

DRAFT ANNUAL REPORT – OVERVIEW AND SCRUTINY FUNCTION – 2007/08

1. INTRODUCTION

- 1.1 The Overview and Scrutiny Function in Runnymede is undertaken by the Review Board. The Board's Terms of Reference are set out in Article 6 of the Council's Constitution, which is attached at Appendix '1'.
- 1.2 This report summarises the areas of the Board's activities for the Municipal Year 2007/08.
- 1.3 During the course of the year, the Board has continued to pursue various items within its Work Programme.
- 1.4 The Board considers item 6 reported below to have been concluded. The other items reported on below remain ongoing.

2. ENFORCEMENT OF PLANNING CONTROL – PROGRESS REPORT

- 2.1 Throughout the year, the Board has continued to be advised and updated on the latest circumstances on sites where Committee authorisation to take planning enforcement action has been obtained and where there are matters still outstanding.
- 2.2 The progress report the Board receives provides a record of those cases where the Council's Planning Committee has decided to take action. There are numerous other cases which are investigated by Enforcement Officers which do not provide grounds to bring Officer recommendations to that Committee and which do not therefore appear on the report to the Board. Once persons who have infringed have complied or a case has finished, the fact is recorded on the progress report on one occasion and thereafter the item is removed from that report. Enforcement action has always been viewed by Officers as a last resort after failure of all attempts at negotiation.
- 2.3 The Board has noted that the Planning Enforcement Section had been affected over the course of the year by the loss of the Senior Planning Enforcement Officer who had moved to another local authority. Officers had not been able to make much progress on many of these cases partly because of reduced resources in enforcement, which now consisted of two part time Officers and one full time equivalent. The post has now been filled by a Development Control Officer. Resources are often diverted due to particular public pressure for action at sites. An example of this is at Aymer Drive off Chertsey Lane, which was the subject of minor breaches, which did not justify the significant amount of Officer time which had been expended because of public demands. Investigation of all complaints relating to enforcement was subject to a formal prioritisation system, as previously agreed by the Planning Committee, in which the number of people affected and the irreversibility of the action were key factors.
- 2.4 Minor breaches of planning control could not always be processed unless on a long timescale. In some cases, it had proved necessary to inform some members of the public that no further responses could be made to their emails because of the frequency and detail of their complaints, which could only be dealt with at the expense of other work, given the resources available. Consideration would have to be given to not processing more minor breaches, e.g. fences of too great a height. Legal resources were also limited. Almost all recipients of Enforcement Notices appealed and there was no fee to be paid to do this. Many asked for Public Inquiries, meaning that more Council resources had to be expended on preparation and appropriate representation. The Board has noted that resources had been targeted on a few sites with an extremely complex planning history and that the Council was being effectively penalised for having provided sites for gipsies and travellers in the 1990's because future provision would be based on demand, and past provision created more demand.

3. REVIEW OF PLAYSCHMES AND SPLASH

- 3.1 At the request of the Chairman, the Board has reviewed the Summer Playschemes and Splash schemes with a view to identifying potential savings in these areas of expenditure. The Summer Playschemes aimed to provide a stimulating, happy and safe environment for children in the 5-11 age group during the summer holidays and the Splash schemes which offered a range of leisure activities during the school summer holidays for the 11 to 16 age group. Extensive feedback on the schemes was sought from parents/carers, staff and children. There had been a real terms

reduction in the direct play and youth schemes net expenditure of £30,000 phased over a three year period. There were a significant number of fixed costs associated with running the summer play and Splash schemes, many of which were outside the Council's control. All of the playschemes sites were currently regulated by OFSTED, which had strict requirements concerning staffing ratios, qualifications, training, annual registration fees, policies and procedures. Complying with these requirements drove the costs of the schemes up. An increasing number of children with special needs and behavioural problems were attending both schemes. There was therefore a need to maintain staff wages, in order to attract more qualified and experienced members of staff. The schemes were also reliant on sponsorship and grant aid. The number of sites had been reduced from seven to six in 2007. Costs of transport were also rising steeply as a result of the increase in fuel and administration costs faced by coach companies. There was not a high level of demand for extended hours at the sites.

- 3.2 The Board considered three possible options for savings which had been drawn up by Officers. Option 1 would entail cancelling the Splash Speciality Week (the fourth and last week of the scheme) and reverting back to a three week Splash scheme. The specialist activities were expensive to run and demand was lower than for the main scheme. Option 2 would involve the reduction of the number of playscheme sites from six to five. The most obvious site closure would be New Haw, as this was a small site, with limited outdoor space. Under Option 3, the transport provision would be streamlined by combining the playscheme and Splash transport service in order to make better use of the coaches on a daily basis.
- 3.3 The Board agreed to recommend to the Leisure and Environment Committee that Option 3 be pursued primarily, with Option 2 and that new forms of sponsorship and marketing should be examined, as well as an assessment of whether customer feedback suggested that an increase in charges would deter customers.
- 3.4 At its meeting in November 2007, the Leisure and Environment Committee resolved, inter alia, to approve revised fees and charges for 2008, to close the New Haw playscheme site, to reduce the number of extended hours sites from 3 to 2, to discontinue the Splash speciality week, and to streamline the transport provision of the 'Splash' scheme.

4. DELAYS AT LEVEL CROSSINGS

- 4.1 Over the course of the year, the Board has continued to monitor the latest position regarding level crossing delays in the Borough.
- 4.2 There has been concern for several years about the increasing period of time that level crossing barriers are closed (barrier down time) across Runnymede and the difficulties that this causes for the communities where the level crossings are situated. This is a problem nationally. This was an issue which the Board had previously considered as part of its ongoing initiative to enhance rail and bus transport in the borough.
- 4.3 It was reported to the Board that Her Majesty's Rail Inspectorate (HMRI) have observed that the nature of the Runnymede area does not allow for construction of alternative routes without the need for substantial civil engineering works and compulsory purchase of residential properties. HMRI have suggested that resolving this would be a highways matter which would probably require long term planning. Bridges and tunnels would remove the delays but would require major resource investment. Such resource investment is unlikely to be forthcoming in the near future, and dialogue which Officers have had with Network Rail (NR) suggests that any new signalling which may transpire if the Airtrack scheme goes ahead may not have a significant effect on delays.
- 4.4 The Borough Council's Head of Engineering had attended a meeting with representatives from the HMRI, Network Rail and Surrey County Council in April 2007 at which HMRI's policy with regard to level crossing barriers was explained by HMRI. MCB was an abbreviation for Manually Controlled Barriers which were full width barriers that were controlled via CCTV link by signallers at Feltham. AHB referred to Automatic Half Barriers, which were lowered and raised automatically when a train passed a sensor. These barriers only blocked the half of the road in front of the oncoming driver.
- 4.5 HMRI had stated that a MCB crossing was inherently safer than an AHB as misuse by motorists and members of the public was significantly reduced. At an MCB before a train could be signalled over the crossing the barriers had to be fully lowered and the signaller had to check that

the crossing was clear and that no vehicles or pedestrians were trapped within the barriers, before permitting any train to proceed. This had the benefit of ensuring both the safe passage of trains and increased safety for road users. Unfortunately the effect of this type of crossing was that the barriers were down for significantly longer than with an AHB crossing and thus road traffic delays were increased. Typically whilst an AHB crossing would be closed for around a minute or less for each train, an MCB crossing would be closed for between two and four minutes, and this would be longer if there was a station in the vicinity.

- 4.6 HMRI had advised that whilst signalling improvements could technically be made so that the barriers were automatically lowered once an approaching train was detected, the improvement in down time would be minimal (perhaps only of the order of 10 or 20 seconds or so) and the gain would be grossly disproportionate to the cost of several million pounds involved in actually upgrading the signalling system. This would, however, be something that the Inspectorate would expect Network Rail to consider when the whole of the area was re-signalled as part of their renewals programme, which was planned for about ten years time. However, with automatic lowering there was normally no requirement on the signaller to monitor the lowering of the barriers and the signaller was only required to check that the crossing was clear before releasing the railway signals. It was therefore possible the barriers would be more likely to be hit by cars that had chosen to ignore the road traffic signals and potentially increase not decrease both rail and road traffic delays.
- 4.7 The current Level Crossing Order for Pooley Green required Network Rail to monitor the closure times of the crossing. HMRI stated that Network Rail had identified a few instances of poor practice by the signallers on a couple of occasions which had been addressed as a result of this monitoring.
- 4.8 The HMRI acknowledged that some of the residents of Runnymede were concerned about the impact that the crossings had on emergency vehicle response times. In order to minimise such consequences, Network Rail had procedures in place whereby the emergency services could contact them if they were aware of one of their vehicles was heading in the direction of a particular crossing with the view to the barriers being held in the upright position. Surrey Fire and Rescue Service had informed Network Rail that they had assessed the location of all level crossings within Surrey and the effect they might have on their response to an incident. This assessment resulted in additional arrangements being put in place to ensure that they could attend significant incidents that may be delayed due to level crossing barriers. Further, Surrey ambulance crews reported that if they arrived at the Pooley Green level crossing and the barriers were down, the signallers had been able to stop trains and then raise the barriers to allow them to continue where possible. The Board was pleased to see these measures for emergency vehicles.
- 4.9 HMRI had stated that the conundrum at the Chertsey level crossing was that to provide an improved train service longer trains had been introduced onto the Network which unfortunately overhung the crossing when they were stopping in the station. Increasing the length of the platforms would remedy this but this may well affect the signalling and, until the area was re-signalled, prove to be too expensive.
- 4.10 The Board therefore noted that while arrangements were in place to minimise the delays to the emergency services, any reduction in the barrier down time for other drivers and the general public in the near future was unlikely. Network Rail's policy was motivated by safety primarily and traffic movement implications were of secondary importance. The more safe the barriers became, the more the downtime was extended. Greater frequency of trains also meant more downtime at the expense of road users.
- 4.11 The Board noted that there had been previous useful dialogue between Council Officers and South West Trains, who were responsible for station infrastructure, which had led to CCTV links and funding from developers to improve stations. However, HMRI had stated that it was unlikely that the Chertsey Station platforms would be extended before re-signalling took place.
- 4.12 The Board requested Officers to ask the County Council if they could introduce intelligent traffic lights at the Egham Station junction, as the Board considered that this more sophisticated equipment might reduce delays in that location.
- 4.13 Surrey County Council's traffic signals team had looked at whether the signalling equipment (which was the most up to date which was available) at the Station Road/Church Road junction

could be altered to relieve traffic congestion caused by the frequent and lengthy periods when the level crossing barriers were down. The signals at the Station Road/Church Road junction operated in four stages. At Stage 1, the green light was shown for traffic to flow in both directions in Church Road. At Stage 2, Church Road eastbound traffic and the right turn into Station Road operated. At Stage 3, the traffic turned left and right out of Station Road and at Stage 4 the signals were all red to allow pedestrians to cross.

- 4.14 The signals team had commented that the only alteration that might help traffic congestion in Station Road would be for the signals to go to Stage 3 when the barriers were down, but this would not reduce the time spent waiting at the barriers and could increase the congestion in Church Road, especially considering the number of times that the barriers were down. The overall cost of installing the radio link between the signals would be in the region of £15,000 and they doubted whether this would achieve any benefit, especially considering that the distance between the barriers and the Church Road junction was nearly 200 metres. In that stretch of road there were side turnings, accesses and parked vehicles. The movement of vehicles from these sources was unpredictable and this would further limit the effectiveness of this solution. Traffic often tailed back from the level crossing along Station Road to Church Road. Traffic was then prevented from turning from Church Road left and right into Station Road. Runnymede Officers considered that there could be a benefit to drivers travelling along Church Road if Stage 1 was extended, although it was considered that the benefit would be marginal compared with the cost of the new equipment. Although Runnymede Officers have again raised the matter of the radio link with SCC Officers, the County Officers have retained the same view.
- 4.15 Officers had reported to the Board at the July 2007 meeting that Network Rail had applied to the Her Majesty's Railway Inspectorate (HMRI), on behalf of the Secretary of State for Transport, for a Level Crossings Order to replace barrier and signalling equipment at the level crossing in Guildford Street, Chertsey. A representation to the Order had been sent by Runnymede to maintain pressure on the HMRI and Network Rail to reduce barrier down times. Network Rail had carried out the work before the consultation period had elapsed and before the Secretary of State had made the Order. Runnymede and Surrey County Council Officers had complained about this to the HMRI. The HMRI had responded by stating that while they had expressed their concern to Network Rail about the inadequate planning that had resulted in this occurrence, as the type of crossing, and the barrier down times had not changed, and the changes were minor and there was no safety risk, on balance, the benefits of renewal of the crossing equipment as carried out, appeared to outweigh the costs and disbenefits of delaying the commissioning. The HMRI also added that paragraphs had been included in the Order, placing duties on Network Rail and Surrey County Council to co-operate in producing a long term strategy for the crossing.
- 4.16 Network Rail (NR) had formed a Rail Road Partnership (RRP) with local authorities in several areas to discuss road and rail issues of common interest. The primary purpose for NR was to identify opportunities to close level crossings where this could be justified with a sound business case. Rural areas would have a less strong case for closure because of less traffic. The business case would consider whether the crossing could be (i) closed without diversion or bridging, (ii) diverted with funding either from NR, the highway authority, an outside party or shared funding (iii) retained with additional road controls such as red light enforcement cameras, traffic calming or better signage, or (iv) retained unchanged. NR also recognised that the RRP's could provide an opportunity to address local road and rail related issues between NR and local authorities. NR had now effectively recognised the problem of road traffic being held up by level crossings.
- 4.17 NR had held the first meeting of the Surrey RRP in October 2007. At the meeting the RRP had studied twenty level crossings in the western part of the county, including all of those in Runnymede. The meeting Chairman circulated a Rail Safety and Standards Board Research Brief on the "Modelling of the economics of level crossing closures and conversions". This Brief specifically mentioned level crossings with busy rail lines and high volumes of road traffic that had the effect of "cutting off" communities and damaging trade and commerce. The Brief explained the development of the AXIAT model (Assessment of Crossing Alternatives) that was to be, or had been, trialled in Lincolnshire, West Sussex, Dorset and North Yorkshire. NR would be demonstrating the AXIAT model at a future meeting and Officers would report the outcome of this demonstration in a future report to the Review Board. NR have not yet provided this demonstration, although they have been requested to do so by Council Officers.
- 4.18 It would appear that significant reductions in barrier down times may not be achieved by new signalling and that major schemes to bypass level crossings are not on the immediate horizon.

The Council has responded to a consultation on disposal of surplus NR land by requesting that measures are put in place to restrict sale of NR land that could potentially be used to bypass level crossings in future.

5. AIR QUALITY

- 5.1 The Board has been informed of the outcome of a detailed assessment of air quality in the Borough.
- 5.2 At its Meeting on 12 October 2006, the Board had agreed to receive a further report on air quality including an analysis of the final report on sites within the Borough where annual mean nitrogen dioxide concentrations had exceeded the air quality “objective” (target). The Board had been notified in February 2007 that DEFRA had accepted this final report subject to a detailed assessment being carried out by Runnymede’s consultants, and that the outcome of this assessment would be reported to the Board. This detailed assessment from the Environmental Research Group (ERG), King’s College, University of London, had taken longer to complete than anticipated, and had been received on 30 October 2007. The Executive Summary of the detailed assessment was noted by the Board and the full report was available on the Council’s internet site. The detailed assessment had been submitted to DEFRA for approval.
- 5.3 Runnymede had statutory duties under the Environment Act 1995. The detailed assessment which had been carried out was part of the process of discharging those duties. Where areas within the borough were identified as not achieving, or not likely to achieve, the necessary air quality standards, then those areas had to be designated Air Quality Management Areas (AQMA)s. The assessment indicated that the Station Road /High Street area of Addlestone should be so designated and that further assessment was required for the New Haw area.
- 5.4 The Board asked about the effect of the M25 motorway on air quality in Addlestone and New Haw. It was noted that the main problem was local traffic, in particular stationary vehicles with engines running which caused substantially more pollution than vehicles being driven at high speeds. An Air Quality Consultant had been appointed to provide assistance to Officers with regard to implementing the requirements of the report. Officers were not yet in a position to give a detailed report on the implications for public health and it was agreed that a further report be presented to a meeting of the Review Board.
- 5.5 The consultant would be liaising with officers from Surrey County Council and other interested parties, and planning for monitoring of nitrogen dioxide (the primary pollutant of concern) in Addlestone and also in New Haw, as this area also had potential to exceed the national air quality standards. The findings had not been that the air quality had worsened in these areas but rather that it had not improved by a sufficient amount to meet the “objective” or target. New vehicle technology with engines that emitted less noxious substances should improve the position over the next few years. This would apply to both cars and planes. More sustainable buildings would also have a beneficial long term effect. Large buildings could have a “canyon effect” of trapping pollution. It was noted from the full detailed assessment report that some areas in the north of the borough (e.g. in the vicinity of Egham Sports Centre) had worse air quality results than the south of the borough. It was noted that an AQMA had already been declared for an area in Egham in the north of the borough near the M25 and enhanced monitoring had already been undertaken as part of this AQMA. The Board considered that further monitoring should also be undertaken in Egham and Officers agreed to add this to the work that would be done in Addlestone and New Haw.
- 5.6 Levels of nitrogen dioxide were already monitored by “diffusion tubes” at various sites in the borough, as part of a Surrey wide monitoring network in which costs were shared amongst the Surrey districts, and this would be expanded to include more intensive monitoring. It was agreed that Officers should liaise with local community groups and Ward Members on arrangements for further monitoring, in order to raise public awareness of the issue.
- 5.7 In view of the problem with stationary traffic, it was possible that the additional pedestrian crossings installed in Addlestone which had improved facilities for pedestrians had exacerbated the air quality problem by slowing traffic down. It was therefore agreed that Officers should investigate with Surrey County Council Highways Officers whether there was scope to alter the phasing of traffic lights in Station Road, Addlestone.

- 5.8 Runnymede spent approximately £3,000 per annum on consultancy work plus Officer time totalling approximately 0.2 full time equivalent member of staff carrying out air quality work. The cost would be somewhat higher in this financial year because of the additional work that would be carried out. The work that arose from the further monitoring might require additional resources in future years. Unlike real time analysers, diffusion tubes were not expensive.
- 5.9 M25 enhanced monitoring had been paid for by the Highways Agency, with the Council providing the staff resources. The Council would meet the cost of the extra monitoring now required as a result of the Detailed Assessment. Costs could be met from existing provision, including from a vacant post which was also funding the air quality consultant. The monitoring would begin as soon as possible for a time period of at least a year.
- 5.10 The Board agreed to recommend to the Leisure and Environment Committee that an Air Quality Management Area be designated in Addlestone and that further monitoring be undertaken in the New Haw and Egham areas. The Board also asked about steps that could be taken to improve air quality. The Board agreed that Runnymede Officers should liaise with Pollution Study Group Officers at neighbouring Councils on the possibility of action being taken against bonfires and the failure to switch off car engines.

6. PROVISION OF OUT OF HOURS NOISE SERVICE

- 6.1 At its meeting in October 2007, the Board considered a request received from nine residents seeking a review of the loss of the Council's out of hours noise service.
- 6.2 An out of hours noise service had been provided to Runnymede Borough Council by a contractor for four years, from 1 April 2003 to 31 March 2007. Out of hours meant outside of the normal working day from Monday to Friday. The service had been shared with three other Surrey District Councils; Elmbridge Borough Council, Epsom & Ewell Borough Council, and Woking Borough Council. The cost of the service had been approximately £10,500 a year. The other three Council's had continued with the service. Under the service, an independent Environmental Health Practitioner (EHP) would respond to complaints of noise under two sets of circumstances. The first circumstance was after one complaint was received and where the property concerned was on the "hot list". The "hot list" consisted of properties which had long standing noise problems, where Officers were trying to witness a nuisance or a breach of a notice. The second circumstance where the EHP would respond was where three or more residents made a noise complaint. Having the minimum number of complaints set at three, in the case of those incidents which were not on the hot list, restricted the number of referrals to the contractor and reduced the cost.
- 6.3 Where a complaint of a statutory nuisance was received then the Council had to take such steps as were reasonably practicable to investigate the complaint. In addition, any person aggrieved by a statutory nuisance could complain directly to the Magistrates' Court and the Court could make an Order to abate the nuisance and prohibit its recurrence. The Council was not obliged to provide a noise nuisance service outside of normal working hours.
- 6.4 Although powers to deal with noise nuisance were available to the local authority, Surrey Police had powers to intervene where they considered that a breach of the peace might occur, or where such a breach was already occurring, as a result of noise disturbance. Therefore Surrey Police did sometimes become directly involved in out of hours noise complaints. Runnymede Officers also occasionally sought assistance from the police when they considered that there might be safety concerns as a result of taking action against people causing a noise nuisance and situations could arise when no action could be taken at the time due to such safety concerns. When Officers became aware of potentially noisy events, they had an involvement, wherever possible, in the planning and monitoring of them, in order to minimise disturbance to residents.
- 6.5 An analysis of referrals to the service for 2006/07, which was the last year of the out of hours noise service, was noted. Approximately half of the complaints had been received by the Safer Runnymede Centre and it was estimated that three quarters of all complaints referred to noise occurring outside of normal working hours, i.e. weekends and evenings. So far during 2007/08, 250 complaints of domestic and commercial noise had been received. 90 of those had been received by the Safer Runnymede Centre.
- 6.6 The presence of the out of hours service had also reduced the workload of Environmental Protection staff to a certain degree as complaints would be dealt with when they arose during

evenings and weekends and not be waiting for Officers to deal with on the next working day. There had been some noise complaints since 1 April 2007 that had not been dealt with when they occurred, especially over weekends, and this had caused some unrest with some residents, prompting the letter requesting the review. However, these complaints had been infrequent. The benefit of the service to residents had to be weighed up against the cost, albeit relatively modest, of the service. There had been an additional workload on staff in Environmental Protection. However, this was not great and Officers had accepted this, being mindful of the financial situation the Council was in, although inevitably there might be some other areas of environmental health work that suffered from time to time as a consequence. Safer Runnymede staff had also had a more difficult task since April explaining to residents, who were occasionally irate, that the Council no longer provided an out of hours service.

- 6.7. Officers reported that the out of hours noise service had not always been effective because on some occasions the EHP was informed that the noise had ceased before arriving. The EHP would then use their professional judgement on whether to visit the property concerned. In order to compensate for the loss of the service, weekend and evening working and proactive visits had increased. Noise nuisance was monitored where possible at the same time as the smoking ban in public places was being enforced. Camcorders had been used to film activity at a building site, where reports of noise had been received by Officers. Sensitive sites were actively monitored. Any planned events of which Officers received knowledge would be monitored and if any complaints were received in connection with the site, Officers would respond.
- 6.8. In April 2007, another Council within Surrey had carried out a survey of local authority out of hours noise service provision amongst Surrey Councils and some other Councils in the South East of England. The Board noted this survey which showed a variety of provision, varying from none, as in Runnymede and others at present, to expensive but comprehensive schemes. Some of the more expensive schemes' costs were higher because of involvement with out of hours emergency planning.
- 6.9. The annual saving of £10,500 by stopping the service had been included in the annual budget for 2006/07 and subsequent years and had helped to meet the revenue forecast target of reduced expenditure. There was still some way to go to meet the financial forecast and difficult decisions would inevitably have to be made on whether to continue a range of services. The Board noted that when the Corporate Management Committee had taken the decision to discontinue the out of hours service in September 2005, when looking at a series of service reductions across a number of service areas, the Committee had been mindful that it was a discretionary service which had not been used by many residents. If this service was to be reinstated, under Council policy, compensatory savings would have to be found from elsewhere within the Leisure and Environment Committee's budget.
- 6.10. The Board received a presentation and representations from two local residents from St. Ann's Hill Road, Chertsey who wished the service to be reinstated. The residents gave examples which illustrated the usefulness of the out of hours service. They referred to an incident where John Battleday Waterski of Thorpe Road, Chertsey had held an event on 7 July 2007 at which the terms of a Noise Abatement Order had been breached. On this occasion, John Battleday had not observed the time limits on the music, the voluntary monitoring of noise levels, or given advance notice to the Council. The music was required to not be audible beyond the boundaries of the site after 11.00 pm in the evening and it went on until the early hours of the next morning. No action could be taken to stop the noise at the time when it was occurring, as the statutory nuisance had not been witnessed by either the out of hours service or by a Council Environmental Health Officer. Another example which the residents gave was on a summer Sunday morning, when the out of hours nuisance officer had been able to attend to stop excessive dust and fumes resulting from work being carried out on a property. The out of hours service had been able to intervene in cases of nuisance which were not entirely noise related. The residents also pointed to light and noise pollution from filming which occurred regularly in their area. The out of hours service had been useful in dealing with that problem. The residents stated that elderly residents in their area had also benefited from the service. In the experience of these residents, most noise problems arose at weekends or evenings. The Board noted that the public did have the power to complain to the Magistrates Court about noise and the Court would decide whether there was sufficient evidence to make an Abatement Order. The residents at the meeting stated that they and people they knew had been informed by Officers, in previous discussions, that any evidence the public gave on noise nuisance would not have the same weight as that provided by an Environmental Health Officer or the EHP involved in the out of hours service. The Board noted that this was not necessarily the case. An expert was not the

final arbiter in the case of evidence given to the Magistrates Court. If residents could give evidence of sufficient quality, then an Abatement Order could be made. Complaints made to the Police about noise were referred to the Council, although there were certain circumstances, as stated above, in which the Police might have an involvement, although that would depend on the resources which the Police had available at the time of any incident.

- 6.11 The Board was mindful of the financial constraints upon the Council and the fact the out of hours service had not been called out very frequently and was a discretionary service. Council policy was to maintain vigorous control of its finances. The Board took the view that the cost of each call-out had been high, when taking into account the number of times that the service had been called out and the cost of the service, and the Council had to decide on its priorities at a time of resource constraint. The Board, however, considered that noise out of hours would cease more quickly if such a service was in place. The Board also noted that, while the number of cases was small, the impact of each of them could be substantial. It was also Council policy to enhance the quality of life for all Runnymede residents. The Board accordingly agreed that the Leisure and Environment Committee be requested to reappraise the loss of the out of hours noise service and if it wished the service to be reinstated, to identify where compensatory savings can be made from within its budget.
- 6.12 At its meeting on 15 November 2007, the Leisure and Environment Committee resolved in principle to support the reinstatement of the Out of Hours Noise Service, with the intention for it to be introduced from April 2008. The Committee also resolved that Officers determine the cost of reinstatement and report back to the Committee, so that compensatory savings could be found within the Leisure and Environment Committee budget. It was agreed that Officers would work with the Chairman of the Committee in identifying the potential savings which were required.

7. NET REVENUE REDUCTIONS – PROGRESS – DECEMBER 2007

- 7.1 As part of its work programme, the Board has continued to monitor progress against the Council's net revenue reduction targets.
- 7.2 The report to the Corporate Management Committee on 1 November 2007 on the Financial Forecast of the Council's revenue and capital spending covering the period up to the 2012/13 financial year, included a schedule showing the progress in achieving the revenue reductions approved in 2005, which was noted by the Board. In 2005 the Corporate Management Committee had approved a range of measures to reduce the net budget by £2.6 million and the latest forecast assumed that £2.3 million of this target would be achieved. This included £0.3 million which was programmed to be achieved from 2008/09. A further exercise to rebase budgets in line with the 2006/07 outturn had identified reductions totalling £106,000. On top of this, additional savings of £368,000 had been included in order to reduce the budget deficit. These could potentially increase to £513,000 by 2012/13 as a result of further increases in charges.
- 7.3 Even allowing for these three measures, further reductions in the revenue budget would be required to avoid working balances falling below the Council's approved minimum level. Additional annual savings of £600,000 would be sufficient to achieve this within the period of the five year forecast, but would not create a sustainable budget because it would still require a withdrawal from balances approaching £1.4million in 2012/13. It would do no more than defer the problem for one year. The reductions would need to be much greater to produce a budget that did not rely on withdrawals from balances. However, in view of the uncertainties in this year's forecast, the Committee had agreed that there was a strong case for restricting the savings target to £600,000 at this stage, until the cost implications of key developments became clearer over the next few months. If the forecast projections could not be revised downwards by the time that the 2008/09 budget was considered in February 2008, this target would need to be increased. The achievement of the £600,000 target would require a close examination of areas of discretionary spend and of alternative service delivery mechanisms. The £600,000 target would be difficult to manage but £2.3 million of savings had already been achieved. The Council had delivered the savings so far, while maintaining the integrity of most services.

8. POST OFFICE CLOSURES

- 8.1 The Board received a report prepared at the request of the Chairman regarding a consultation from Post Office Ltd on the closure of Post Office branches in Surrey, Berkshire and West Sussex and noted the responses of the Council, Surrey County Council, the Surrey Local

Committee for Runnymede and Postwatch to that consultation, and the details of decisions taken by Post Office Ltd in respect of proposed branch closures. At the meeting the Board was informed by Surrey County Council's Head of Policy and Public Affairs of Surrey County Council's proposals with regard to Post Offices, and also heard verbal representations from four local residents, a representative of Chertsey Chamber of Commerce and the Sub Postmaster of Little Green Lane Sub Post Office. The Board's views were also sought on potential future options to safeguard other local post offices.

- 8.2 The Government had recognised that fewer people were using Post Office branches, partly because traditional services, including benefit payments and other services were now available in other ways, such as online or directly through banks. The Government had concluded that the overall size of the network of Post Office branches (known as "the Network") needed to be reduced. In May 2007, following a national public consultation, the Government had announced a range of proposed measures to reshape the Network, known as "the Response Document". Post Office Ltd had now put in place a Network Change Programme ("the Programme") to implement the Response Document. The Board noted that Post Office Ltd was being forced into this action by pressure from the Government. The Programme would involve the compulsory compensated closure nationally of up to 2,500 Post Office branches (out of a current Network of 14,300 branches). In the Programme, Post Office Ltd had applied the minimum access criteria as prescribed by the Government in the Response Document.
- 8.3 The Board noted that the Government's minimum access criteria were that nationally 99% of the UK population had to be within 3 miles and 90% of the population had to be within 1 mile of their nearest Post Office branch, 99% of the total population in deprived urban areas across the UK had to be within 1 mile of their nearest Post Office branch, 95% of the total urban population across the UK had to be within 1 mile of their nearest Post Office branch and 95% of the total rural population across the UK had to be within 3 miles of their nearest Post Office branch. In addition, for each individual postcode district, 95% of the population of the postcode district had to be within 6 miles of their nearest Post Office branch. In order to implement the changes set out in the Response Document and to deliver the Programme, Post Office Ltd had divided the UK into 47 Areas and had developed an Area Plan Proposal for each of them. Surrey lay within the Surrey, Berkshire and West Sussex Area. The local public consultation on the Area Plan Proposal had commenced on 29 January 2008 and had closed on 10 March 2008.
- 8.4 Post Office Ltd had decided to close two post office branches in Runnymede, both of which were also newsagents. These were Little Green Lane Post Office at 20 Little Green Lane, Chertsey and Steppages Post Office at 17 Fordwater Road, Chertsey. A Branch Access Report had been produced for each of them, setting out information about each branch and also comparing this information for the nearest two alternative branches. The Board noted copies of the Branch Access reports for the two branches.
- 8.5 The responses from Runnymede Borough Council and the Surrey County Council Local Committee for Runnymede to the consultation stated that Post Offices were part of that infrastructure that needed to be maintained to serve an expanding local population. They were also needed as a local facility for an ageing population and to be truly sustainable, needed to be available locally so that residents could access them easily rather than have to drive to a larger centre. Surrey County Council in their response to the consultation had also stated that many of the Post Office's proposed alternative outlets would demand increased use of private cars, producing a negative environmental impact and, for the neediest members of the community, additional personal costs of accessing Post Offices by bus could be difficult to meet. The County Council had strongly objected to the shutting down of all of the 21 Post Offices earmarked for closure across the County, including two in Runnymede, and set out the case for further consideration. The County Council also indicated its wish to be involved in further dialogue on the Network Change Plan, and possible alternative approaches. However, Surrey County Council had not committed itself to using Council Tax to support Post Offices.
- 8.6 The County Council was also exploring the possibility of locating some Post Office Services on a self help basis in County facilities such as libraries, (rather than subsidising Post Offices as Essex County Council had done), but these actions were currently being evaluated in the light of experience elsewhere in the County at Bramley.
- 8.7 There were security issues associated with locating some Post Office services in libraries and Bramley Library had been the subject of a break in. Appropriate staffing and training were also required. The type of Post Office services which would be suitable for libraries would be those

where members of the public would could serve themselves, and Surrey County Council staff should not be diverted from their library duties. Surrey County Council were undertaking project work on how to move this forward, taking into account initiatives elsewhere and advice from the Local Government Association. They would be approaching Post Office Ltd with their proposals. The Board agreed to support Surrey County Council's plans for some Post Office services (such as leaflets and information), to be provided in County facilities, such as libraries, while noting that the viability of these measures was still being considered.

- 8.8 The Board discussed the lack of a Post Office in Englefield Green, as the branch at Victoria Street had recently closed. This was not as part of the Network Change Programme, but because the previous owners of the shop housing this branch had moved on. It was understood that a bid to take over the Englefield Green franchise had been made by the owners of the previous Post Office in Bond Street, but that Post Office Ltd had raised a number of issues which remained to be resolved.
- 8.9 The consultation period on the proposed closures had expired on 10 March. Post Office Ltd had issued a final decision on 7 April and would be implementing its proposals in May. Post Office Ltd had stated that after this final decision had been announced, if the Council wished to discuss future Post Office service provision in the Borough, they would do their best to meet the Council, subject to availability. Post Office Ltd had been invited by Officers to attend and speak at the meeting to explain their policies on closures. Post Office Ltd had also been asked if the final decision document could not be issued until after the Review Board had met. Post Office Ltd had responded by stating that the Board's meeting to discuss the proposed closures of the branches mentioned fell outside the consultation period for those branches and as a result Post Office Ltd would be unable to attend. The Board was disappointed that Post Office Ltd had not taken this opportunity to explain their closure programme. Post Office Ltd had also stated that they were unable to suspend their final decision until after the Board's meeting, as the timetable had been set to minimise the uncertainty for customers and sub postmasters.
- 8.10 Post Office Ltd had been asked by Officers about the relative weight which they attributed to the various factors in reaching a decision to recommend closure of a branch. These factors were the proximity of the Post Office branches proposed for closure to other nearby branches, the number of customers currently using a particular Post Office branch, the size and ability of nearby branches to absorb extra customers, and the commercial implications of any decision. Post Office Ltd had stated that all of these factors had been given equal weighting and had been considered together with the minimum access criteria as stated above. The Board noted the difficulty in obtaining financial information on the decision making process as Sub Post Offices were franchises. It was therefore difficult to ascertain why some branches had been left open and others were set to close.
- 8.11 Regarding 20 Little Green Lane, Runnymede Borough Council had commented in its response to the consultation that this was a compact residential area, where over 23% of the population was over 60, some 10% over 70 and 5% had no access to cars. This convenience store and Sub Post Office provided an enormously valuable facility, the alternatives for which were a distance away, so occasioning real inconvenience to residents. Regarding Steppages, the Council had commented that this was an area of both residential and mixed commercial development, where the Sub Post Office provided a valuable facility for residents, but also for the small and medium mixed enterprises that characterised the immediate catchment area. Some 10% of the residential population had no access to a car and 16% of the population was over 60 and over 8% over 70 years of age. The loss of this facility would be felt very substantially by residents and businesses alike and, again, alternative facilities were a distance away, which would occasion both cost and inconvenience to many. In more general terms, the population growth in the borough and the increased housing which would be required, suggested the need for more, not less, social infrastructure, such as Post Offices.
- 8.12 It remained the Council's view that closure of these facilities was both unnecessary and undesirable. As demonstrated previously with the re-provision of the major Post Office as part of the Tesco's development in Station Road, Addlestone, the Borough Council remained very willing to enter into dialogue with Network Development staff or others, to underpin valued community resources. The Council in its response had urged Post Office Ltd to reconsider these proposals and enter into dialogue to find credible and sustainable long term solutions to the performance of these two outlets.

- 8.13 The verbal representations which the Board received at the meeting reinforced the Council's consultation response. The implications for local business in terms of time and cost in having now to use the Windsor Street, Chertsey branch was noted, as was the environmental impact of more car journeys. The Little Green Lane Post Office was close to a centre for disabled adults and children and provided a valuable resource for them in enhancing their life skills by using the facility and these people would not be able to travel to Chertsey. Local residents present at the meeting praised the current Subpostmaster for being helpful and friendly. The impact of closures on the needy, the disabled and non car users was noted. It was also noted that Post Office Ltd were reducing the work which was given to Post Offices as a way of undermining their viability. The Board noted that from dialogue with the Windsor Street Post Office, there was no guarantee at present from Post Office Ltd that staff levels would be maintained at a sufficient level to cope with increased custom.
- 8.14 In their decision letter of 7 April, Post Office Ltd had confirmed that they had received approximately 6,100 pieces of correspondence and had attended 25 meetings with customers and their representatives during the local public consultation. They had decided to proceed with the closure of 41 branches across the Surrey, Berkshire and West Sussex Area. They had decided not to proceed with 3 proposed closures as a result of feedback received during the local public consultation. Post Office Ltd had decided to proceed with the two branch closures in Runnymede. This would leave 278 branches open in the Area as whole. The Board noted the locations of the eleven other Post Offices in Runnymede which were remaining open. In its decision letter, Post Office Ltd had commented on the closure of the Little Green Lane branch and the Stepgates branch.
- 8.15 Concerning the Little Green Lane branch, Post Office Ltd had commented that the main concerns raised by respondents during the local public consultation related to the impact of closure of this branch on the local community, especially those from St Peter's Hospital and the Salesian School. Respondents also raised concerns relating to elderly customers who used the branch. Respondents felt that parking facilities at the closest alternative branches, especially the Chertsey and Addlestone branches, were poor, and that the alternative branches were located far away and would require customers to cross dangerous roads if walking. Some respondents also questioned the proposed closure of this branch since it had been recently refurbished after a fire. Post Office Limited had considered all responses received during the consultation, including the submission from the Runnymede Older People's Forum. Post Office Limited stated that the two closest alternative branches were within two miles of Little Green Lane Post Office, and buses ran frequently to both, with concessionary fare schemes for elderly and eligible disabled customers. Both of the alternative branches had longer opening hours, offered a wider range of products, including motor vehicle licensing, and had level access into the premises. Car ownership in the local area was high – over 83% – and parking was available at both alternative branches. Taking these and all other relevant factors into account, Post Office Limited had decided to proceed with the closure of this branch.
- 8.16 Concerning the Stepgates branch, Post Office Ltd had commented that respondents' main concerns had related to the impact of the proposed closure on the large elderly population in the local area, and on the community as a whole. Respondents had also raised concerns relating to the distance required to travel to the closest alternative branches, and the poor parking facilities at those branches, particularly for disabled customers. Customers had praised the current Subpostmaster at Stepgates branch for being helpful and friendly. Respondents had also pointed out that several housing developments were planned for the surrounding area. Additional concerns had been raised by respondents in relation to overcrowding at Chertsey Post Office in Windsor Street, and the lack of a direct bus service to Addlestone Post Office. Post Office Limited had considered all feedback received during the local public consultation, including that received from the Runnymede Older People's Forum. Post Office Ltd reported that the closest alternative branch was located within the Tesco Superstore in Addlestone. This had six counter serving positions, longer opening hours and offered the full Post Office range of products, including motor vehicle licenses. Approximately 83% of local households in the area had a car and there was adequate parking in the supermarket car park for customers who were able to access Addlestone branch by car. Parking was also available outside the second closest branch – Weybridge Post Office – and in the large pay and display car park nearby. Both of the suggested alternative branches had level access into the premises. Having given due regard to these and all other relevant factors, Post Office Limited had decided to proceed with the closure of this branch.

- 8.17 The Board considered a series of possibilities for action put forward by Officers. In Essex, under an earlier phase of the closure programme, 32 post office branches were proposed to be closed. Essex County Council sought to step in to provide direct financial support and spent two months negotiating with Post Office Ltd. During this period, each Essex branch was subject to a criteria assessment for support based on financial viability together with local need. It had now been agreed with Postal Affairs Minister Pat McFadden that Essex County Council would spend £1.5m saving 15 threatened rural and urban branches. The Council would initially spend up to £18,000 a year subsidising each branch, but hoped that over three years they would become self-sufficient. It planned to cut costs by relocating branches to other public buildings such as schools and libraries. The proposal had been cautiously welcomed by Postwatch, the industry watchdog, and had attracted interest from more than 20 other local authorities, including Kent, York, Lancashire, West Sussex and Leicestershire.
- 8.18 Whilst such direct action could be very effective, there was concern that it was simply local government subsidising facilities that should be supported centrally. Unless a strategy was in place to reduce costs over time then this would simply become an ongoing burden on local taxpayers. Locally, Runnymede was not in a financial position to contemplate such action. One of the elements of the Policy Guidance which had been taken into consideration in the Council's Revenue Reduction Exercise, was that the financial consequences of withdrawal or service remodelling by others would no longer be picked up by the Council. Current Council policy was that unbudgeted items of increased expenditure or reduced income would have to be financed from elsewhere within the relevant Committee budget. The option of direct action to either reprovide, or financially support, Post Office branches threatened with closure would be a significant burden on the General Fund and would represent on-going expenditure. Given the Council's current financial position, this option could only be financed by direct reduction in other service provision elsewhere.
- 8.19 Under the new planning regime, spatial planning allowed a far wider view to be taken than the previously land use based policies. Social, economic and health aspects were now legitimate concerns that could be addressed through policies in the emerging Local Development Framework. Previously, it was generally held that the planning system could not protect existing uses where a new use proposed was in itself acceptable. However, policies protecting existing facilities, particularly in rural areas, had been supported on appeal. One aim of the planning system was to maintain and improve infrastructure and this was being actively promoted through Planning Obligations being introduced across Surrey, which levied a tariff from residential and commercial development specifically aimed at improving infrastructure. The Local Development Framework Member Working Group had already discussed this issue and the Board agreed to request the Planning Committee to include policies aimed at retaining local post offices and other important local facilities as part of the public consultation on the LDF.
- 8.20 The Inspector's report on the South East Plan proposed use of the former DERA site at Longcross for 2,500 dwellings and 65,000 square metres of office development. Whilst this had yet to be confirmed by the Secretary of State, if this proposal remained, it would be the intention to make this development as sustainable and self-contained as possible. This would include a review of Post Office provision, either to support the present branch in Trumps Green Road, Virginia Water, or a new on-site provision. The Board agreed to request the Planning Committee to give consideration to the need for Post Office facilities as part of any large residential development of this site.
- 8.21 The Council already provided community transport buses to transport elderly people to the various day centres in the borough and there was also a specific run to the local Post Office for residents travelling from Englefield Green to the Egham centre. The Dial-a-ride service would also take Dial-a-ride Members to and from Post Offices across the Borough by appointment. There was no intention to reduce these services. The Board asked whether there was capacity to increase the number of passengers on these services and the Board agreed to suggest that this should be looked at by the Housing and Community Services Committee if it became an issue, while noting that usage varied. The Board agreed that the Housing and Community Services Committee should be commended for this provision of discretionary transport, and should be requested to continue to do so.
- 8.22 The Board agreed to recommend to the Council that the Council write to the Government asking the Government to recognise the grave hardship which the closures of Little Green Lane and Stepgates Sub Post Offices would cause to the community and suggesting that the Government amend the minimum access criteria and that Post Office Ltd be requested to revisit the decision

to close these branches. The Council supported the Board's recommendation and the Leader of the Council accordingly wrote to the Government and to Post Office Ltd.