



Englefield Green Committee

Tuesday 21 February 2012 7.00pm

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

Members of the Committee

Councillors P Taylor (Chairman), Miss M N Heath, M T Kusneraitis, H W V Meares, N H Prescott and P I Roberts

Residents' Representatives: Mr A E Panter (Vice-Chairman) and Mr M Spear

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, Department of Governance and Assets, Runnymede Civic Centre, Station Road, Addlestone KT15 2AH** (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.

'see overleaf'

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বাঙলা

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اردو

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Polski

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LIST OF MATTERS FOR CONSIDERATION

PART I

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

	<u>PAGE</u>
1. MINUTES	4
2. APOLOGIES FOR ABSENCE	4
3. DECLARATIONS OF INTEREST	4
4. PLANNING MATTERS AROUND ENGLEFIELD GREEN	4
5. LEGAL STATUS OF ENGLEFIELD GREEN	5
6. STREET LIGHTING REPLACEMENT	6
7. ENGLEFIELD GREEN CRICKET CLUB LEASE AND LICENCE	7
8. MANAGEMENT OF ENGLEFIELD GREEN	8
9. EVENTS ON ENGLEFIELD GREEN	8
10. EXCLUSION OF PRESS AND PUBLIC	9

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 1 November 2011 (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. PLANNING MATTERS AROUND ENGLEFIELD GREEN (DTS)

1. Purpose of Report

1.1 **To update the Committee on the planning application for development on the former Brunel University Campus.**

2. Background Information

2.1 Planning permission has been granted for the development at the Brunel University site and the decision notice and Section 106 Agreement are presently being agreed with the developer by the Council's planning and legal Officers. (Reference RU 11/0207, 208 & 209 apply). The development comprises student accommodation, extra care, private and affordable housing and associated sports and recreation facilities.

2.2 At its meetings on 21 June 2011 and 1 November 2011 the Committee considered the potential damage to the Green during construction works and the proposed works to the Green.

3. Report

3.1 To prevent as far as possible any damage to the Green various planning conditions are proposed. The relevant proposed planning conditions include a phasing plan to be approved; a car parking management strategy to be submitted (to limit parking on the Green once the development is occupied); the submission of a Construction Environment Management Plan which will include a routeing plan for demolition and construction vehicles; and a Method of Construction statement re: storage of plant equipment & materials, loading and unloading, personnel parking (to ensure it remains on site). There is also an Informative that states 'The Applicant is advised that damage to the Green is a prosecutable offence'. Section 12 of the Inclosure Act 1857 makes it an offence to do any act whatsoever (whether wilfully or not) to the injury of the land or which interrupts the use or enjoyment of a town or village green as a place of exercise and enjoyment. The offence may be prosecuted in the magistrates' court for the area in which the town or village green is situated on the information of the owner of the soil or any inhabitant of the parish. The penalty is a fine not exceeding level 1 (£200.00) on the standard scale plus repayment of any costs incurred.

3.2 Whilst the routeing plan has not been finalized it is anticipated that all vehicular traffic will be through the main entrance and inward traffic will approach from the north and exiting vehicles will travel south as shown on the plan at 'Appendix B'. This is the preferred route of County Highways Authority due to the angles and accident potential of some of the junctions. It is proposed that deliveries to the site will be monitored by a site marshal on the highway system to ensure that drivers are taking the necessary precautions to avoid damage, and that sanctions would be imposed, including termination of contractual arrangements where appropriate. The developer has confirmed in writing that if damage is caused to the Green, they accept full responsibility for its repair. Legal Officers will meet with the developer as soon as the planning consent is issued to convey the Committee's concerns regarding

possible damage to the Green during the construction works and to discuss possible protection works, including site marshalls at the potential points where the Green might be damaged.

- 3.3 Englefield Green was leased from the Crown in 1955 for a period of 99 years, commencing 10 October 1954. The lease requires the management and control of the Green to be vested in the Englefield Green Committee. The lease requires the Green to be kept in good and neat order and condition for recreation purposes. The Crown's consent is required if the surface of the Green is cut or otherwise broken up. Any rights or easements over the Green are granted by the Crown and prior to such grant the Crown seeks the agreement of this Committee. The consent of the Secretary of State under section 38 Commons Act 2006 is required for any works to the Green that are not on highway land. No approach has been made to the Committee for consent to any of the proposed works on the Green.

(FOR INFORMATION)

Background Papers

None

5. LEGAL STATUS OF ENGLEFIELD GREEN (CHGA)

1. Purpose of Report

1.1 **The purpose of this report is to advise Members of**

- i) **the legal status of Englefield Green; and**
- ii) **to consider whether any further legal advice from Counsel should be obtained.**

2 Background Information

- 2.1 At the meeting of the Committee, in June 2011, Officers undertook to research and examine the complex legal status of Englefield Green and report back to the Committee.

3. Report

- 3.1 Appendix 'C' sets out the report.

- 3.2 The outstanding questions are as follows:

3.2.1 Was Englefield Green correctly registered as a Town and Village Green and if a mistaken registration has been made what are the prospects of rectifying the matter under the Commons Act 2006 Section 22.

3.2.2 If Englefield Green is not a Town and Village Green is it common land,

3.2.3 Where consents under section 194 Law of Property Act 1925 have not been obtained what are the risks of enforcement action being taken against the Council.

The Committee is asked to –

consider what, if any, further legal advice should be sought.

(TO RESOLVE)

Background Papers

Legal file 48.12

6. STREET LIGHTING REPLACEMENT (DTS)

1. **Purpose of Report**

1.1 **To report back to the Committee the results of Officers discussions with Surrey County Council with respect to standardising the replacement heritage lamp columns within the Englefield Green Conservation Area.**

2. Background Information

2.1 At its meeting on 1 November the Committee considered a report on Surrey County Council's proposals for the replacement of the heritage lamp columns within the Englefield Green Conservation Area.

2.2 The Committee was informed that existing columns would be replaced on a 'like for like' basis so the new lamps would be a combination of heritage columns and some swan neck lighting units. The Committee was also advised that the possibility of refurbishing the old cast iron columns within the Englefield Green area was not a practical option.

2.3 The Committee was concerned about a combination of two styles of lights and felt that this was the opportunity to provide some consistency. The Committee resolved that Officers should consult with Surrey County Council to see if it would be possible to replace all of the lights in the Conservation Area with heritage columns, with the exception of three columns around the mini roundabout at St. Jude's Road junction. This would involve replacing the existing 'swan neck' columns in Cooper's Hill Lane and Middle Hill with Type B gas style lights.

3. Report

3.1 The report to this Committee on 1 November 2011 identified that there are currently twenty heritage style lamp columns within the Englefield Green Conservation Area. Of these, there are six swan neck topped columns in Coopers Hill Lane and a further two in Middle Hill, three 8-metre high columns at the mini roundabout at the junction of St Jude's Road and Middle Hill and the remaining nine columns are gas style lamp columns of various ages.

3.2 Surrey County Council proposes to replace the existing heritage style columns with their nearest equivalent column type from within the columns specified in their PFI Street Lighting contract. To this end the proposal is that:

- the eight columns with swan neck tops should be replaced by standard columns with swan neck tops,
- the three 8-metre high columns should be replaced by a very similar style Type A and
- the nine existing gas style columns should be replaced by their Type B, gas style, column.

3.3 The Committee agreed that it would be better if the heritage style columns within the Englefield Green Conservation Area were standardised on the Type B lamp columns. Thus replacing the 20 heritage columns with 17 Type B lamp columns and three 8-metre Type A columns. Officers asked Surrey County Council if this could be done.

3.4 Surrey County Council has responded that the funding for the replacement heritage lamp columns within the conservation areas across the County has been based on using the nearest equivalent columns to replace the old columns. No allowance has been made for any upgrading or enhancement of the columns and therefore there is no additional funding to upgrade the eight swan necked columns in Coopers Hill Lane and Middle Hill.

3.5 However, Surrey County Council is happy to accept the upgrading of these columns if the difference in cost between the swan neck columns and the Type B columns is found by others.

4. Resource Implications

- 4.1 The estimated cost to upgrade a swan neck column to a Type B column is £450 per column.
- 4.2 The estimated cost to upgrade all of the eight swan neck columns to Type B columns would be £3,600. At present Runnymede Borough Council has no budget for such expenditure.
- 4.3 An alternative reduced cost proposal would be to retain the six swan neck style columns in Coopers Hill Lane and just upgrade the two swan neck columns in Middle Hill. This would mean that there would be uniformity of columns around the junction of St. Jude's Road and Middle Hill and uniformity of columns along Coopers Hill Lane, albeit of a different type of column. The cost of this alternative proposal is £900. Again, at present there is no budget available to fund this alternative upgrading. However, it may be easier to find the money to adopt this option than to fund the upgrading of all of the eight swan neck lamp columns.
- 4.4 Officers are currently investigating whether additional funds can be found to upgrade either all of the swan neck columns to Type B columns or at least the two swan neck columns in Coopers Hill Lane. Otherwise Surrey County Council will implement their existing lighting replacement proposal. An update will be given at the meeting.

5. Environmental Implications

- 5.1 The installation and operation of the new lights would reduce carbon emissions and energy use. The light is whiter and clearer than the existing lights, improving visibility and safety around The Green.
- 5.2 The new lighting units are designed to minimise the light spill so the light will be better directed to where it is needed and there will be minimal light spill to where it is not wanted.

(FOR INFORMATION)

Background Papers

www.surreycc.gov.uk - SCC Street Lighting Private Finance Initiative

Englefield Green Committee 1 November 2011

7. ENGLEFIELD GREEN CRICKET CLUB LEASE AND LICENCE (CHGA)

1. Purpose of Report

- 1.1 **To update the Committee on the current status of the Cricket Club licence and lease.**

2. Report

- 2.1 The terms of the lease have been agreed and the lease is with the Englefield Green Cricket Club for signature. The Cricket Club has advised that they are updating the current annexure to the lease dated April 2003 relating to maintenance of the cricket square. Once this is agreed the lease can be completed.

(FOR INFORMATION)

Background Papers

None

8. MANAGEMENT OF ENGLEFIELD GREEN (DHCS)

Following the Committee's decision at its last meeting, two new, clearer, byelaws signs have been installed on the Green. In addition a 'No Cycling' sign has been replaced due to the original being faded.

The Community Action volunteering team at Royal Holloway University of London are organising 'The Big Spring Clean' to take place on 22 and 24 February. They have been asked to include a litter pick of Englefield Green and Officers are waiting to hear whether this will be included.

The previously reported use of the Green by 'boot camps' has reduced considerably. Since the last meeting there have only been a few sightings of these classes, which appear to be rather ad-hoc, and one report of a personal trainer using the green with a single client. This use of the Green will be monitored and dealt with by Officers as and when appropriate.

In January, Surrey County Council's Rights of Way (RoW) team engaged the Community Payback team to cut back vegetation on a horse margin further down Bishopsgate Road. They showed a supervisor the site beforehand and issued appropriate instructions. However, a different supervisor led the team on the day and they mistakenly cut back vegetation along the horse routes in Englefield Green woodland. Their work was not completed to an acceptable standard and too much was cut back. This was raised with RoW and they have been back to tidy the area up and have apologised for the error.

(FOR INFORMATION)

Background Papers

None

9. EVENTS ON ENGLEFIELD GREEN (DHCS)

Carters Steam Fair

Carters Steam Fair have asked to use the Green again this year. They would arrive on 3 October, open to the public on the 6 and 7 and depart on the 9 October. The Committee is asked to approve this application, subject to Officers checking that their arrangements are satisfactory.

Runnymede Open Access Recreation

Leisure officers are hoping to run another Runnymede Open Access Recreation (ROAR) session on the Green during the Easter holidays. The session would provide an opportunity for local children to take part in sports and games, arts and crafts, circus skills, fire pit cooking and soft play amongst other activities. The date would be sometime between the 2 and 5 April and it would be just be one session that week either 10.00am – 12.00pm or 1.00pm – 3.00pm but the detailed timing has yet to be decided.

OFFICERS' RECOMMENDATION that –

- i) permission be granted for Carters Steam Fair to use the Green; and**
- ii) permission be granted for a ROAR session to be held on the Green.**

(TO RESOLVE)

Background Papers

None

10. EXCLUSION OF PRESS AND PUBLIC

If Members are minded to consider any of the foregoing reports in private it is the

OFFICERS' RECOMMENDATION that –

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