

Englefield Green Committee

Wednesday 24 February 7.00pm

**at the Jurgen Centre
Harvest Road
Englefield Green**

Members of the Committee

Councillors P I Roberts (Chairman), P Taylor (Vice-Chairman), D R Hamilton, Miss M N Heath, M T Kusneraitis and H W V Meares,

Residents' Representatives: Mrs L Lawson and Mr A E Panter

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 **Mrs C Holehouse, Administration and Leisure Department, Committee Section, Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425628). (Email: carol.holehouse@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.

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বাঙলা

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简体中文

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اردو

اگر آپ انگریزی زبان پڑھ اور بول نہیں سکتے ہیں اور آپ کو اس دستاویز کو سمجھنے میں دقت پیش آتی ہے، تو برائے مہربانی سے وٹس لنک لائن کو اس نمبر 01483 750548 پر رابطہ کریں اور اپنی زبان میں اپنا پیغام چھوڑیں۔

Polski

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Español

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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
(No reports to be considered under this heading)

- b) Confidential Information
(No reports to be considered under this heading)

1. MINUTES

To confirm and sign, as a correct record, the Minutes of the Meeting of the Committee held on 3 November 2009 (Appendix 'A')

2. APOLOGIES FOR ABSENCE

3. 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.

4. CRICKET MATCH AND FUN DAY (DAL)

1. Purpose of Report

1.1 **To inform the Committee of measures to be introduced by the Cricket Club to monitor noise levels at future events.**

2. Report

2.1 At its last meeting the Committee discussed complaints received relating to a Jamaica Stylee cricket match and fun day held by the Cricket Club on 12 July. Officers had written to the Club seeking agreement that a system be put in place whereby any such complaints resulting from future events could be satisfactorily dealt with. The Club had also been made aware that the Committee would want to be satisfied that such a system was in place before considering any future requests to use the Green.

2.2 Further discussions with the Club followed that meeting and a subsequent letter from the Club Chairman confirmed measures that would be introduced to monitor the noise levels at events and deal with any complaints. A copy of that letter is attached at (Appendix 'B'). In summary the proposed measures are:

- The Club will hire a noise meter for future events and an officer of the Club will monitor noise levels and make adjustments as necessary
- A contact number for the responsible officer will be provided to the Council prior to the event
- Complainants will be able to examine the noise meter during the event
- The Club undertakes to comply with the current Control of Noise Regulations 2005 and the European Directive (2005/10/EC)
- The Club undertakes to meet the requirements of 'Sound Advice: control of noise in musical entertainment' detailed in ISBN 9780717663071
- The Club Chairman would expect to be on hand to ensure compliance and can be contacted if necessary

2.3 The Council's Environmental Protection Division was asked to comment on these proposals and have advised that the regulations, directives, guidance and noise levels referred to in the Club's letter are relevant to noise at work requirements and have no relation to the control of public noise nuisance which the Committee is concerned about in relation to this event. They have, however, offered to work with the members of the Club, so that they better understand the noise nuisance issues that need to be addressed.

2.4 It is therefore recommended that future applications from the Cricket Club for events on the Green be considered in light of the assertion that the Club are anxious to avoid a repeat of the complaints, the proposal that a contact number for the responsible Officer be provided to the Council prior to the event and that the Chairman expects to be on hand to ensure compliance and that the club take advice from the Environmental Protection Officers.

- 2.5 To date, the Council has not received any applications from the Cricket Club for events on the Green this year. However, it is the Club's intention to submit an application for the Jamaica Stylee Function to be held on Sunday 11 July 2010, 1pm to 7pm.

OFFICERS' RECOMMENDATION that –

- i) **applications from the Englefield Green Cricket Club for events on Englefield Green in 2010 be considered in light of the information set out in this report; and**
- ii) **the Committee review the success of these measures at its meeting in November 2010.**

TO RESOLVE)

Background Papers

None.

5. PLAY AREA - UPDATE (DAL)

The public inquiry into the proposal to extend the play area commenced as scheduled on the 15 December at the Savill Court Hotel and continued at this venue for three days as expected. However, there was insufficient time for the Inspector to hear all the evidence and the inquiry resumed, for a further two days on the 11 and 12 January at the Civic Centre in Addlestone. The Inspector's decision is expected in late February or early March.

(FOR INFORMATION)

Background Papers

None.

6. ENGLEFIELD GREEN CRICKET CLUB LICENCE - UPDATE (DAL)

At its meeting in June 2007, the Committee resolved that the Director of Administration and Leisure be authorised to grant Englefield Green Cricket Club a 3 year licence for the use of the Pavilion and cricket pitch, and to settle its terms in accordance with the framework set out in the report, and the licence to include provision for the Club to take up the option of a 28 year lease.

It was hoped that the licence would be completed by Christmas 2009. However, from comments made by the Open Space Society and comments made in connection with the public inquiry, concerns have been expressed relating to the application of the provisions of the Open Spaces Act 1906 and the Commons Registration Act 1965, to the licence and lease to the Cricket Club and a review of the lease terms is being carried out and a verbal report will be given at the meeting.

(FOR INFORMATION)

Background Papers

None.

7. ENCLOSURE ACT AND THE EGHAM AWARD 1814 (DAL)

1. Purpose of Report

1.1 **To inform the Committee of any substantive matters in the Enclosure Act and the Egham Award as they relate to Englefield Green.**

2. Report

- 2.1 At its meeting in June 2009, the Committee requested information regarding the Enclosure Act referred to in the Council's Lease from the Crown, dated 20 April 1955.
- 2.2 The Council's Lease recites that the demise is subject 'To an Act 54 George the Third, Chapter 52, being an Act for enclosing lands in the parish of Egham in the County of Surrey, and to all the rights of common rights of way or other rights privileges or easements existing thereunder or under the Award made in pursuance thereof or otherwise (if any)' ('the Act'). The Act was passed in 1814 and the Award is dated 1817.
- 2.3 Enclosure of arable land waste and common land began in Surrey in the mid eighteenth century and was initially achieved by a private Act of Parliament of which the Act is an example. Enclosure of open land was considered beneficial to effect improvements to the land and to increase revenue from agricultural rents.
- 2.4 The Act sets out those persons who have an interest in the land at Egham which included the Crown. The Act then sets out the procedure for allocating plots to the various persons who have such an interest. The procedure required the appointment of commissioners who were tasked with 'dividing, allotting and inclosing' the open land in the parish of Egham and the Act names those appointed as Commissioners. The Act sets out how any disputes are to be dealt with and the powers of the Commissioners. The Commissioners were to make an award allocating the various plots. There are various specific provisions in the Act relating to certain lands but there is no specific reference to Englefield Green.
- 2.5 Examination of the maps appended to the Award shows that the area we now regard as the parcel of common land known as Englefield Green was not 'awarded' or 'allocated' under the Award. Englefield Common is referred to in several places in the Award but as a general location rather than a specific plot.
- 2.6 The Award has four 'General Orders' that may affect Englefield Green:
 - 2.6.1 Owners of allotted land were to fence and ditch the land within 3 months of the award.
 - 2.6.2 The ditches were to be wide and deep enough to carry off the water from the roads and owners were to clear and keep these ditches unobstructed so that water could have a 'free course'.
 - 2.6.3 Where any gates are erected that tunnels or bridges are constructed again to ensure the free passage of water.
 - 2.6.4 Fences were permitted to be built across the ditches but were to be constructed so as not to impede the flow of water in the ditch.

Copies of the Enclosure Act have been circulated separately with this Agenda. The Award is available for inspection by appointment at the Surrey History Centre (01483 518737).

(FOR INFORMATION)

Background Papers

The Enclosure Act

8. PREMISES LICENCE (DAL)

In June 2009, the Committee was informed that the Council had applied for licences under the Licensing Act 2003 for a number of open spaces where annual community events such as fetes and fairs were held, including Englefield Green. These licences would have allowed certain types of entertainment and would have removed the need for organisers of events to obtain individual licences each year and would simplify the planning of their events. Further discussions with the Planning Authority and the Council's Environmental Protection Division however led to the applications being withdrawn as concerns were raised about the breadth of the permissions sought (necessary to cover a wide range of eventualities). Event organizers will therefore continue to be responsible for the licensing of each of their events.

(FOR INFORMATION)

Background Papers

None stated

9. STANDING ORDER 42 – URGENT ACTION

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

<u>Officer</u>	<u>Action Taken</u>	<u>Central Index No.</u>
Director of Administration and Leisure	To grant permission for two, two hour play sessions to be held on the Green in August	712

(FOR INFORMATION)

Background Papers

SO42 Proforma dated 25.01.10

10. EXCLUSION OF PRESS AND PUBLIC

If the Committee is minded to consider any of the foregoing reports in private session, it is the

OFFICERS' RECOMMENDATION that –

where appropriate the press and public be excluded from the meeting during discussion of 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 the appropriate paragraphs 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) Exempt Information

(No reports to be considered under this heading).

b) Confidential Information

(No reports to be considered under this heading).