

Economic Development Committee

Thursday 12 March 2009 7.30pm

**Council Chamber
Runnymede Civic Centre, Addlestone**

Members of the Committee

Councillors P I Roberts (Chairman), D A Cotty (Vice-Chairman), A Alderson, M J Brown, H A Butterfield, Mrs R M Denby, Mrs C E Gant, J W C Perschke, L C Pouyanne and J J Wilson

AGENDA

Notes:

- 1) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- 2) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mr M L White, Committee Section, Administration and Leisure Department, Committee Section, Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425623). (Email: malcolm.white@runnymede.gov.uk).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please ring Mr B A Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on www.runnymede.gov.uk.
- 4) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

LIST OF MATTERS FOR CONSIDERATION

PART I

Matters in respect of which reports have been made available for public inspection

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PART II

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

- a) Exempt Information
- 11. VIRGINIA WATER CAR PARKS – POTENTIAL DEVELOPMENT – DEVELOPMENT AGREEMENT 12
- b) Confidential Information
(No reports to be considered under this heading)

1. FIRE PRECAUTIONS

The Chairman will read the Fire Precautions which set out the procedures to be followed in the event of fire and other emergency.

2. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

3. MINUTES

To confirm and sign, as a correct record, the Minutes of the meeting of the Committee held on 15 January 2009, which are included in the March 2009 Council Minute Book.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

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

6. AIRTRACK - PUBLIC TRANSPORT ACCESS TO HEATHROW AIRPORT (DTS)

1. Purpose of Report

1.1 **To update the Committee on progress on the proposal by BAA to improve public access to Heathrow Airport by creating additional rail services from Waterloo, Reading and Guildford.**

2. Background Information

2.1 The Committee will recall that the Airtrack scheme comprises the following elements:-

- Rail links from Guildford-Heathrow (stopping at Chertsey), Reading-Heathrow and Waterloo-Heathrow providing normally a half hour service from origin.
- New rail link from Staines to Heathrow across Staines Moor.
- New elevated rail chord through Staines Town Centre.
- New Train Service Area at Feltham.

2.2 The Council has supported the Airtrack concept for some considerable time and is one of the founder members of the Airtrack Forum that has provided the focus for the promotion of the initiative. The basis of the support has been to provide a good quality public transport link from the South-West of Heathrow and as a key element for sustaining the future prosperity of the Airport.

2.3 The Council considered the Airtrack scheme at its meeting on 13 December 2007 and resolved as follows:-

- i) the Council reaffirms its support for Airtrack and the benefits it will bring:-
 - to residents of Runnymede through reducing road traffic;
 - to airport employees travelling to and from work; and
 - to air travellers accessing Heathrow.
- ii) The Council also urges the Minister of Transport to facilitate improvements to the road and rail infrastructure in respect of level crossings in Addlestone, Egham and

Staines, which will close to road traffic more often as a result of the increased number of trains and rail usage.

- 2.4 In 2006 BAA decided it would take the Airtrack scheme forward and has been preparing for the submission of the Transport and Works Act Order to obtain permission to build and operate the service. During that time it has prepared detailed technical assessment and options. These were first exposed to public consultation (a requirement of the TWA) in Spring 2008. However, this consultation focused on the Staines area (Spelthorne Borough Council) and dealt with the Staines Moor (new section of track) and Staines Town Centre (new section of track and station).
- 2.5 Runnymede Borough Council was given an outline of the scheme at a presentation on 3 March 2008.
- 2.6 Following the consultation exercise the comments received were assessed, together with further technical information, and the final round of consultation sets out the preferred scheme. The key changes to the scheme were:
- the identification of 3 options providing the rail route across Staines Moor;
 - the decision to have only one station in Staines (retaining the current station);
 - the provision of a service area in Feltham.
- 2.7 BAA has consulted again on the proposal to submit an application to the Secretary of State for Transport to obtain permission to build and operate Airtrack. The deadline for comments was 15 December 2008. The scheme is being promoted by BAA and is to be the subject of a Transport and Works Act Order (TWA) to facilitate the construction of the new service.
- 2.8 The second consultation was reported to the Corporate Management Committee meeting of 27 November. A copy of the Council's formal response is attached at Appendix 'A'.
- 2.9 Essentially, the Council's confirmed position is as a supporter of Airtrack, but that support is conditional upon resolving the issue of level crossing downtime - already a problem - but one which will be exacerbated by the implementation of Airtrack.
3. Transport and Works Act Order
- 3.1 BAA will be applying to the Secretary of State for a Transport and Works Act Order and this section of the report sets out to explain the background to this and the relevant procedure.
- 3.2 Orders under the Transport and Works Act 1992 authorise transport schemes and are determined by the Secretary of State for Transport. A wide range of matters can be authorised by a TWA Order including powers to construct, alter, maintain and operate a transport system; compulsory powers to buy land; the closure of roads and footpaths; provision of temporary alternative routes and powers for making bylaws.
- 3.3 A TWA Order does not in itself grant planning permission but the applying organisation can ask the Secretary of State to grant planning permission for any development described in the Order.
- 3.4 Certain documents must be submitted with the application. Typical documents required are:
- a draft Order and an explanatory memorandum
 - a concise statement of the aims of the proposals
 - a report summarising the consultations carried out by the applicant
 - plans and cross-sections
 - an Environmental Statement

- a book of reference, including names of owners and occupiers of land to be bought compulsorily
 - the estimated costs of the proposed works
 - the funding arrangements
- 3.5 When an application is made it must be advertised in local newspapers (and the London Gazette) and notice served on all affected owners and occupiers. The documents are placed on deposit for public inspection and nowadays would probably be available on-line.
- 3.6 Once submitted, there is a 42 day period for making comments or objections. As with a planning application, it is the merit of the arguments that is decisive rather than the quantity of objections.
- 3.7 A 'statutory objector' is someone whose land is affected by the proposals and also includes a local authority for the area in which any works would be carried out, if they made objections. A 'statutory objector' has various rights including the right to appear at any Public Inquiry.
- 3.8 The Department for Transport guidance indicates that it is not uncommon for a responder to support a scheme generally but to object to a part of it which affects their own interests.
- 3.9 At the end of the objection period, if there are objections, the Secretary of State has 28 days to decide how the matter will proceed. Similar to the planning appeals procedure, he can decide whether the matter should proceed on the basis of an exchange of written representations, a hearing or a public inquiry. It is presumed that Airtrack will be examined at a public inquiry.
- 3.10 It is likely that the Inspector will hold a pre-inquiry meeting to discuss practical arrangements for the Inquiry and to set an Inquiry programme. The aim is usually to hold the Inquiry locally but it may be held in several locations.
- 3.11 The Inquiry runs along similar lines to a planning inquiry with witnesses giving evidence and being cross-examined by the leading parties' advocates.
- 3.12 At the end of the Inquiry, the Inspector reports to the Secretary of State who then determines the Order application. The only rights of appeal against the decision are to the High Court on a point of law or failure to follow correct procedure.
4. Report
- 4.1 BAA are presently finalising the Environmental Statement which will be a very substantial suite of documents accompanying the TWA Order application. It is now expected that the application will be formally submitted in April after which the Council will need to formulate its formal response. It is likely that the Public Inquiry will be held towards the end of the year.
- 4.2 As BAA is not proposing any works to level crossings in Egham, theoretically, the Inspector could determine that this is not a matter for him to consider. However, given the weight of public response to the last BAA consultation, where 70% of the responses raised concerns about this issue, it is assumed that the Inspector will conclude that this is a key impact of the scheme which merits particular attention.
- 4.3 It is however very important that the public response to the formal TWA Order application adequately reflects these concerns.
5. Potential Mitigation
- 5.1 Whilst the timescale does not allow potential mitigation of the impacts of level crossing barrier downtimes to be identified prior to the TWA Order application being submitted, Officers are working hard to identify mitigation prior to the Public Inquiry.
- 5.2 Runnymede Officers lead a Group which brings together Network Rail, Surrey County Council with BAA and their various Consultants. A number of suggestions have been put to Network Rail, which individually or cumulatively might reduce barrier downtime. Whilst they

readily agreed to examine these, the subsequent response was disappointingly negative. They have been urged to reconsider.

- 5.3 Surrey County Council and BAA are working closely to undertake survey work at the Egham Level Crossings. This will include manual and video surveys as well as origin and destination surveys. This will look at queue lengths, number of pedestrians using the crossings, length of barrier downtimes and where people start and finish their journeys. Some of this work has already been completed and other survey work will take place shortly.
- 5.4 Surrey County Council are looking at the highway network and those aspects which restrict traffic movements away from level crossings. This is complex as, for example, changing of traffic signals sequencing has implications for traffic elsewhere, such as Staines Town Centre.
- 5.5 The traffic signals at the junction of Station Road and Church Road in Egham has recently been fitted with MOVA technology, which responds to traffic volumes. This will become operational shortly and should improve traffic flows.
- 5.6 For some time a scheme has been in the local programme for improvements to the Runnymede roundabout. This is designed to increase capacity onto the roundabout from both the Egham Bypass and The Avenue, as well as widening the access to the M25. A key element of the scheme is taking traffic from the Glanty Loop (from the anti-clockwise M25) direct into The Causeway rather than feeding it around the Runnymede roundabout. This equates to some 500 vehicles per hour in the peak period.
- 5.7 If implemented, the scheme should reduce trip diversion through Egham and also take traffic away from level crossings more speedily. The scheme cost is around £2 million, and Officers are examining options to find funding for this.

6. Resource Implications

- 6.1 The Council will no doubt wish to be represented at any public inquiry. This will involve a senior officer appearing as a witness, with supporting advocacy and this could represent a significant resource, when preparation time is included. Clearly, it will depend on the estimated length of the inquiry and this will not be known until later in the year.

7. Conclusions

- 7.1 Members will note that the TWA Order application determination process is similar to a planning Public Inquiry. Given that it is highly unlikely that solutions will be in place to reduce delays at level crossings in the Borough by the time of the Public Inquiry, then Runnymede will need to examine resources to appear at the Inquiry and supporting advocacy.
- 7.2 Members will note that there is much work continuing to try to find practical means of mitigation and their implementation.

(FOR INFORMATION)

Background Papers

Relevant extracts from Airtrack files.

7. HOUSEHOLD LEVEL FLOOD RISK MITIGATION GRANTS (DTS)

1. Purpose of Report

- 1.1 **To seek the Committee's endorsement of preparatory work on a bid for Government flood risk mitigation grants in Chertsey.**

2. Background Information

- 2.1 Just before Christmas last year, the Government announced the launch of a £5 million property-level flood protection grant scheme to help residential properties in areas of high

risk from flooding. Clarification of the guidance and the application process was given at a workshop held in early February.

- 2.2 The aim is to create demonstration areas that will promote the benefits of flood risk mitigation, stimulate the supply of mitigation surveys and encourage innovation in flood protection.
- 2.3 The grant funding is to be in two phases. Phase 1 will comprise £2 million and applications have to be submitted by 17 March. It is anticipated that nationally some 10 schemes will be approved each dealing with 40-50 dwellings. An attempt will be made to have one scheme in each of the Environment Agency regions. Any unsuccessful bids that meet the basic criteria will go through for consideration in Phase 2.
- 2.4 For Phase 2 the allocation will be £3 million and awards are likely to be less prescriptive in terms of size, strategic location, etc.
- 2.5 The schemes themselves will consist of two elements. The first is a survey of properties to assess flood risk and recommend protective measures. These should be carried out by competent, independent surveyors. The second element is the implementation of the flood risk mitigation.
- 2.6 The grant will be on the following basis:
 - The average spend per property will not exceed £5,000. It is considered that the costs of elements 1 and 2 above will probably be split £500 per property surveys and £4,500 per property for implementation.
 - A maximum grant of £7,000 per property will be claimable.
 - Up to £700 per property will be available to Local Authorities for their administration costs.
 - The level of flood risk and the appropriateness of household-level mitigation measure will be the main criteria in the assessment of the applications. Properties have to have suffered fluvial flooding at least once since Easter 1998, or have to have been flooded twice in the last 10 years by pluvial flooding. Local community engagement will also be a major factor.

Thus maximum grant = £5,700 x Number of properties.

3. Report

- 3.1 The timescale for preparation of a bid for the first phase is very short and if the allocation is only on the basis of a single successful bid in the Thames Region of the Environment Agency then the chances of attracting an award may be limited. Officers do however believe that the opportunity should be taken to submit a bid. There has been informal consultation with Senior and relevant Ward Members and this view has been supported.
- 3.2 To meet the criteria of having been internally flooded, Officers have liaised with the Environment Agency to obtain their records of such properties, as any bid needs the endorsement of the Environment Agency.
- 3.3 Although there has been widespread flooding from The Thames along Chertsey Lane and roads off this over recent years, there have been surprisingly few cases of internal flooding - mainly because many properties in the area are raised up or have underfloor voids.
- 3.4 If the aim of the funding is to provide a demonstration area, then it is logical for it to be in a relatively small geographic area. Having looked at the relevant properties, it would seem that an area in the Chertsey Meads Ward would be the most appropriate.
- 3.5 It is therefore proposed to submit a bid based on the following:

Location	Number of Properties Flooded Internally
Fairway	23
Paddocks Way	22

Drill Hall Road	17
Eastworth Road	6
Fordbridge Close	2
TOTAL:	70

3.6 Although the total exceeds the likely funding, not all property owners may wish to participate. A plan of this area is attached as Appendix 'B'.

3.7 For the bid to be successful, it is necessary to demonstrate local support and community engagement. A letter has therefore been sent to all affected properties and liaison has taken place with local flood wardens, local flood forum and the Chertsey Society. Officers will report verbally at the meeting of the responses received and also the results of discussions with the Environment Agency.

4. Resource Implications

4.1 If successful, the Defra funding would cover the cost of surveying individual properties and the mitigation works to each.

4.2 Work on preparing the bid and implementing the scheme if successful, will be undertaken by the existing in-house engineering team. There will, of course, be opportunity costs in terms of time diverted from other drainage activities. However, this is an opportunity to test and create schemes of real benefit to the properties and residents concerned. Ancillary costs would also be met from existing budgets.

4.3 Up to £700 per property will be available to Local Authorities for their administration costs and this would generate additional income of £49,000 if all 70 properties were included in a successful bid. The likely reimbursement will be lower, but still a potentially significant sum, and useful given the need to create revenue reductions (albeit that this will be once-off item of income).

5. Council Policy

5.1 The submission of a bid would be fully in line with Council policy, set out in the Strategic Plan 2005-2010. It would enhance the quality of life of residents susceptible to flooding and improve the environment as part of the aim of delivering a sustainable community.

6. Equalities Implications

6.1 There is a view that priority should be given to providing flood mitigation to properties occupied by vulnerable people. Two issues militate against this at present. The first is that the short timescale simply does not allow the collection of this level of information. Secondly, it would be very unlikely that such persons would be located in a small geographic area, and a widespread choice of properties would be unlikely to be attractive as a demonstration project. This might reduce the chances of a bid being successful.

6.2 If the bid was to be successful, it may be then that the surveyor could be asked to identify properties occupied by vulnerable people and if necessary, a greater proportion of funding put towards flood mitigation of those properties.

OFFICERS' RECOMMENDATION that –

the Committee endorse the submission of a bid for Phase 1 grant funding in respect of the properties identified in paragraph 3.5 above.

(TO RESOLVE)

Background Papers

Notes from Defra.

8. EGHAM FOOD AND DRINK DAY (DAL)

1. **Purpose of Report**

- 1.1 **The purpose of this report is to consider a request from the Egham Chamber of Commerce for the Council to co-operate with and take any necessary steps to facilitate the holding of a Food and Drink Day in Egham on Saturday 9 May 2009 in Egham High Street. The intention of the event is to promote a new Food Guide. The idea is to persuade the local 'eateries' to offer a special deal for the day and to set up stalls on the High Street selling locally produced food and/or drink. The participants would be responsible for obtaining all necessary food hygiene and other licences.**

2. **Background Information**

- 2.1 Egham High Street is pedestrianised Monday to Saturday with vehicular traffic excluded between the hours of 11.00am to 4.00pm. To facilitate the proposed Food and Drink Day, (which is anticipated to operate between the hours of 10.00am to 4.00pm) would require the Council to agree to and confirm an Order under the Town Police Clauses Act to extend the hours of closure from 6.00am to 11.00am at the beginning of the day and from 4.00pm to 7.00pm at the end of the day to allow for setting up and clearing up. The organisers of the event have yet to confirm timings but previous experience with the farmers' and French markets suggests that these are likely to be the preferred timings.
- 2.2 Egham High Street is a 'Licence Street' for the purposes of the relevant legislation: Local Government (Miscellaneous Provisions) Act 1982. There would therefore be no difficulty in issuing a street trading licence for the occasion.

3. **Report**

- 3.1 The organisers have confirmed that they are in discussion with the Highway Authority about practical details such as maintaining emergency vehicle access etc., with the Feoffees of Chertsey Market to secure their support for the venture (pursuant to their Charter rights) and all local businesses which might wish to participate or be affected by the venture.
- 3.2 The organisers are anxious to agree the details in principle with the Council so that stall bookings can proceed and other practical matters attended to.

4. **Council Policy**

- 4.1 The Community Strategy includes the aim of improving the economic, social and environmental wellbeing of the Borough through increased economic prosperity, social inclusion and opportunities and employment for all.
- 4.2 The Strategic Plan indicates that the Council will work closely with business and those wishing to locate or expand in the Borough, to maintain and improve the general economic prosperity. It also provides that the Council will continue to improve the general environment of our three main town centres whilst encouraging and maintaining local village economic vitality.

5. **Legal Implications**

- 5.1 The Council's role is, in effect, limited to
- 5.1.1 supporting the application for a road closure order and, if so requested by the Highway Authority, to undertake the work to do so pursuant to the powers contained in the Police Town Clauses Act 1847. These powers are limited to one-off events only;

- 5.1.2 promoting economic vitality in the local community. Feedback from previous similar events suggests that provided the needs of local existing businesses are taken into account, events similar to that proposed do prove attractive to shoppers and this helps to promote the town centre;
 - 5.1.3 considering licensing applications. It is understood that it is not intended that alcohol will be sold at the event so this aspect will not apply. If it does, then the organisers or vendors will apply for and obtain all necessary licences to enable this to happen. Normal food safety legislation would need to be observed by stallholders;
 - 5.1.4 considering an application for street trading. As High Street is a Licence Street, the principle has already been agreed. The Council will however need to grant a licence to the organisers that will allow them to offer and sell goods on the public highway.
6. Financial Implications
- 6.1 The proposal carries no financial implications for the Council unless it makes an Order for the extension of the hours of the pedestrianisation and grants a Street Trading licence. The cost of these would be comparatively modest.
7. Conclusion
- 7.1 The support and co-operation of the Council is essential for the venture to go ahead.
 - 7.2 The proposal is consistent with the Council's policy aspirations for the economic vitality of its town centres. It is accordingly appropriate that Officers co-operate with the organisers in this venture so far as appropriate within the Council's statutory powers and duties.

OFFICERS' RECOMMENDATION that –

- i) the request to hold a community based Food and Drink Day in High Street, Egham on 9 May 2009 be noted and approved in principle;**
- ii) the Director of Administration and Leisure be authorised to make a road closure order pursuant to the powers contained in the Town Police Clauses Act 1847, subject to his being satisfied that all appropriate consultations and arrangements have been made;**
- iii) the Director of Administration and Leisure be authorised to grant a street trading licence to allow goods to be offered for sale on the public highway for the duration of the event; and**
- iv) all necessary co-operation within existing Council policy and budgetary provision be extended to the organisers.**

(TO RESOLVE)

Background Papers

Exchange of Electronic communications on DAL file 64 26 11

9. FINANCIAL MONITORING STATEMENT (DF)

1. Purpose of Report

1.1 **To inform the Committee of the latest financial projections for the 2008/09 financial year for Economic Development services.**

2. Background Information

2.1 The Financial Monitoring Statement was introduced to all Committees in September 2006 to inform Members of the current financial position of the services under the remit of each Committee.

2.2 Each statement reflects an updated position based upon the probable 2008/09 and the 2009/10 original estimates approved by this Committee in January. The Financial Forecast previously approved by Council in December 2008 has now been updated to reflect changes made during the updating of the Council's Revenue estimates.

3. Report

3.1 The statement at Appendix 'C' is split into two parts

- Economic Development services
- Highway services

Each statement is split into three distinct parts:

- Projected budget and forecast
- Savings still to be delivered
- Current year key budget indicators

3.2 The Projected budget and forecast sections show any anticipated variations in the current year's budget. These variations are categorised as approved changes and other potential changes. Implications for the following three years are included for completeness so that the full-year effect of any changes can be seen.

3.3 The achievement of the revenue reductions programme approved by the Council is one of the Council's key performance indicators. Savings targets not yet achieved are reported in the second section of each statement. These savings are all incorporated into the projected budget and forecast figures in section one.

3.4 The final section sets out the key budget indicators for the significant areas of this Committee's budget. This indicates the actual income received set against the amount expected (the budget) for the period covered by each statement.

(FOR INFORMATION)

Background Papers

None stated

10. EXCLUSION OF PRESS AND PUBLIC

OFFICERS' RECOMMENDATION that –

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

(TO RESOLVE)

PART II

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

a)	<u>Exempt Information</u>	<u>Para</u>
11.	VIRGINIA WATER CAR PARKS – POTENTIAL DEVELOPMENT – DEVELOPMENT AGREEMENT	3

b) Confidential Information

(No reports to be considered under this heading)