

The consultation proposes that the fees producers will pay to cover the disposal costs of their packaging should be varied to reflect criteria such as recyclability. For instance, producers whose packaging contributes positively to scheme outcomes (e.g., easily recyclable) will pay lower fee rates, while fee rates for packaging which does not contribute positively to scheme outcomes will be increased (e.g., unrecyclable).

Labelling

The consultation proposes that mandatory recyclability labelling should be introduced on packaging as soon as is feasible and by **end of 2026/27 at the latest**. The expectation is that labelling is introduced on different packaging types in line with requirements for their separate collection by local authorities (so along the lines that the OPRL is designed). It is proposed that the broad requirements for labelling are set out in legislation, including a requirement to use a label approved by Government (or the Regulator).

Payments for household waste to local authorities

The consultation sets out broad principles underpinning the implementation of payment mechanisms. These include the scope of “necessary costs” and that costs paid by producers should be for the delivery of ‘efficient and effective’ services. It proposes that payments should be based on both the tonnages and quality of packaging waste collected and recycled, with these requirements being phased in and a Scheme Administrator encouraged to support local authorities to improve and meet performance benchmarks, to obtain their full payments. Only local authorities which operate efficient and effective systems will have their full net costs recovered via a modelled approach based on the tonnage collected.

Payments for littering

The consultation proposes that producers of commonly littered packaging items be made responsible for the costs that are directly attributable to their management, both as bin and ground litter. This includes costs incurred by local authorities, other duty bodies, litter authorities and statutory undertakers. It is also proposed that this extends to costs incurred by charities, not-for-profit organisations and representative bodies for prevention and educational activities, litter picks, and provision of bins on land that is accessible to the public free of charge.

Scheme Administrator and Governance

This consultation seeks views on two broad approaches:

- **A single administrator / management organisation:** responsible for administering and managing delivery of the packaging waste management cost requirements and producer compliance with packaging waste recycling targets.
- **Multiple compliance schemes with certain functions undertaken by a Scheme Administrator:** A Scheme Administrator would take on functions that are better delivered UK-wide such as developing the approach to determining packaging waste management costs for household waste, setting the fee modulation mechanism, and administering payments to local authorities; with compliance schemes primarily responsible for managing compliance with obligations in respect of non-household packaging waste.

The Government is of the view that those aspects of the scheme that interface with local authorities are best managed by a single organisation or Scheme Administrator and both the above options allow for this.

Implementation Timetable

The Government intend to have the first phase of **EPR established in 2023** which would enable payments to local authorities to be made from October 2023, but this is dependent on several factors. It is not proposed that the full costs of managing household packaging waste would be recovered from producers in 2023 and hence local authorities would not receive full cost payments. It is proposed payments in 2023 should support those local authorities who do not collect the core set of packaging materials to start collecting additional materials separately for recycling (such as plastic film). Full cost recovery is anticipated to be achievable from April 2024.

Deposit Return Scheme

Key Headlines

- **Covers key drinks containers – cans and bottles – but not pouches**
- **Likely to exclude multipacks, but likely to be “all in” i.e. cover up to 3 litres**
- **Will impact on what is presented at the kerbside – up to 90% of target drinks containers could be captured**
- **Could be left with mostly paper/card – trucks carrying air**

- **Big unknowns in terms of costs recovery as DRS materials will not be included in the EPR**
- **Generally well supported politically, but strong officer concerns regarding need, cost and impact**

About this consultation

In 2019, the Government launched the consultation on introducing a DRS in England, in conjunction with the Welsh Government and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland. The consultation set out the aims to reduce the amount of littering, boost recycling levels for relevant material, offer the enhanced possibility to collect high quality materials in greater quantities and promote recycling through clear labelling and consumer messaging.

In response, the Government committed to continuing to develop proposals and stated that it was minded implementing a scheme from 2023, subject to further evidence and analysis on the costs and benefits of such a scheme.

This consultation will build on the first taking into consideration the effect of the Covid-19 pandemic and delve into the current appetite for a DRS in a 'post-Covid' context. It will also inform how a future scheme can be designed to deliver on the objectives set out for introducing such a policy.

The Government have reassessed timelines for implementation of a DRS and anticipate that its introduction in England, Wales and Northern Ireland would be in **late 2024 at the earliest**. The primary powers to implement the DRS will come from the Environment Bill.

The proposals have been set out in the following sections:

- Introduction,
- Scope of the Deposit Return Scheme,
- Targets,
- Government scheme,
- Financial flow,
- Return points,
- Labelling,
- Local authorities and local councils,
- Compliance monitoring and enforcement,
- Implementation time,
- Summary approach to impact assessment.

We would recommend reading all sections above, but the key points for local authorities in this second consultation have been summarised in the paragraphs below.

Scope

This chapter sets out the scheme participants who will take on obligations under the deposit return scheme – namely producers, retailers, and the Scheme Administrator (Deposit Management Organisation or DMO). These obligations include requiring producers to sign up to the DMO and carry out reporting obligations, paying a producer registration fee to the DMO to fund the deposit return scheme, and placing a redeemable deposit on in-scope drinks containers they place on the market. Retailers will be required to accept all deposit return scheme containers returned to their store and ensure the deposit price is added to the purchase price of an in-scope drink at the point of purchase.

It sets out what materials will be within the scope of a DRS. This will be based on materials and not the type of product. It is proposed that the scheme will include PET bottles, glass bottles and steel and aluminium cans. Cartons and pouches are not proposed for inclusion.

The four options proposed are:

- Do Nothing
- All in (drinks containers up to 3 litres)
- On the go (drinks containers under 750ml)
- All in without glass

Scheme Governance

This chapter outlines the role of the Deposit Management Organisation (DMO) whose role is to manage the operation of the deposit return scheme. The DMO will own the material returned by the consumers. They will be responsible for meeting the high collection targets set out in legislation and will be appointed via a competitive tender process. The DMO will have to ensure that financial provisions are made available to make payments to local authorities and/or the EPR scheme administrator to fund the collection of DRS containers that are collected through local authority waste streams.

Return Points

This chapter sets out further details of the retailer options in the deposit return scheme, proposing that all retailers who sell in-scope drinks containers will be obligated to accept returns of in-scope material by hosting a return point. This will likely be via reverse vending machine or manual return points, but the regulations will be broad in nature to ensure alternative methods of return are not ruled out. Requiring online retailers to be included in the scheme is discussed.

The chapter also discusses the potential for innovation in technology to be deployed in a DRS system and provides further detail on how this might support the return points provisions using smart phone applications allowing the electronic redemption of a deposit.

This could mean that residents could continue to use their kerbside collection systems and reclaim their deposit and so cut out the need to take containers back to the shops with them. Trials on this technology are currently being undertaken in Wales and Northern Ireland.

Local Authorities and Local Councils

This chapter explores the impact a DRS will have on local authorities and the way in which containers in scope of the scheme will be treated when these containers still end up in local authority waste streams. It seeks views on three options for financially reimbursing local authorities for any DRS items they must deal with, in recycling, residual or litter.

The consultation proposes three options:

- A **‘do nothing’** approach and allowing local authorities to redeem the deposits of DRS containers collected in their waste streams.
- **Allow the DMO to make payments to local authorities** for these materials via the EPR Scheme Administrator. The funding formula developed for these payments under EPR would include the costs of DRS containers.
- A **hybrid option**, whereby the DMO pays a deposit value on containers that are returned and any additional scheme material in local authority waste streams is covered by a funding formula in Option 2.

In the consultation, the Government state a preference for **Option 2** being taken forward.

Implementation timetable

The Government currently anticipates that a DRS could be launched in **late 2024**.

It expects to finalise the [Impact Assessment](#) on DRS in late 2021 and the secondary legislation required in 2022 (subject to the outcome of this consultation and parliamentary passage of the Environment Bill in 2021). A DMO is expected to be appointed in 2023 with mobilisation and roll expected between 2023 and 2024.

Consistency in Collections

Key Headlines

- Food Waste Weekly
- Refuse probably limited to maximum of fortnightly
- Dry Recycling – no minimum frequency but “best practice” guidance expected linked to payments
- No standard bin size/colours – yet – but guidance for future
- Dry recycling -strong preference for full separation
- At least paper out – with local exceptions needing high level of justification
- Can and plastics or Cans and glass likely to be ok to collect together – possibility of cans/plastic/glass to be allowed
- New materials – plastic films, tetrapaks
- Free garden waste a possibility – if not pressure to demonstrate our charges are “reasonable”
- Business waste having similar pressures on separation
- Business waste may be subject to “franchising” - risks and opportunities
- More vehicles and staff, impacting on fleet and future depot requirements
- New burdens fund may support for a while (i.e. food, garden waste etc) – but some huge net revenue risks

Green = Compliant already or no significant concern

Blue = Some concern or challenging to deliver

Red = Major concern or very challenging to deliver

About this consultation

Following the first consultation on “Consistency in Household and Business Recycling Collections in England”, which closed in May 2019, measures were introduced in the Environment Bill requiring a set of recyclable waste streams to be collected from households, businesses and non-domestic premises such as hospitals and schools.

This consultation dovetails policy proposals to reform producer responsibility for packaging to ensure that producers cover the costs of managing packaging waste and to implement a Deposit Return Scheme (DRS) for drinks containers.

In this second consultation, the government is looking to build on the proposals outlined in the first consultation, following stakeholder feedback and engagement with the sector.

The consultation is split into two parts; measures to improve the quantity and quality of household recycling, and measures to improve the recycling of non-household municipal waste from businesses and non-domestic premises. It contains 26 proposals that cover key policy areas and seeks to gather views on the detail of these proposals, including how the Environment Bill powers should be used and how these policies should be implemented.

Part 1 – Measure to improve household recycling

This is applicable to local authorities as it directly impacts and changes household waste operations. It covers the following main areas:

Separate collection of dry recyclable waste from households

The core set of packaging items that will be mandated to be collected from households include:

- Glass bottles and containers – such as condiment bottles, jars, drinks bottles
- Paper and card packaging
- Metal packaging- Steel and aluminium cans
- Plastic bottles / containers – including clear drinks, milk containers detergents, shampoo, cleaning products, plastic pots, tubs, and trays, plastic films
- Food and drink cartons- proposed to be collected with plastic bottles

It is expected that all local authorities will collect these materials from October 2023. The exception is for plastic films, proposed to phase in with a defined 'end date' of the financial year 2026/27.

Separate collection of food waste from households for recycling

The Environment Bill requires that food waste must be collected at least weekly, separately from other household waste and from the dry recyclable waste streams and sent for recycling or composting.

It is proposed that the requirement for weekly separate food waste collection would be introduced during the **2023/24** financial year.

- **Exceptions to separate collection requirement** - where it will not be technically or economically practicable to collect these food waste separately, or separate collection presents no significant environmental benefit, it will be necessary in these cases to allow the collection of food waste with garden waste but would still require the container to be collected weekly.
- **Transition arrangements**- For local authorities without existing contracts in place that would be affected by introducing a separate food waste collection service, Defra anticipate requiring local authorities to have this in place by the 2024/25 financial year at the latest.
 - For local authorities with long term residual waste disposal contracts that may be affected by introducing a separate food waste collection, Defra propose that these local authorities should have a separate food waste collection service in place as quickly as contracts allow and are seeking views on the latest this can be done, and they anticipate setting a date between 2024/25 and 2030/31.
 - For local authorities with existing mixed food/garden waste contracts in place to collect food waste separately for recycling for all households including flats, Defra anticipate setting a date between 2024/25 and 2030/31 for this requirement to come in. They say they are exploring compensation costs for local authorities with long term collection and disposal contracts that may act as barriers to implementing separate food waste collection services, where these contracts run beyond the end date for the separate food waste collection requirement.

Caddy liners- Given the evidence provided in the first consultation on caddy liners and the benefits it provides towards the successful implementation of separate food waste collection service, Defra

proposes that the provision of caddy liners in the collection of separately collected food waste should be promoted as good practice and that guidance should be provided on caddy liners including on caddy liner material types.

Separate collection of garden waste from households for recycling

Defra are proposing that local authorities provide a **free** minimum fortnightly garden waste collection service of equivalent to a maximum capacity of 240-litre (either bin or sacks) for recycling in the **2023/24** financial year. Local authorities would be able to charge for more frequent collections and/or additional capacity.

- **Alternative options to free garden waste collection** - Defra notes that a variety of respondents to the consultation 2019 indicated that there are significant costs associated with the introduction of a free, minimum collection service for garden waste, despite its benefits. Defra is therefore consulting on three possible alternatives to providing free garden waste service. These options could achieve the policy aims of increasing the recycling of garden waste and reducing the quantity of garden waste disposed through landfill and incineration. The options are as follows:
 - Produce updated guidance on reasonable charges - Local authorities in England currently levy an average charge of £43 per annum. A reasonable charge can only be made for collection and associated administration, but WRAP analysis indicates that this would be in the region of approximately £18 to £30 per household per year, depending on the region.
 - Clear communications to non-participating households - Householders generating garden waste could be discouraged from placing garden waste in the residual waste bin through targeted communications on the benefits and positive environmental impacts of recycling garden waste and promoting other activities such as home composting.
 - Increasing home composting - Home composting prevents garden waste from entering the waste management chain, so is higher up the waste hierarchy than recycling. A study by WRAP (2009) estimated that home composting could on average divert 114kg/household/year of material from garden waste collections on two conditions:
 - Dedicated bin/s needed to be built, or a subsidised bin provided.
 - Households would require support to use the home composter.

Exemptions from the requirement that recyclable waste from each waste stream must be collected separately

To achieve high-quality recycling, recyclable waste streams must be collected separately from each other, except where it is not technically or economically practicable, or where there is no significant environmental benefit from separate collection. If a Waste Collection Authority relies on one of these exceptions, it will need to carry out a written assessment. Compliance will be assessed by the Environment Agency.

The Environment Bill gives powers to the Secretary of State to set exemptions in regulations, from the requirement to collect recyclable waste in each of the recyclable waste streams separately in relation to two or more recyclable waste streams without the above tests.

Defra are seeking views on exemptions for the following waste streams to be collected together from households (and non-household municipal premises in the section on non-household municipal exemptions):

- plastic and metal
- glass and metal

Statutory guidance and minimum service standards

Most respondents to the first consultation supported the need for Government to provide guidance for local authorities. The Environment Bill grants powers to the Secretary of State to issue statutory guidance on the duties imposed by the Environment Bill. Local authorities, and other waste collectors, must have regard to the guidance when carrying out their waste management duties.

There is a requirement to consult before issuing guidance and, subject to this, Defra plan to publish guidance alongside the making of secondary legislation, ahead of introducing the reforms.

Defra is seeking views on the following areas that it intends to include in statutory guidance:

- Conditions where an exception to the condition that recyclable waste in each recyclable waste stream must be collected separately may apply and where, consequently, two or more recyclable waste streams may be collected together
 - The Environment Bill legislates for glass, metal, plastic, paper and card, food and garden waste to be collected for recycling from households. These recyclable waste streams must be collected by collectors of household waste without exception.
 - The Environment Bill stipulates that the recyclable waste in each recyclable waste stream can be collected together only if it is not technically or economically practicable to collect separately, or if there is no significant environmental benefit from separate collection.
- Compliance and enforcement
 - Defra proposes to include reference to the type and standard of evidence needed to support a written assessment in statutory guidance, such as the WRAP 'Kerbside Recycling: Indicative Cost and Performance' online tool which is currently being updated.
 - Provide guidance to waste collectors on the type of assessment required, an example template for a written assessment could be provided in statutory guidance.
 - To avoid unnecessary burden on local authorities, Defra proposes that local authorities should only be required to complete a single written assessment for their service area, which will take account of the different exceptions, rather than multiple assessments for the same service area. It may also be appropriate for a single assessment to be completed across more than one authority. For example, for two-tier authorities, partnerships, or authorities that share treatment infrastructure.
- Minimum service standards for the separate collection of dry recyclable materials from households and non-domestic premises and premises producing commercial or industrial waste
 - In circumstances where it is not technically or economically practicable to collect the recyclable waste streams separately Defra expect waste collectors to consider whether a multi-stream system is practicable in the first instance. If any of the above exceptions

apply, and it is not practicable to offer a multi-stream system, local authorities should consider whether a twin-stream collection system can be offered. Justification for this approach should be provided through a written assessment.

- If a twin-stream collection approach is not practicable, a co-mingled collection service could be considered as a last resort.
- Defra are minded in statutory guidance to recommend that fibres (paper and card) are kept separate from all other recyclable waste streams, where practicable.
- Minimum service standards for the collection of residual waste from households
 - Defra will consider whether a recommended minimum service standard of alternate weekly collection for residual waste (alongside weekly food waste collection) might be appropriate, subject to an assessment of affordability and value for money.
 - Local authorities that currently collect residual waste on a fortnightly basis should not need to reduce their capacity of collection or frequency further because of consistency measures.
- Minimum service standards for the separate collection of food and garden waste from households
 - Defra will be mandating weekly separate food waste collection. Following this consultation, Defra will provide further information on recommended minimum service standards for the collection of food and garden waste in guidance.

Recycling Credits

Section 52 (1) of the Environmental Protection Act 1990 introduced recycling credits as a mechanism for incentivising recycling and composting of household waste by Waste Collection Authorities operating with a Waste Disposal Authority (i.e., non-unitary authorities) and third parties. It requires Waste Disposal Authorities to pay waste recycling credits to a Waste Collection Authority in its area when the Waste Collection Authority diverts waste from the household waste stream for recycling.

From April 2006 credit payments have not been obligatory where Waste Collection Authorities and Waste Disposal Authorities have agreed other financial arrangements within their local partnerships.

The major reforms proposed for both Extended Producer Responsibility and for consistency in recycling will transform the incentives for collection and recycling of waste as follows:

- Consistency in recycling will require all Waste Collection Authorities to collect six recyclable waste streams including glass, metal, paper and card, plastics, food waste, and garden waste.
- Full net cost recovery under Extended Producer Responsibility will bring in a new funding stream to cover the collection and treatment costs for all packaging material collected by local authorities.
- Government has also committed to paying the costs of additional new burdens arising from statutory duties imposed on local authorities in relation to consistency reforms. This commitment would cover new statutory duties in relation to food waste collections.

These reforms call into question the continued need for recycling credits and review is necessary to ensure they remain fit for purpose and do not duplicate other funding arrangements.

Defra proposes that Extended Producer Responsibility payments in two tier areas should be made where costs are accrued unless a separate payment arrangement has been agreed between the two authorities.

Defra are interested in views on whether the option to pay recycling credits should be retained in the longer term. An alternative would be to require local authorities in two tier areas to make local arrangements as necessary for sharing costs and/or savings arising from management of waste other than packaging. However, where agreement cannot be arrived at it may still be necessary to have some legally based backstop for payments. Any substantive change to the current system is likely to require primary legislation.

The theory is that the value of producer payments will be greater than the value of recycling credits, so that under EPR collection authorities will have a net gain in funds despite losing recycling credits. And disposal authorities will have a saving by not having to pay credits. In two tier areas this should then leave both tiers in a better financial situation under EPR payments than currently.

Part 2 – Measures to improve the recycling of Non-household (business and non-domestic waste)

This is applicable to all local authorities that operate a trade waste service with some potential implications for those authorities who do not currently operate trade waste services. It covers the following main areas:

Dry materials to be collected from non-household municipal premises for recycling

Defra proposes that;

- Dry recyclable waste streams collected should include the same materials (including plastic films) as those in the equivalent recyclable waste streams from households, in the financial year 2023/24
- Food waste to be collected for recycling from beyond 2024/25

Separate collection of food waste from non-household municipal premises

The Environment Bill requires food waste to be collected from all non-household municipal premises that produce food waste. Food waste must always be collected separately from the dry recyclable waste streams of glass, metal, plastic, paper and card, as well as residual waste.

It is proposed that the description of food waste from non-household municipal premises should be consistent with the proposal for food waste produced from households and this requirement will be mandatory from the 2023/24 financial year

Proposals on reducing barriers to recycling for non-household municipal waste producers

Through responses to the first consultation and other stakeholder engagement, Defra recognises that some businesses and small and micro-firms face higher barriers to recycling. These barriers might include financial; contractual; space for segregation of waste, particularly at smaller premises; engagement to segregate waste; services offered by waste contractors; and knowledge of recycling at work.

The Environment Bill includes a regulation-making power for the Secretary of State to set exemptions from the requirements relating to the collection of waste from non-household municipal premises either completely, or with respect to a particular waste stream.

Given a significant cost burden that micro-firms would experience as highlighted by the impact assessment, Defra are consulting on an exemption for micro-firms to reflect on the higher barriers to recycling that they often face. The two options being consulted on are as follows:

- Option 1: Micro-firm producers of non-household municipal waste should be exempt from the requirement to arrange for the collection of five recyclable waste streams (glass, metal, plastic, paper and card, food waste) for recycling and to present this waste in accordance with the arrangements.
- Option 2: Micro-firm producers of non-household municipal waste are phased into the new recycling consistency requirements in the Environment Bill, two years after the recycling consistency go live date.

Local franchising of waste services

Local franchising would allow local authorities or other partnerships to issue contracts for the collection of waste from businesses and other similar organisations in particular areas of a town or city. This would give rights to the operator(s) awarded the contract(s) to collect recyclables, food, and residual waste in the designated zones.

The franchising would likely be managed by local authorities and cover all non-household municipal waste producers in a defined area with funding made available for council administration and direct support. At the same time, it might be beneficial for the local authority to undertake business support activities, often in partnership with non-household municipal sector bodies. If local authorities were involved in a zoning scheme, any new burdens would be fully funded in line with Government guidance on new burdens.

Defra is consulting on which recyclable waste streams should be included under a potential zoning scheme and the different types franchising. At this stage, Defra recognises that this is a general approach and would require further development, assessment and legislative change to become operational. Any substantive change to the current system is likely to require primary legislation.

Separate collection of recyclable waste streams from non-household municipal waste producers

Defra are seeking views on exemptions for the following waste streams to be collected together from non-household municipal premises:

- plastic and metal
- glass and metal

Compliance and auditing of waste management companies

In cases where it is not technically or economically practicable to collect recyclable waste streams separately, or cases in which separate collection does not have significant environmental benefit, waste collectors are required to complete a written assessment. The Environment Agency is responsible for ensuring compliance with the duties set out in the Environment Bill in England and would be able to request and audit a proportion of written assessments.

As a result, the producer of non-household municipal waste (and anyone subsequently involved in presenting the waste for collection such as a landlord) has a legal requirement to separate out the recyclable waste in accordance with the arrangements. If they fail to do so, the Environment Agency will have the power to serve a compliance notice.

Defra is consulting on ways to reduce unnecessary burdens on waste collectors and waste producers in terms of the format and detail of the required written assessment

Proposals on the costs and benefits of implementing the changes proposed in this consultation

This consultation is supported by an [impact assessment](#), which sets out the potential costs of expanding dry recycling collections and adding food and garden waste collections.

Defra is seeking views and additional evidence on:

- familiarisation and ongoing costs to households and businesses of sorting waste for new collection requirements
- impact assessment assumptions and identified impacts including both monetised and unmonetized and
- comments on how to improve their approach to accounting for uncertainty in LA and business-related costs

Implementation timetable

All local authorities are expected to be able to collect the core set materials from October 2023. This is however an indicative timeline, as it is subject to Extended Producer Responsibility payments and new burdens funding starting from 2023 and the Environment Bill reaching Royal Assent in 2021. The exception is for plastic films, proposed to phase in with a defined 'end date' of the financial year 2026/27

Summary and Next Steps

The size, scale and speed of the changes proposed, especially by the CiC and EPR are more impactful than we had considered likely, some aspects we are already compliant with or can be easily, others introduce significant operational and political challenges.

Going forward, assuming much of the proposals move forward on the timescales set by Defra, there is a need for a significant project to take this forward, starting slowly for now but building towards the end of this year and getting very full on through 2022. We will need significant and appropriately experienced resources to ensure this is delivered, ideally working in partnership with the SEP, other authorities, and Surrey as appropriate.

Other risks which also need to be considered and accounted for are the potential for additional depot space for vehicles and staff to deliver the potential changes in the delivery of waste services.

Environment and Sustainability Committee



14 September 2021

Title	Engines off in Spelthorne Campaign
Purpose of the report	For the Committee to note the proposed 'Engines off campaign'.
Report Author	Claire Lucas – Principal Pollution Control Officer
Wards Affected	All Wards
Exempt	No
Corporate Priority	Clean and Safe Environment
Recommendations	Committee is asked to: <ul style="list-style-type: none"> Note the 'Engines Off' campaign and supporting materials.
Reason for Recommendation	<p>An anti engine idling campaign was launched via a press release in August 2021 as part of the response to Council Motion 5 declared on 20/10/2020.</p> <p>The poster campaign is to help achieve behavioural change amongst drivers in Spelthorne to reduce engine idling.</p> <p>This notification relates to the design of the campaign posters.</p>

1. Key issues

- 1.1 The posters given below in **Appendix A** have been designed to give a clear and simple message that engine idling has health implications to discourage this behaviour in Spelthorne.
- 1.2 The original motion as passed by Council was for a No Idling Zone to be declared in Spelthorne however Surrey County Council are the Highways Authority with the remit to make such a declaration, and Spelthorne are unable to make a declaration without the support of the Highways Authority.
- 1.3 Council Officers from the Commissioning & Transformation team have approached Surrey County Council, regarding the proposed No Idling Zone. The declaration of such a zone has not been possible to date as the County do not consider engine idling to be a major source of air pollution as per the following response:

“Idling is not currently enforced in Surrey, except for (advisory) posters asking drivers to switch off their engines when queuing at level crossings. The topic of idling was considered as part of Surrey County Council's Low Emissions Transport Strategy (link below) (approved by Surrey County Council Cabinet in 2018), However, idling was not deemed to be a priority for the county in regard to this strategy. The Transport Policy Team at SCC consider that this is primarily due to the impact of idling on overall air quality being very low, and due to difficulties in enforcing idling. <https://www.surreycc.gov.uk/roads-and-transport/policies-plans-consultations/transport-plan/surrey-transport-plan-strategies/low-emissions-transport-strategy>”.

- 1.4 As Spelthorne has a Borough wide Air Quality Management Area and a declared Climate Change Emergency, all emission reduction measures are of value in helping improve air quality and in reducing emissions of greenhouse gasses.
- 1.5 Idling behaviour often happens in settings where the most vulnerable residents are present such as outside schools and nurseries, train stations, medical facilities and in car parks near to residences.
- 1.6 Idling a vehicle engine unnecessarily is in violation of the Highway Code and as such it is already designated as unacceptable behaviour by the Government; therefore, no risk assessment has been necessary.
- 1.7 Spelthorne have therefore instigated an awareness campaign ‘Engines Off in Spelthorne’ which does not require the approval of the County Council, to try to achieve behavioural change amongst drivers and reduce engine idling, through an educational message that idling engines are harmful to health. Initiatives undertaken during the campaign will include: -
 - Councillor Beardsmore has helped to launch the campaign with a radio interview on BBC Surrey on Sunday the 8th of August.
 - The design and erection of the posters as provided at **appendix A**. The poster design is in line with the design parameters applied for the successful anti-littering campaign in 2020. Work is ongoing to identify further locations across the Borough.
 - Article in the Summer Bulletin magazine and press release issued on the 3 August 2021
 - There is a dedicated web page giving information and the option to download posters can be downloaded www.spelthorne.gov.uk/enginesoff
 - social media campaign alerting residents to facts and dangers of idling, air pollution statistics and how to sign up for air quality alerts in the Borough
 - digital graphics produced for screens in Staines Upon Thames high street and in The Elmsleigh Centre

2. Options analysis and proposal

- 2.1 Cabinet is asked to note the campaign and the posters.

3. Financial implications

- 3.1 The costs to date have been £1400 from the Communications Team budget covering the poster design, the production of an MP4 animated graphic for the digital display screens in Staines-upon-Thames and an animated GIF for social media posts.

- 3.2 Further measures such as fixed signage, leaflets, or banners beyond fixing posters to community notice boards, would have associated cost. There is currently no budget assigned for further measures.

4. Other considerations

- 4.1 The poster campaign does not disadvantage a particular group in terms of equality and diversity, other than highlighting the behaviour of drivers. The material will be of less relevance to non-drivers in terms of behavioural change but will still be educational. It is not forecast that the campaign will disadvantage drivers, in fact reducing engine idling is likely to save them money that is wasted on the fuel used whilst idling and wear and tear on their vehicles.

5. Sustainability/Climate Change Implications

- 5.1 The poster campaign will help to reduce unnecessary idling of engines through increased awareness amongst drivers of the negative health implications of idling an engine. A reduction in idling outside of a School will have health benefits in that residents and children attending the schools will be exposed to less nitrogen dioxide and particulate pollution. Idling engines also emit greenhouse gasses.

6. Timetable for implementation

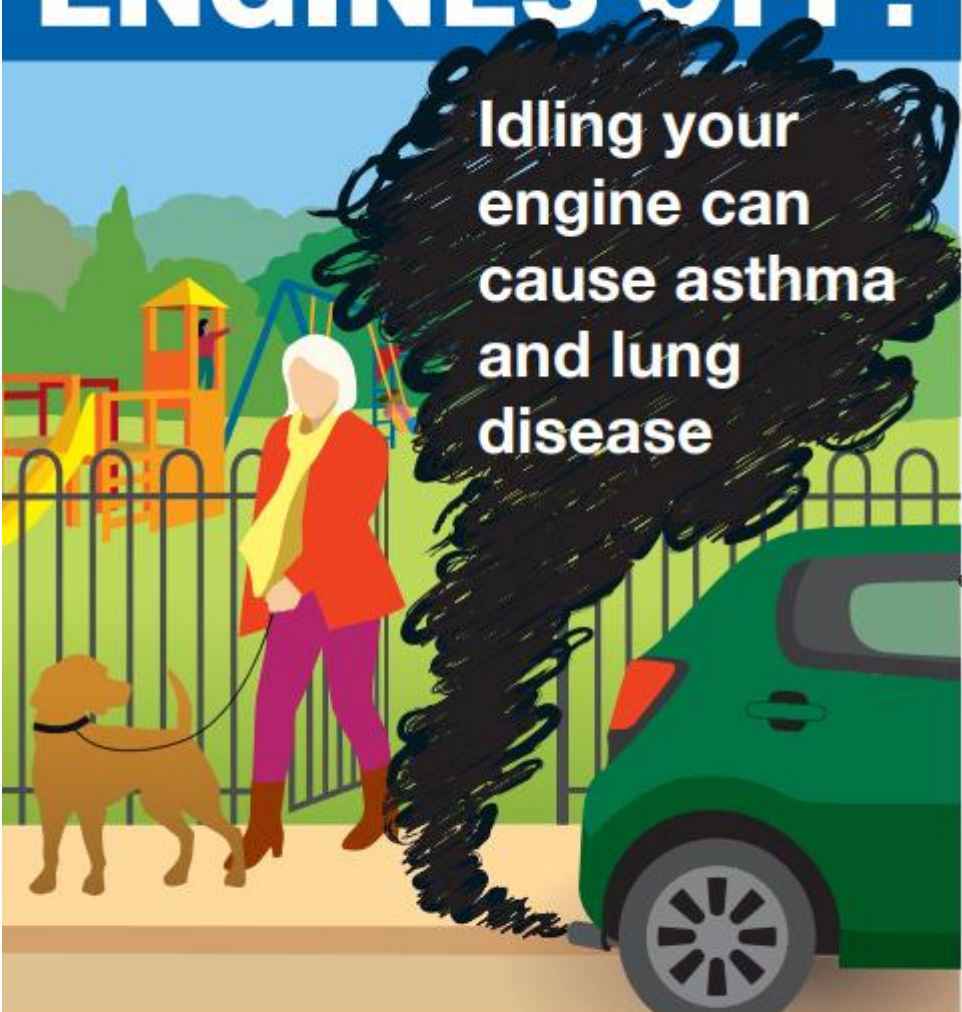
- 6.1 Once the posters have been accepted by the Committee they will be printed and posted to community notice boards, within Council owned car parks and where possible in prominent locations out on district as per the anti-littering campaign poster deployed in 2020.

Background papers: Not applicable

Appendices:

Appendix A: Campaign Poster Designs

ENGINES OFF!

An illustration showing a woman in a red jacket and purple trousers walking a brown dog on a leash. They are on a sidewalk next to a green car. A large, thick, black cloud of exhaust smoke is coming out of the car's tailpipe, partially obscuring the woman and the dog. In the background, there is a playground with a yellow and orange structure and a blue swing set, all behind a black metal fence. The sky is blue with some green hills in the distance.

Idling your
engine can
cause asthma
and lung
disease


NO IDLING in Spelthorne

Please turn your engines off while stationary
on a public road.

    www.spelthorne.gov.uk



ENGINES OFF!



Idling your
engine can
damage
young lungs

NO IDLING in Spelthorne

Please turn your engines off while stationary
on a public road.

    www.spelthorne.gov.uk



ENGINES OFF!



NO IDLING in Spelthorne

Please turn your engines off while stationary on a public road.

    www.spelthorne.gov.uk



Environment & Sustainability Committee

14 September 2021



Title	Capital Monitoring Report 2021/22 – Q1 June 2021
Purpose of the report	To note the above for the Environment & Sustainability Committee
Report Author	Paul Taylor Chief Accountant
Ward(s) Affected	All Wards
Corporate Priority	Financial Sustainability
Recommendations	<p>This is an abridged copy of the full report to be submitted to the Corporate Policy & Resources Committee at their meeting on 4 October and just shows the capital projects that fall under the Environment & Sustainability Committees' remit.</p> <p>The Committee is asked to note the current level of underspend on capital expenditure against its Capital Programme provision as at 30 June 2021.</p>

1. Key issues

- 1.1 The Capital Monitoring report covers the cumulative actual expenditure to date, against the cumulative Council approved capital programme budget and compares this against the latest forecast outturn from Officers.
- 1.2 For the quarter ended 30 June 2021 our approved Capital Expenditure Programme for the Environment & Sustainability Committee was £1,178k, the latest forecast outturn position is £1,261k, giving a projected aggregate overspend of £82k as per appendix B.

2. Variance analysis

- 2.1 We report on any significant projected variance over £50k or 20% of budget, whichever is the highest, by committee as follows:
- 2.2 Environment & Sustainability – projected net overspend £83k
 - (a) Laleham Park Upgrade £88k projected overspend due to delays cause by bats, adapting our initial design to comply with new regulations from the Environment Agency, and the delays caused by the pandemic.

3. Financial implications

- 3.1 Once a project is completed, any underspend on the approved Capital Programme enables the Council to invest the monies to gain additional treasury management investment income or to fund additional schemes.

4. Other considerations

4.1 None.

5. Equality and Diversity

5.1 Not Applicable.

6. Sustainability/Climate Change Implications

6.1 Not Applicable.

7. Timetable for implementation

7.1 Not Applicable

Background papers: There are none.

Appendices:

Appendix A – Detailed Capital Monitoring Report by Committee at 30 June 2021.

CAPITAL MONITORING REPORT AT 30 JUNE 2021

Portfolio / Service Head	Cost Centre	Description	Revised Cumulative Budget 2017-25	Actuals Cumulative 2017-22	Managers Projected Outturn at 30 June	Budget vs Outturn Variance	Comments
Other Capital Programme							
Environment & Sustainability							
Jackie Taylor	41502	Refuse/Recycling Vehicles	129,000	123,639	123,700	(5,300)	Budget spent and vehicles received
Jackie Taylor	41508	Waste Vehicle	300,000	-	300,000	-	Vehicle has been delivered but there are some technical issue with the vehicle and so the payment has been held in suspense until issues are resolved
Jackie Taylor	41604	Laleham Nursery - Solar PV	15,000	-	15,000		New Project. The officer responsible is getting quotes for this work and the project will be completed by the summer
Terry Collier	41606	County Transit Site	127,000	-	127,000	-	New Project. Contribution payment is expected to be made to Surrey County Council on receipt of an invoice.
Jackie Taylor	41608	Laleham Park- Portacabins	116,000	-	116,000	-	New Project. Estimates are being sought and it is anticipated that the budget will be fully spent by the end of this year
Jackie Taylor	41609	Replacement Spelride Bus	100,000	-	100,000	-	New Project. The procurement exercise is underway and awaiting tender submissions for evaluation which will also provide details of delivery timescales
Jackie Taylor	41611	Staines Park- Play Equip Upgrade	60,000	-	60,000	-	New Project. Specifications are being drawn up and a procurement exercise will be undertaken to award a contract before the end of 2021
Jackie Taylor	41620	Wheelie Bins	50,000	28,557	50,000	-	Rolling Project. This budget is spent over the year and will be fully spent by the end of the financial year
Jackie Taylor	42027	Domestic Home Energy	8,000	-	8,000	-	Rolling Project. This budget has been reduced this year to a reasonable level and it is anticipated that it will be spent by end of this financial year
Total			905,000	152,196	899,700	(5,300)	
Lee O'Neil	41314	Air Quality	24,500	-	24,500	-	Work is in progress but has slowed down due to pressures from other high priority work which needs immediate attention.
Total			24,500	-	24,500	-	
Heather Morgan	41026	Laleham Park Upgrade	248,300	30,647	336,580	88,280	Delays to the projects caused by roosting bats and a change of regulations from the environment Agency that have significantly increased costs on this project, which was approved by the Development Sub Committee in July.
Total			248,300	30,647	336,580	88,280	
Grand Total			1,177,800	182,843	1,260,780	82,980	

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Environment and Sustainability Committee



Date of meeting 14 September 2021

Title	River Thames Scheme update
Purpose of the report	To note
Report Author	Sandy Muirhead Group Head Commissioning and Transformation
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	Clean and Safe Environment
Recommendations	Committee is asked to: To note
Reason for Recommendation	Not applicable

1. Key issues

- 1.1 The River Thames Scheme (RTS) will reduce flood risk to communities in Surrey and South West London. More than 11,000 homes and 1,600 businesses from Staines to Molesey will benefit from reduced flood risk by the development of the scheme across the area, and road, rail, power, and water networks will be more resilient.

In addition to reducing flood risk, the scheme will:

- contribute to a vibrant local economy by providing greater resilience to flooding of homes, businesses, and key infrastructure.
- enhance the social and environmental value of the river
- create new green spaces and recreation such as fishing, boating, and cycling

The scheme will involve the construction of a new river channel. This will be built in 2 sections at Spelthorne and Runnymede (Appendix 1). The scheme will also include capacity improvements to:

- Desborough Cut
- Sunbury, Molesey and Teddington weirs

- 1.2 A key factor for the River Thames Scheme progressing onto its next stage of development was approval by HM Treasury of the outline business case. This approval was received in spring 2021. The project is now finalising technical design work and is working towards obtaining the final approvals needed for construction, which on the current planned timetable is likely to commence in 2025/26.
- 1.3 In December 2020, the Secretary of State approved a request for the River Thames Scheme to be designated a Nationally Significant Infrastructure Project (NSIP). This means that the project team will apply for permission to build through a Development Consent Order (DCO).
- 1.4 Spelthorne Borough Council along with Elmbridge, Runnymede and Surrey CC have invested in the development of the scheme to protect our residents from flooding. Spelthorne contributed £196,000 to the scheme's development over 4 years from 2016 to 2020 (£49k/year). The scheme does not now require any further revenue contributions from ourselves. We have committed in the Capital Programme 2021 – 2025, which was approved by Council in March 2021, to investing £1.3M in the construction of the scheme. Construction is expected, subject to final approvals, to commence around 2025/26.
- 1.5 Surrey County Council (SCC) is investing £270M in increasing flood resilience across the county. This includes a financial contribution of £237 million to the River Thames Scheme. This contribution along with flood scheme grants from Central Government, the Environment Agency, the Thames Regional Flood and Coastal Committee and others, has enabled the scheme to receive HM Treasury approval to proceed to final design and planning stages.
- 1.6 The River Thames Scheme is being delivered by the Environment Agency and Surrey County Council in partnership with: -
- Elmbridge Borough Council (EBC)
 - Runnymede Borough Council (RBC)
 - Spelthorne Borough Council (SBC)
 - Royal Borough of Kingston upon Thames
 - London Borough of Richmond upon Thames
 - Thames Valley Berkshire Local Enterprise Partnership
 - Enterprise M3 Local Enterprise Partnership
 - Department for Environment Food and Rural Affairs (Defra)
 - Thames Water
 - Thames Regional Flood and Coastal Committee (RFCC)
- 1.7 As a result of HM Treasury approval and the agreement that this project has been designated as a NSIP it is progressing at pace to the next stages including planning via a Development Consent Order.
- 1.8 As the planning aspects involve 4 key authorities (SBC, SCC, EBC, RBC) it has been agreed that the scheme will pay for independent consultants to support the planning authorities in assessing the information being submitted by the applicants. Relevant service level agreements and delineation within

authorities is being put in place to ensure an independent planning assessment of the scheme via the DCO process.

- 1.9 The RTS team are also putting together a consultation process to undertake with local communities. Previous consultations were undertaken in 2016 and 2009.
- 1.10 SBC's involvement in the scheme is important to ensure we maximise benefits from the scheme not only in terms of mitigating flood risk to SBC's communities but also to ensure we maximise other leisure and biodiversity opportunities as part of the scheme.
- 1.11 **Appendix 2** is a press release which gives information on the procurement process in terms of finding a construction partner to build the £501m flood alleviation scheme.

2. Options analysis and proposal

- 2.1 The River Thames scheme has been proposed for some years and will provide more protection for residents against major flooding from the Thames. It will also provide communities with more resilience to extreme weather causing increased flooding risk because of climate change. Therefore, it is important Spelthorne continues its commitment to the scheme to maximise benefits to Spelthorne.
- 2.2 Not to be involved would limit our influence on ensuring the scheme is developed to meet our residents needs including reduced flooding and provision of biodiversity and leisure opportunities. It is a very Important project to prevent flooding and not to be involved would not be compatible with our priorities in serving the community.

3. Financial implications

- 3.1 In the early stages of development over 4 years (2016-2020) Spelthorne committed £196k of revenue to the scheme and has committed in its capital Programme £1.3M towards the scheme's construction (expected if consents and final Treasury approvals are agreed) around 2025/26.
- 3.2 There is officer time involved in regular meetings and though much of the assessment of the planning implications will be undertaken by consultants working with the planning authorities there will be a time input required but as yet this is not fully known.

4. Other considerations

- 4.1 There will be public consultations on the scheme, and it is expected these will begin in the autumn.

5. Equality and Diversity

- 5.1 The scheme itself will not amplify any equality and diversity issues but there will need to be assessments for any associated activities with the schemes e.g. layout of paths or cycleways along the channels.

6. Sustainability/Climate Change Implications

- 6.1 The scheme itself will assist in mitigating the impact of flooding in the Borough which may be exacerbated by climate change. The scheme will be built as sustainably as possible and increased biodiversity opportunities through the

creation of wetlands and potentially small woodland and grassland habitats will be incorporated into the scheme.

7. Timetable for implementation

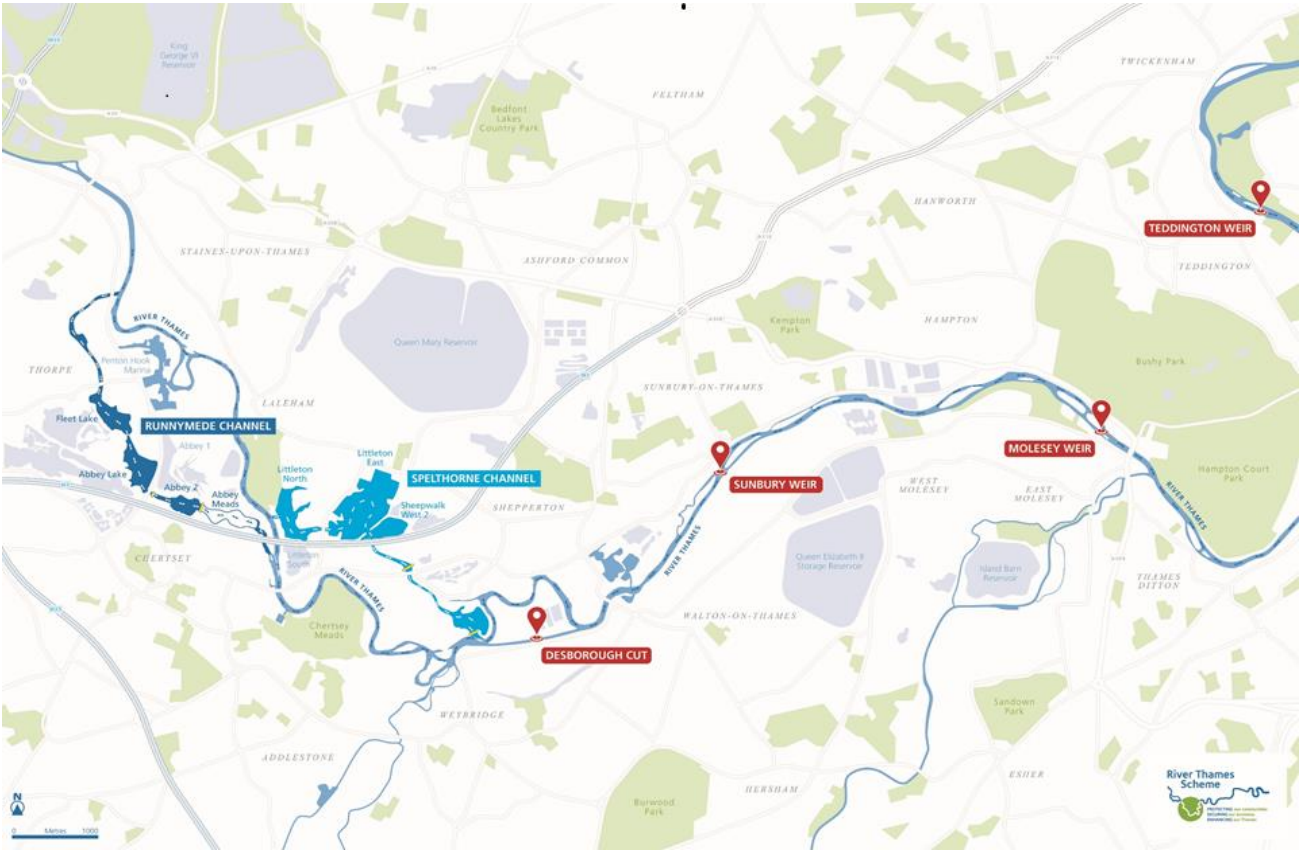
- 7.1 Commencement of construction if approvals are received should be 2025/26 with an expected 4-year build period so completion by 2029.

Background papers: There are none.

Appendix 1 River Thames Scheme map

Appendix 2 Construction Partner Procurement

Appendix 1 River Thames Scheme map



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Appendix 2

PRESS RELEASE

Wednesday 28th July

Firms readied for River Thames Scheme contractor search

The River Thames Scheme is starting the search for the firms which will build the £501m flood alleviation scheme, just weeks after the government gave the scheme the green light.

Today the project team started the market engagement for contractors, with a call for interested firms to express their interest. The value of the contracts on offer will be up to £275 million.

This is a huge opportunity not only for the civil engineering and construction sector, but also for small and medium businesses in Surrey and the surrounding area. Opportunities for new contracts, job opportunities and apprenticeships will support the sector and the area as they recover from the pandemic.

The work involves the construction of two new flood relief channels constructed at Runnymede and Spelthorne, together with capacity increases at Sunbury, Molesey and Teddington weirs and the Desborough Cut. The scheme's wider benefits will include new walking and cycle paths, parks and wildlife habitats.

The start of market engagement comes after it was announced in June that the government has approved the outline business case for the scheme. The approval means engineers are now working on the detailed design of the scheme and planning how to deliver it. Although construction is not expected to start until the mid 2020s, the process of getting firms in place is lengthy, from procurement to enabling them to have the right teams and resources in place.

River Thames Scheme project director David Bedlington said: "There is a real momentum building on the River Thames scheme as we start the important task of getting firms in place to get the scheme built. We're really hoping to see the best of the construction industry come forward for this opportunity – and not just the large firms, but SMEs and local firms too."

Surrey County Council Cabinet Member for the Environment Marisa Heath said: "When we talk about the brilliant legacy the River Thames Scheme will leave, we're not only talking about the flood risk reduction and new green spaces such as country parks, we're talking about a legacy of opportunity too, as the construction of the River Thames Schemes will see new jobs, training and skills."

The Find a Tender Prior Information Notice (PIN) can be found [here](#)

ENDS

Notes to editors

- The scheme's wider partners are Elmbridge Borough Council, London Borough of Richmond upon Thames, Royal Borough of Kingston upon Thames, Runnymede Borough Council, Spelthorne Borough Council, Thames Regional Flood and Coastal Committee, Thames Water, Enterprise M3 Local Enterprise Partnership, Thames Valley Berkshire Local Enterprise Partnership.

- The River Thames Scheme will reduce flood risk to people living and working near the Thames, enhance the resilience of nationally important infrastructure, contribute to a vibrant local economy and maximise the social and environmental value of the river.
- There have been serious floods in this area over the past 100 years, namely in 1947, 1968, 2003 and most recently between 2013/2014.
- We will build two new flood channels alongside the River Thames to reduce flood risk to 11,000 properties in communities in Hythe End, Egham, Staines, Chertsey, Shepperton, Weybridge, Sunbury, Molesey, Thames Ditton, Kingston and Teddington.
- There will be increased capacity of the Desborough Cut and weirs at Sunbury, Molesey and Teddington by installing additional weir gates.
- Detailed planning and design work is starting. The large scale of the project means the government has directed that it be treated as a Nationally Significant Infrastructure Project (NSIP). NSIPs require a type of consent known as 'development consent order' (DCO). A DCO removes the need to obtain several separate consents, including planning permission and is designed to be a quicker process than applying for these separately. The DCO must be granted before full funding is approved and construction can begin.

Spelthorne Borough Council Services Committees Forward Plan and Key Decisions

This Forward Plan sets out the decisions which the Service Committees expect to take over the forthcoming months, and identifies those which are **Key Decisions**.

A **Key Decision** is a decision to be taken by the Service Committee, which is either likely to result in significant expenditure or savings or to have significant effects on those living or working in an area comprising two or more wards in the Borough.

Please direct any enquiries about this Plan to the Committee Manager, Christine Curtis, at the Council offices on 01784 446240 or e-mail c.curtis@spelthorne.gov.uk

Spelthorne Borough Council

Service Committees Forward Plan and Key Decisions for 1 September 2021 to 26 May 2022

Anticipated earliest (or next) date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Environment and Sustainability Committee 14 09 2021	Review of Rules and Regulations: Allotments Review of rules and regulations in respect of allotments.	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Public	Jackie Taylor, Group Head - Neighbourhood Services
Environment and Sustainability Committee 14 09 2021	Update on Government's Proposed Waste Strategy To provide an update to the Committee on the Government's proposed waste strategy.	Non-Key Decision	Public	Duncan Laidlaw, Senior Waste and Recycling Officer, Jackie Taylor, Group Head - Neighbourhood Services
Environment and Sustainability Committee 14 09 2021	Revenue Monitoring Report (Qtr. 1 April - June)	Non-Key Decision	Public	Terry Collier, Deputy Chief Executive, Paul Taylor, Chief Accountant
Environment and Sustainability Committee 14 09 2021	Capital Monitoring Report (Qtr. 1 April - June)	Non-Key Decision	Public	Terry Collier, Deputy Chief Executive, Paul Taylor, Chief Accountant
Environment and Sustainability Committee 14 09 2021	Engine Idling Poster Campaign To note the poster campaign designed to prevent engine idling in the borough.	Non-Key Decision	Public	Claire Lucas, Principal Pollution Control Officer, Tracey Willmott-French, Senior Environmental Health Manager

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Environment and Sustainability Committee 14 09 2021	River Thames Scheme update To provide the Committee with an update about the River Thames Scheme.	Non-Key Decision	Public	Sandy Muirhead, Group Head - Commissioning and Transformation
Environment and Sustainability Committee 14 09 2021	Local Cycling and Walking Infrastructure Plan (LCWIP) Update To provide an update on the LWCIP plan.	Non-Key Decision	Public	Sandy Muirhead, Group Head - Commissioning and Transformation
Environment and Sustainability Committee 06 10 2021	Staines Development Framework Consultation Response	Non-Key Decision	Public	Heather Morgan, Group Head - Regeneration and Growth
Environment and Sustainability Committee 06 10 2021	Surrey Transport Plan 2022-2032 Consultation To provide an update to the Committee on the draft Surrey Transport Plan consultation.	Non-Key Decision	Public	Heather Morgan, Group Head - Regeneration and Growth
Environment and Sustainability Committee 09 11 2021	Housing Delivery Test Action Plan 2021	Non-Key Decision	Public	Hannah Bridges, Planning Officer
Environment and Sustainability Committee 09 11 2021	Heathrow and Airspace Modernisation To receive a presentation/update on Heathrow's expansion plans	Non-Key Decision	Public	Heather Morgan, Group Head - Regeneration and Growth

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Environment and Sustainability Committee 09 11 2021	Revenue Monitoring Q2 (July - Sept)	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Environment and Sustainability Committee 09 11 2021	Capital Monitoring Q2 (July - Sept)	Non-Key Decision	Public	Paul Taylor, Chief Accountant