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Legal and Democratic Services



## ENVIRONMENT AND SAFE COMMUNITIES COMMITTEE

Tuesday 19 October 2021 at 7.30 pm

Place: Council Chamber, Epsom Town Hall

Link for public online access to this meeting:

<https://attendee.gotowebinar.com/register/6131830531354761227>

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The members listed below are summoned to attend the Environment and Safe Communities Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Neil Dallen (Chair)  
Councillor John Beckett (Vice-Chair)  
Councillor Steve Bridger  
Councillor Chris Frost  
Councillor Rob Geleit

Councillor Christine Howells  
Councillor Lucie McIntyre  
Councillor Julie Morris  
Councillor Barry Nash  
Councillor Humphrey Reynolds

Yours sincerely

Chief Executive

For further information, please contact [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk) or tel: 01372 732000

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- You should proceed calmly; do not run and do not use the lifts;
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- Do not re-enter the building until told that it is safe to do so.

## Public information

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A link to the online address for this meeting is provided on the first page of this agenda and on the Council's website. A telephone connection number is also provided on the front page of this agenda as a way to observe the meeting, and will relay the full audio from the meeting as an alternative to online connection. A limited number of seats will also be available in the public gallery at the Town Hall. For further information please contact Democratic Services, email: [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk), telephone: 01372 732000.

Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for the Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at [Democraticservices@epsom-ewell.gov.uk](mailto:Democraticservices@epsom-ewell.gov.uk).

### Exclusion of the Press and the Public

There are no matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government (Access to Information) Act 1985. Should any such matters arise during the course of discussion of the below items or should the Chairman agree to discuss any other such matters on the grounds of urgency, the Committee will wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

### Questions from the Public

Questions from the public are permitted at meetings of the Committee. Any person wishing to ask a question at a meeting of the Committee must register to do so, as set out below.

Up to 30 minutes will be set aside for written or oral questions from any member of the public who lives, works, attends an educational establishment or owns or leases land in the Borough on matters within the Terms of Reference of the Environment and Safe Communities Committee which may not include matters listed on a Committee Agenda.

All questions whether written or oral must consist of one question only, they cannot consist of multi parts or of a statement.

The question or topic may not relate to a specific planning application or decision under the Planning Acts, a specific application for a licence or permit of any kind, the personal affairs of an individual, or a matter which is exempt from disclosure or confidential under the Local Government Act 1972. Questions which in the view of the Chairman are vexatious or frivolous will not be accepted.

To register to ask a question at a meeting of the Committee, please contact Democratic Services, email: [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk), telephone: 01372 732000.

Written questions must be received by Democratic Services by noon on the tenth working day before the day of the meeting. For this meeting this is **Noon, Tuesday 5 October 2021**.

Registration for oral questions is open until noon on the second working day before the day of the meeting. For this meeting this is **Noon, Friday 15 October 2021**.

## **AGENDA**

### **1. QUESTION TIME**

To take any questions from members of the Public.

### **2. DECLARATIONS OF INTEREST**

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

### **3. MINUTES OF PREVIOUS MEETING (Pages 5 - 8)**

The Committee is asked to confirm as a true record the Minutes of the meeting of the Environment and Safe Communities Committee held on 1 June 2021 and to authorise the Chair to sign them.

### **4. RESPONSE TO CONSULTATION ON DRAFT LOCAL TRANSPORT PLAN 4 (Pages 9 - 28)**

This report provides a suggested response to Surrey County Council's consultation on the fourth Surrey Transport Plan (LTP4). LTP4 sets out an ambitious roadmap to deliver carbon reduction targets as set out in Surrey's Climate Change Strategy for the transport sector, whilst seeking to support the county's communities and help the economy to thrive. Responses to the consultation must be submitted by the deadline of 24 October 2021. The draft plan appears to be in accordance with the national and local policy direction and the Council's Climate Change ambitions in principle. The draft plan should be supported but will have significant implications for the future of planning for Place and transport across the Borough.

### **5. ESTABLISHMENT OF AN ENVIRONMENT AND SUSTAINABILITY CROSS-PARTY MEMBER WORKING GROUP (Pages 29 - 34)**

This report recommends the establishment of a cross-party Member Working Group to oversee the implementation of the Council's Climate Change Action Plan.

### **6. ADOPTION AND IMPLEMENTATION OF ANTI-IDLING ENFORCEMENT POWERS (Pages 35 - 42)**

This report adopts the Environment and Safe Communities Committee's recommendation of 26 January 2021 to seek approval for the implementation of anti-idling legislation aimed at reducing vehicle emissions and improving clean air.

### **7. EXTENSION OF PSPO: DRINKING IN A PUBLIC PLACE (Pages 43 - 68)**

This report seeks authority to renew a Public Spaces Protection Order relating to alcohol.

**8. CONSULTATION RESPONSE ON THE SURREY POLICE AND CRIME COMMISSIONER'S POLICE AND CRIME PLAN** (Pages 69 - 74)

This report outlines the Council's response to the Surrey Police and Crime Commissioner's consultation on the Surrey Police and Crime Plan.

**9. BUILDING CONTROL CHARGEABLE ACCOUNTS** (Pages 75 - 80)

This report summarises the Building Control chargeable account for 2020/21.

**10. BUDGET TARGETS 2022/23** (Pages 81 - 84)

This report informs the Committee of the Council's revenue budget targets presented to the Environment & Safe Communities Committee. The report seeks guidance on the preparation of the Committee's service estimates for 2022/23.

**Minutes of the Meeting of the ENVIRONMENT AND SAFE COMMUNITIES  
COMMITTEE held on 1 June 2021**

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**PRESENT -**

Councillor John Beckett (Vice-Chair); Councillors Steve Bridger, Chris Frost, Rob Geleit, Steven McCormick, Julie Morris, Barry Nash and Humphrey Reynolds

Absent: Councillor Neil Dallen, Councillor Christine Howells and Councillor Lucie McIntyre

Officers present: Ian Dyer (Head of Operational Services), Gillian McTaggart (Head of Policy, Performance & Governance), Mark Shephard (Head of Property and Regeneration), Sue Emmons (Senior Accountant), Jon Sharpe (Trade & Waste Services Manager) and Sarah Keeble (Democratic Services Officer)

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**1 QUESTION TIME**

No questions were asked or had been submitted by members of the public.

**2 DECLARATIONS OF INTEREST**

No declarations of interest were made in items on the Agenda.

**3 MINUTES OF PREVIOUS MEETING**

The Minutes of the previous meeting of the Environment and Safe Communities Committee held on 26 January were agreed as a true record and signed by the Chair.

**4 CLIMATE CHANGE ACTION PLAN YEAR 2 UPDATE**

The Committee received a report providing an update on the targets and actions within the second year of the Council's Climate Change Action Plan.

The following matters were raised by the Committee:

- a) **Climate Change Action Plan:** Following a question from a Member, the Officer explained that some of the set targets originally set within the Climate Change Action Plan had not been completely delivered in year 1. The report included an update for those targets which had been partially

completed to let the Committee know of the progress of individual objectives.

- b) **Electric vehicles:** Following a question from a Member, the Officer confirmed that the Council currently owns one electric pool car. The Officer noted that quotes were being undertaken on the price of electric vans, and due to the developing nature of the market, it would be hopeful that price decreases would be seen in the near future.
- c) **Tree planting:** Members raised concerns regarding the number of trees that would need planting. The Officer noted that a pre-mapping exercise was being undertaken, and agreed that they would return to Committee with details regarding what would be planted in 2021. Members noted Surrey County Council's policy to replace dying trees, and explained that they were in touch with Surrey to try and amend this policy, to adopt a more flexible approach.
- d) **Electric vehicle charging points:** Members noted the recent E.V Forum which discussed the plans for charging points across Surrey. The Officer noted that work was underway to find suitable locations in existing properties and sites for charging points to be installed.
- e) **Engagement:** Following a question from a Member, the Officer noted that they were working closely with the Communications team in order to broaden engagement to local residents. This includes a recent article in the Borough Insight, e-Borough Insight, thorough information on the Council website and the possibility of a quarterly output of messaging. Members spoke about the possibility of physical literature, in order to be inclusive to any resident without access to the internet.
- f) **Climate Change Task Group:** Members spoke about the Climate Change Task Group and spoke about the possibility of this group re-forming. In his absence, the Vice-Chair confirmed he would pass this information to the Committee Chair.

Following consideration, the Committee resolved unanimously to:

- (1) **Consider and note the targets and actions contained in Year 2 of the Council's Climate Change Action Plan including those that were partially implemented in Year 1.**
- (2) **Note the new targets included to best facilitate a green recovery from COVID-19 pandemic.**

## 5 PROTECT DUTY CONSULTATION

To respond to the Government's consultation on the introduction of a new Protect Duty, aimed at helping protect public venues and spaces from terrorist attacks.

Following consideration, the Committee resolved unanimously to:

- (1) Submit a consultation response to the Government's consultation on a new Protect Duty by 2<sup>nd</sup> July 2021**
- (2) Agree the consultation response to be submitted on behalf of the Council by the Head of Housing and Community in consultation with the Chair and Vice-Chair of Environment and Safer Communities, Director Environment, Housing and Regeneration, Head of Operational Services and Head of Property and Regeneration.**

## 6 NATIONAL WASTE STRATEGY CONSULTATIONS

The Committee received a report summarising the consultations for Extended Producer Responsibility (EPR) and Deposit Return Scheme (DRS), and the Council's proposed responses to them. The report also noted a recently-published, third consultation, Consistency of Collections (Consistency), for which responses had not yet been compiled.

The Committee received a verbal introduction from the Transport and Waste Services Manager.

Following consideration, the Committee resolved unanimously to:

- (1) Comment on the summaries to the Council's EPR and DRS consultation responses, as annexed to this report.**
- (2) Authorise the Head of Operational Services to submit the Council's EPR and DRS consultation responses, taking account of the Committee's comments and subject to the final approval of the Chair and Vice Chair.**
- (3) Note the Consistency consultation.**
- (4) Authorise the Head of Operational Services to draft and submit the Council's Consistency consultation response subject to the delegated approval of the Chair and Vice Chair.**

*The meeting began at 7.30 pm and ended at 8.40 pm*

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## **RESPONSE TO CONSULTATION ON DRAFT LOCAL TRANSPORT PLAN 4**

<b>Head of Service:</b>	Viv Evans, Head of Planning
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?</b>	No
<b>If yes, reason urgent decision required:</b>	
<b>Appendices (attached):</b>	Suggested response to the Draft Local Transport Plan 4 consultation

### **Summary**

This report provides a suggested response to Surrey County Council's consultation on the fourth Surrey Transport Plan (LTP4). LTP4 sets out an ambitious roadmap to deliver carbon reduction targets as set out in Surrey's Climate Change Strategy for the transport sector, whilst seeking to support the county's communities and help the economy to thrive. Responses to the consultation must be submitted by the deadline of 24 October 2021. The draft plan appears to be in accordance with the national and local policy direction and the Council's Climate Change ambitions in principle. The draft plan should be supported but will have significant implications for the future of planning for Place and transport across the Borough.

### **Recommendation (s)**

#### **The Committee is asked to:**

- (1) Consider and approve the suggested consultation response set out in Appendix 1 for submission by the deadline of 24 October 2021.**
- (2) Engage with Surrey County Council on the content of the LT4 Delivery Plan.**

## **1 Reason for Recommendation**

- 1.1 To enable the Borough Council to provide a consultation response to the draft LTP4 by the deadline of 24 October 2021.

## **2 Background**

### *LTP4 Overview*

- 2.1 Surrey County Council as the Local Transport Authority, has a statutory duty under the Transport Act 2000, as amended by the Local Transport Act 2008, to produce a Local Transport Plan (LTP) and to keep that plan under review. A LTP contains the objectives, policies and measures intended to improve transport in an area, contributing to wider social, economic and environmental benefits. The current Local Transport Plan 3 (LTP3) was produced in 2011 and is now considered 'out of date' as it does not reflect best practice nor align with climate change objectives. Critically, LTP3 is focussed on enabling the predominance of the private car. The global pandemic has also had a far-reaching impact, which needs to be addressed in terms of transport impacts. Consequently, a new LTP4 has been drafted, which is being made available for public consultation from 5 July to 24 October 2021.
- 2.2 Below is a brief summary of the plan. The [full version of the plan and the online consultation](#) can be accessed via Surrey County Council's website.

#### *Vision, Objectives & Core Principles*

- 2.3 LTP4 is a fundamentally different kind of plan to that which the county has adopted previously. Its scope is wider and further reaching than previous more traditional transport plans. It seeks to rethink transport across Surrey and meet future challenges, while enhancing Surrey's local environment, economy and quality of life for residents.
- 2.4 The draft vision sets out the primary goal to be achieved over the lifespan of LTP4. It reads:
- "A future-ready transport system that allows Surrey to lead the UK in achieving a low-carbon, economically prosperous, healthy and inclusive county with excellent quality of life for all residents, whilst seeking to enhance the built and natural environments."*
- 2.5 To help deliver the vision, four objectives have been identified:
- **Net zero carbon emissions.** To rapidly reduce carbon emissions, ensuring Surrey is on track for net zero emissions by 2050.
  - **Sustainable growth.** To support Surrey's growth ambitions and enable business and people to prosper sustainably.
  - **Well-connected communities.** To provide well connected communities that encourage social mobility and ensure no-one is left behind.
  - **Clean air and excellent quality of life.** To create thriving communities with clean air, excellent health, wellbeing and quality of life.

- 2.6 Carbon reduction is a primary objective of the plan given that in 2019, 46% of Surrey's CO<sub>2</sub> emissions were generated by domestic transport. It is estimated that 68% of this was from private cars and taxis. LTP4 sets out a transformational and ambitious roadmap to deliver significant carbon reduction targets to help achieve net zero carbon by 2050.
- 2.7 LTP4 also seeks to support economic regeneration following the effects of the pandemic, while also aiming to improve the health and wellbeing of residents through the promotion of active travel and improvements to air quality.
- 2.8 Reflecting its wider scope, the draft plan does not focus purely on physical mobility but recognises that accessibility can also be improved through:
- **Place making:** Bringing activities and opportunities closer to people through land use planning; and
  - **Digital connectivity:** Broadband and mobile connections to allow online accessibility and access to services
- 2.9 Delivery of LTP4's outcomes is proposed to be through nine broad based priority policy areas that replace the narrower policy areas in the current LTP3. These will be guided by "Avoid-Shift-Improve" principles. These are set out below:

Principle	Outcome	New Policy Area
Avoid or reducing	The need to travel, and distance travelled by improving the efficiency of the land use and transport systems	Planning for Place Digital Connectivity
Shift	To lower energy consumption travel, and more efficient modes; public transport, walking and cycling	Active Travel Public/shared transport Demand Management for Cars Demand Management for Good Vehicles
Improve	The energy efficiency of modes, operational efficiency of networks, and reducing vehicle emissions using technology	Efficient Network Management Promoting zero emission vehicles

- 2.10 It is stated that a critical policy area which will underpin these principles is around behaviour change amongst those who travel in Surrey. The new approach set out in LTP4 will be dependent on:
- Promoting place-based development alongside measures that reduce unnecessary journeys.

- Enabling more use of active travel modes and public/shared transport solutions, where and when journeys must be made.
  - In exceptional circumstances, considering the limited number of locations to promote highways improvements to mitigate congestion and/or capacity issues where there are demonstrable economic and wider environment/sustainability benefits.
- 2.11 A sustainable travel hierarchy will, wherever possible, prioritise sustainable travel measures of walking, cycling and public transport. This will be assisted by the development of a 'streets family framework' which will allocate streets and places to various categories based on local community needs and traffic movement. The street family framework categories will help to determine the types of sustainable transport measures that can be implemented to support carbon reduction and economic regeneration.

#### Delivery Plan

- 2.12 LTP4 will be supported by a delivery programme which will identify the pathway to achieving the four main objectives set out at paragraph 2.5. This will include a delivery plan for each of the four Impact Strategies and to consider any potential re-prioritisation of schemes currently identified as part of the Surrey Place Ambitions Surrey Infrastructure Plan, for the short, medium and longer term.
- 2.13 The delivery programme will be influenced by the results of the LTP4 consultation and therefore has not yet been published. It is intended that it will be published alongside the final version of LTP4 and presented to Cabinet in December 2021. There does not appear to be a public consultation exercise on the delivery programme.

Summary comments

- 2.14 The direction of LTP4 is considered to be in accordance with the direction of national and local policies and, in principle, should be supported. The high-level objectives and principles appear sound and are based on an extensive evidence base. Examples are provided throughout the Plan as to how the vision and objectives may be delivered and it is clear that this will require new ways of thinking in terms of how we plan for and deliver transport services in the Borough. Currently it is difficult to assess what the specific impacts on the Borough may be, as the more detailed delivery programme has not yet been published. However, this could potentially include reduced levels of parking, additional infrastructure to facilitate the uptake of electric/zero emission vehicles and road charging. LTP4 will also have implications for the Local Plan in terms of locating development near to existing facilities and the creation of 20 minute neighbourhoods. It will be important that the Council engages with Surrey County Council on the delivery programme to ensure the content is in tune with the Council's aspirations for its residents, businesses, and visitors.

**3 Risk Assessment**

Legal or other duties

3.1 Impact Assessment

- 3.1.1 LTP4 will establish the transport strategy and influence transport related spending decisions for the County over the next ten years. It is an ambitious document which will have a significant impact on travel patterns in Surrey, prioritising the delivery of carbon reductions from the transport sector in line with the County's Climate Change Strategy. LTP4 will influence many of the Borough Council's own strategies (for example the Local Plan) and will, over its lifetime, influence the behaviour and lifestyles of those who live, work and visit Surrey.

3.2 Crime & Disorder

- 3.2.1 LTP4 seeks to be inclusive, encouraging social mobility to ensure that no one is left behind.

3.3 Safeguarding

- 3.3.1 There are no implications for safeguarding.

3.4 Dependencies

- 3.4.1 There are no implications for dependencies.

3.5 Other

- 3.5.1 There are no other risks associated with LTP4.

#### 4 Financial Implications

- 4.1 Having an up-to-date relevant Transport Plan will enable the County to attract investment from Central Government and other third-party funding sources to secure investment for the County's transport priorities. The Borough Council's Community Infrastructure Levy (CIL) funds could be used to provide 'top up' funding to assist in the delivery of schemes, although any proposals would be subject to a business case being approved at the appropriate Committee (s).
- 4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

#### 5 Legal Implications

- 5.1 Surrey County Council as the Local Transport Authority, has a statutory duty under the Transport Act 2000, as amended by the Local Transport Act 2008, to produce a Local Transport Plan (LTP) and to keep that plan under review. Consultation on a draft Plan is part of the statutory requirement.
- 5.2 **Legal Officer's comments:** none arising from the content of this report.

#### 6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged: improve transport infrastructure, promoting healthy and active lifestyles, especially for the young and elderly, green and vibrant, and providing services digitally.
- 6.2 **Service Plans:** LTP4 will influence the Local Plan, significantly its approach to transport. It will also support the Health and Wellbeing Strategy.
- 6.3 **Climate & Environmental Impact of recommendations:** LTP4 seeks to deliver significant carbon reductions, which is in line with and will help to deliver elements of the Borough's Climate Change Action Plan. Anticipated benefits also include cleaner air.
- 6.4 **Sustainability Policy & Community Safety Implications:** LTP4 seeks to deliver a healthier, inclusive and more environmentally sustainable transport system for Surrey.
- 6.5 **Partnerships:** Delivering LTP4 will be dependent on partnership working with a wide range of organisations/groups. The Borough Council will be a key partner.

#### 7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

**Previous reports:**

- N/A

**Other papers:**

- Suggested response to the LTP4 consultation.
- [Draft Surrey Transport Plan 2022 to 2032](#)

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## Local Transport Plan 4: Suggested consultation response

The consultation on LTP4 poses a number of set questions under a number of headings with only a limited number allowing for a 'free text' response. Responses to many of the questions are limited to drop down/ranking options. Where this is the case, the reasoning behind the suggested response is provided in italics. This text will not be submitted as part of the Council's response.

It is suggested that the LTP4 [consultation webpages](#) are read alongside the suggested response to provide context to the questions. A link to the relevant consultation page is provided in the title for each section.

### Our Vision and Objectives

- 1) How do you feel about the level of ambition within our Vision statement? (scale of one to five with five being the most ambitious)

***5: The Plan represents a significant step change in the County's transport strategy being wider ranging and more ambitious than previous transport plans. The vision conveys this ambition.***

- 2) Please prioritise the Plan's objectives, 1 being the most important and 4 being the least:

- 1 Rapidly reduce carbon emissions
- 2 Excellent well being and quality of life
- 3 Business and people to prosper sustainably
- 4 Well connected communities

***Whilst all the objectives of the plan are important, reducing carbon emissions is paramount given the current climate emergency we face. The 'well connected communities' objective is ranked 4th due to the Borough of Epsom and Ewell being relatively compact and well connected in comparison to some of the more rural Surrey authorities.***

- 3) Thinking about the Vision and Objectives, how effectively do you think they address the challenges and opportunities currently facing Surrey?

Very effectively

**Somewhat effectively**

Not at all effectively

I don't know

- 4) Is there anything further you would like to add or would like to see included in the draft Plan's vision and objectives?

***The Council welcomes the wider scope of LTP4 and the vision is supported. It is ambitious, reflecting the need for the County, along with***

***the Boroughs and Districts, to be progressive in terms of delivering a transport system that is fit for the future.***

***The objectives are supported; they underpin the vision and will collectively help in its delivery. They also align with many of the Borough Council's own priorities.***

***Delivery of the vision and objectives will only be achieved through partnership working, acknowledgement of major challenges and how these will be addressed.***

### **Our Principles and Policy Areas**

- 5) How do you feel about the Avoid-Shift-Improve principles? (scale of one to five with five being the most ambitious)

***4: The principles are ambitious and are supported. However, it is considered that multiple principles could be applied to each policy area. For example, 'planning for place' has only the 'avoid' principle assigned to it (i.e. reducing the number and length of trips etc...) but could also align with 'shift' (shifting travel to more sustainable modes...) in terms of new development providing superior opportunities for cycling and walking.***

- 6) Thinking about the Avoid – Shift – Improve principles, how effective do you think they will be in meeting our objectives to reduce carbon towards net zero by 2050?

Very effective

**Somewhat effective**

Not at all effective

I don't know

***The principles are supported and considered to be effective. However, it is recognised that many of the measures aligning with these principles may be challenging to deliver given the wide variety of influencing factors and competing needs.***

### **Measures to avoid or reduce journeys**

- 7) Do you think our ideas to reduce or avoid journeys are ambitious enough to achieve our net zero carbon objective? (scale of one to five with five being the most ambitious)

***4: Given the scale of the challenge and the ability of the County Council to influence a reduction in journeys, the ideas are ambitious. Some of the measures suggested will be easier to achieve than others.***

- 8) Thinking about the Planning for Place measures listed above, how effective would these be to encourage you to avoid or reduce some journeys?

Very effective

**Somewhat effective**

Not at all effective

I don't know

***Land use planning is influenced by a multitude of factors and therefore the measures may be limited in their effectiveness. However, in principle, the measures are supported.***

- 9) Thinking about the Digital connectivity measures listed above, how effective would these be to encourage you to avoid or reduce some journeys?

**Very effective**

Somewhat effective

Not at all effective

I don't know

***Given the recent significant shift to the use of online services that has resulted from the pandemic, this measure would help to reduce or avoid journeys.***

- 10) Thinking about the Behavioural Change measures listed above, how effective would these be to encourage you to avoid or reduce some journeys?

Very effective

**Somewhat effective**

Not at all effective

I don't know

***Changes in behaviour can be encouraged through providing information and viable alternatives to more polluting methods of transport.***

- 11) Please rank the measures described below in order of how likely they would be to encourage you to reduce or avoid some journeys by car in the future (1 being the most likely)

- 1 Established 20-minute neighbourhoods
- 2 New developments designed to promote sustainable travel options
- 3 Streets defined by the family guide
- 4 Extensive rollout of fibre broadband and 5G mobile coverage
- 5 Raised awareness and provision of online opportunities and services
- 6 Expanded behaviour change information and incentives

***Providing facilities and services within easy reach by foot/bike would be most likely to reduce the need to travel. The pandemic has shown that local facilities are valued and should continue to be used and protected where possible.***

- 12) Can you think of a suitable place, area or town where a 20-minute neighbourhood could be introduced?

***The Borough of Epsom & Ewell contains a number of excellent opportunities for creating 20-minute neighbourhoods. Epsom Town Centre, Stoneleigh Parade and Ewell Village already provide a range of facilities and services which help meet our residents' day to day needs. Designating such areas as 20-minute neighbourhoods could help maintain and enhance the valued facilities/services, while helping to improve accessibility both within and to the neighbourhoods.***

- 13) It may take several years to fully develop 20-minute neighbourhoods. Please rank the 'quick wins' that could be introduced in the short term that you think would most improve your area (1 being the biggest improvement)

- 1 Implementing walking and cycling schemes that are forecast to be well used
- 2 Making public realm improvements (e.g. parklets, pedestrian priority)
- 3 Making land use changes to increase the range of activities available
- 4 Establishing mobility hubs
- 5 Introducing 20mph zones and traffic management as a default

- 14) Is there anything further you would like to add or would like to see included in the draft Plan to reduce or avoid the need to travel?

***National planning policies will have an impact on the ability to manage some of the changes suggested. For example, recent alterations to permitted development rights have resulted in a reduced ability for local authorities to manage land use change. This may threaten, particularly in the short term, the types of facilities/services available within neighbourhoods.***

***It should be made clear that reducing or avoiding the need to travel only applies to modes of transport which generate carbon emissions or create congestion. Journeys made on foot or by bike should be actively encouraged.***

***It should be recognised that this principle will be more difficult to adhere to in rural areas.***

**Measures to shift more journeys to sustainable forms of travel**

- 15) How do you feel about the idea of a sustainable travel hierarchy to support more journeys to be undertaken by foot or bicycle? (scale of one to five with five being the most ambitious)

***4: The sustainable travel hierarchy prioritises greener forms of travel above others, which is supported in principle.***

- 16) Thinking about the Active Travel measures listed above, how effective would these be in encouraging you to walk or cycle more for local journeys?

Very effective

**Somewhat effective**

Not at all effective

I don't know

***Improving walking and cycling routes would help encourage more journeys by foot/bike, although it should be recognised that some journeys will need to be carried out by other modes of transport.***

- 17) Which, if any, of the following are currently barriers to you walking or cycling more for some local journeys?

Footpaths too close to traffic - yes

Insufficient signage - yes

Lack of safe secure cycle parking - yes

Poorly maintained cycle/footpaths - yes

No facilities at destinations - No

Fast traffic unsafe for cycling - yes

Cycleways that aren't joined up - yes

Poor air quality – yes

***The majority of these options are considered to be barriers to walking or cycling for some local areas. The Plan E town centre signage improvements are a good example of recent improvements to wayfinding.***

- 18) Thinking about the Public and Shared Public Transport measures listed above, how effective would these be in encouraging you to use buses, trains and shared transport more for local journeys?

Very effective

**Somewhat effective**

Not at all effective

I don't know

***Any measures which improve the reliability and accessibility of public /shared transport will help encourage the use of public/shared transport.***

19) Please rank these measures by how effective they would be in encouraging you to use Public and Shared Public Transport more for local journeys (1 being the most effective)

- 1 Improved accessibility and safety
- 2 Improved journey time reliability
- 3 Improved, integrated and simplified services
- 4 Simplified ticketing and fares
- 5 Expanded shared transport provision
- 6 Mobility hubs
- 7 A mobility as a service (MaaS) framework (e.g. an app)

*All these measures are considered to be important, although improving accessibility, safety and journey times are a priority.*

20) Thinking about a fairer comparison of travel costs between using a car and sustainable travel options, how effective would the Demand Management for Cars measures listed above be in encouraging you to use your car less in the future for some local journeys?

**Very effective**

Somewhat effective

Not at all effective

I don't know

***The Demand Management for Cars measures are likely to be the most controversial in the Plan. While many other measures offer a 'carrot' approach these are likely to be viewed as the 'stick' and prove unpopular. However, the use of such measures is likely to be very effective in reducing car use subject to there being appropriate alternative modes of transport.***

21) Thinking about the Demand Management for Goods Vehicles measures listed above, how effective would these be in reducing the negative impacts of goods vehicles and encouraging goods vehicles to operate more sustainably?

Very effective

**Somewhat effective**

Not at all effective

I don't know

***Collectively these methods are likely to have an impact.***

22) Thinking about the Behaviour Change measures listed above, how effective do you think the Behaviour Change measures will be in supporting a shift towards more journeys by sustainable travel modes?

Very effective

**Somewhat effective**

Not at all effective  
I don't know

***Behaviour change is likely to be influenced by a number of factors, but the measures suggested will help to raise awareness.***

23) Is there anything further you would like to add or would like to see included in the draft Plan to encourage more journeys by sustainable forms of travel?

***A combination of measures will be needed to encourage more journeys to be made by sustainable forms of travel. Providing convenient, reliable and accessible public/shared transport options will help make their use more desirable and working with transport providers will be essential. However, it is recognised that measures such as those suggested in the Demand Management for Cars Measures will accelerate the pace of change. These measures are likely to be more challenging to implement and their impact/consequences will need to be carefully explored and fully understood. Close working with the Boroughs and Districts will be essential as different areas are likely to have different needs/challenges and will require bespoke approaches. For example, Epsom & Ewell's position adjacent to Greater London is likely to present public/shared transport opportunities which can be realised through collaborating with neighbouring Greater London authorities.***

#### Measures to improve journeys

24) Thinking about the Efficient Network Management measures listed above, how effective do you think these will be in meeting our objectives to reduce carbon towards net zero by 2050?

Very effective  
**Somewhat effective**  
Not at all effective  
I don't know

***Collectively these methods are likely to have an impact.***

25) Please rank these measures by how effective they would be in managing the road network more efficiently (1 being the most effective)

- 1 Data driven network management
- 2 A 'Vision Zero' approach to road safety
- 3 Network maintenance
- 4 More enforcement
- 5 Futureproofing our network for new technology
- 6 Targeted capacity improvements

- 26) Thinking about the Promoting Zero Emissions Vehicles measures listed above, how effective do you think these will be in meeting our objectives to reduce carbon towards net zero by 2050?

**Very effective**

Somewhat effective

Not at all effective

I don't know

***Given the government's target 2030 target to end the sale of petrol and diesel vehicles measures which support the shift to ZEV will be likely to be effective.***

- 27) Thinking about EV car clubs and their potential to play a significant role in increasing electric vehicle usage, what do you think the barriers are to reducing individual car ownership in the future and why?

***The Borough of Epsom and Ewell is an area of high car ownership, with many households owning more than one car. The introduction of an EV car club within the Borough could potentially reduce the levels of private ownership. Reducing multiple car ownership should be a priority and could be achieved through providing genuine alternatives to private car use for those occasional journeys such as using a car club. Once such alternatives become more familiar, their use is likely to increase further. Alternatives to car ownership need to be cost effective, convenient and easy to use/understand (a potential barrier when encouraging the use of car clubs).***

- 28) Thinking about the Behaviour Change measures listed above, how effective do you think these will be in improving journeys to reduce carbon towards net zero by 2050?

Very effective

**Somewhat effective**

Not at all effective

I don't know

***Encouraging behaviour change through schemes such as car clubs is likely to have an impact.***

- 29) Is there anything further you would like to add or would like to see included in the draft Plan to improve the efficiency/sustainability of journeys?

***Given the increasing popularity of private transport services such as Uber, the provision of more demand responsive services could be explored, which may bridge the gap between buses (fixed routes & timetable) and private cabs (complete flexibility). Examples could include hail and ride minibuses services, which are managed via an app, which have been trialled in London authorities.***



### Impact Strategies

30) How do you feel about the 4 impact strategies ability to meet our objectives to reduce carbon towards net zero by 2050? (scale of one to five with five being the most ambitious)

***4: The impact strategies are ambitious and collectively are likely to deliver significant carbon reductions. It is difficult to assess the level of carbon reduction that will be achieved so progress will need to be closely monitored.***

31) Please pick your top three measures from Impact Strategy 1 that you think will be most successful in reducing carbon emissions

- 1 Travel more on foot and by bike
- 2 Travel more by public or shared transport
- 3 Use more digital services
- 4 Receive e-cargo or EV deliveries
- 5 More vehicles are smaller and electric vehicles
- 6 Traffic flows more smoothly

***Many of the car journeys within Epsom & Ewell are for relatively short journeys. If more of these journeys could be made by walking or cycling then carbon reduction and improvements to air quality will be achieved.***

32) Please pick your top three measures from Impact Strategy 2 that you think will be most successful in supporting Surrey's growth ambitions and enable business and people to prosper sustainably.

- 1 Access is easy using non car modes and amenities available within walking/cycling infrastructure
- 2 Businesses benefit from excellent digital connections which support advanced online working
- 3 EVs and access to EV car clubs provide operating cost saving compared to petrol and diesel vehicles
- 4 Centres with local services, green spaces and low traffic streets
- 5 Businesses have access to a wider range of employees and customers as it is easier to reach their sites
- 6 Many employees are healthier due to increased walking and cycling activity
- 7 Business and delivery journey times are more reliable as the network flows more smoothly
- 8 New transport connections have opened up new land for housing and economic development.

***All these measures will help support Surrey's growth ambitions, although the ability to access local facilities easily on foot/bike and the***

***ability to work effectively from home and avoid the need to travel are considered most beneficial to the Borough.***

33) Please rank the measures from Impact Strategy 3 important to you to successfully provide well-connected communities that encourage social mobility and ensure no-one is left behind?

- 1 Residents have access to more services and opportunities online at low or no cost
- 2 The services are accessible to all
- 3 Local centres provide a wide range of services and can be easily accessed at low cost on foot or by bike
- 4 Integrated public transport services serve residents and open up further services and opportunities

***Again, all these measures are likely to have a positive impact and are difficult to rank. However, online access to service and opportunities can help social mobility, while ensuring services are accessible to all provides equal opportunities.***

34) Please pick your top 3 measures from Impact Strategy 4 that you think will be most successful in creating thriving communities with clean air, excellent health, wellbeing and quality of life.

- 1 **Travel to local centres on foot and bike and rebalanced traffic calmed roads**
- 2 **Noise levels and visual and other disruption have also reduced with reduced traffic levels**
- 3 **Access to leisure opportunities and green space has improved with improved options for travelling on foot, by bike or by public or shared transport**
- 4 Physical and mental health has improved in the community due to improved air quality, greater access to leisure opportunities and increased walking and cycling activity
- 5 Use digital services and opportunities more
- 6 Travel more by public or shared transport accessed by mobility hubs and using MaaS app
- 7 Traffic flows more smoothly
- 8 Receive deliveries that arrive by e-cargo bike or electric van for their last leg
- 9 An increasing number of vehicles are smaller electric vehicles

***Again, all these measures will have an impact and are difficult to rank. Given the compact nature of the Borough with its local centres and public open spaces, measures which reduce the impact of traffic and encourage walking and cycling are considered to be particularly positive.***

- 35) Is there anything further you would like to add or would like to see included in the draft Plan's Impact Strategies

***It is considered that the impact strategies are all interlinked with many of the measures delivering benefits for each of the objectives. As such, it is a difficult exercise to rank the measures. However different areas of the County are likely to have differing challenges/opportunities and while LTP4 provides the overarching strategy, the delivery plan should identify more bespoke measures for each area. It is suggested that the Boroughs/Districts have input into the delivery plan prior to its formal adoption.***

#### **Integrated Sustainability Appraisal**

- 36) How do you feel about the Integrated Sustainability Appraisal (ISA) and Habitats Regulations Assessment (HRA)? (scale of one to five with five being the most ambitious)

*Note: An HRA tests if a plan could significantly harm a European Site that is protected by the Habitats Regulations. There are no protected European Sites within the Borough.*

***5: The ISA and HRA process appears to have been thorough and find that the draft LTP4 performs well against the sustainability objectives. Those elements of draft LTP4 which have been identified as having potentially likely significant effects will be considered at the stage 2 'appropriate assessment' of the plan.***

- 37) Do you have any comments on the ISA?

***None***

- 38) Do you have any comments on the HRA?

***None***

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## **ESTABLISHMENT OF AN ENVIRONMENT AND SUSTAINABILITY CROSS-PARTY MEMBER WORKING GROUP**

<b>Head of Service:</b>	Clare Lawrence, Director of Environment, Housing & Regeneration
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?</b>	No
<b>If yes, reason urgent decision required:</b>	
<b>Appendices (attached):</b>	Appendix 1: Terms of reference for the Environment and Sustainability Member Working Group

### **Summary**

This report recommends the establishment of a cross-party Member Working Group to oversee the implementation of the Council's Climate Change Action Plan.

### **Recommendation (s)**

#### **The Committee is asked to:**

- (1) Approve the terms of reference for the Working Group as set out in Appendix 1.**
- (2) Agree to the appointment of members to the Working Group and a Chair as set out in paragraph 2.5 of the report.**

## **1 Reason for Recommendation**

- 1.1 The establishment of the proposed Member Working Group will support the delivery of the Council's commitment to addressing climate change.

## **2 Background**

- 2.1 At the meeting of full Council on 23 July 2019, it was unanimously agreed that a climate change action plan would be put in place with targets to reduce the Council's environmental impact with a view to it becoming carbon neutral by 2035. It was also agreed that this plan was to be provided to the Environment and Safe Communities Committee and subsequently ratified by full Council within six months.

- 2.2 On 22 October 2019, the Environment and Safe Communities Committee resolved to establish an Environment and Sustainability Cross-Party Member Working Group to support the development of the Council's Climate Change Action Plan.
- 2.3 The Council's Climate Change Action Plan was subsequently agreed by the Environment and Safe Communities Committee and ratified by full Council on 20 January 2020. The Environment and Sustainability Cross-Party Member Working Group therefore came to an end.
- 2.4 To help ensure that the objectives set out in the Climate Change Action Plan are achieved, a cross-party working group of members should be re-established.
- 2.5 The proposed terms of reference for the group are set out in Appendix 1. The group will comprise seven members and a chair, with three representatives from the majority political group, the Residents' Association, and one each from the minority groups, Labour, Liberal Democrat and Conservative.

### **3 Risk Assessment**

Legal or other duties

#### **3.1 Impact Assessment**

- 3.1.1 The establishment of the Working Group will support the delivery of the Council's commitment to addressing climate change.

#### **3.2 Crime & Disorder**

- 3.2.1 None arising from this report.

#### **3.3 Safeguarding**

- 3.3.1 None arising from this report.

#### **3.4 Dependencies**

- 3.4.1 None arising from this report.

#### **3.5 Other**

- 3.5.1 None arising from this report.

### **4 Financial Implications**

- 4.1 The modest additional cost of administering the Working Group would be borne by existing budgets.

- 4.2    **Section 151 Officer's comments:** Any proposed projects requiring capital investment should be submitted through the annual capital programme cycle and will be assessed against the agreed criteria for schemes consistent with the Council's Climate Change Action Plan.

## 5    Legal Implications

- 5.1    The Climate Change Act 2008 sets a statutory target to reduce UK greenhouse gas emissions by 80% from 1990 by 2050. In May 2019, the UK Committee on Climate Change recommended that the UK government increase the statutory target to Net-Zero greenhouse gas emissions by 2050. This has now been formally adopted.
- 5.2    **Legal Officer's comments:** none arising from the content of this report.

## 6    Policies, Plans & Partnerships

- 6.1    **Council's Key Priorities:** The following Key Priorities are engaged:
- Work with partners to reduce our impact on the environment and move closer to becoming carbon neutral.
- 6.2    **Service Plans:** The matter is included within the Annual Plan and a key Council priority is to address Climate Change.
- 6.3    **Climate & Environmental Impact of recommendations:** The proposed Working Group will help to monitor progress on achieving the objectives set out in the Climate Change Action Plan.
- 6.4    **Sustainability Policy & Community Safety Implications:** The establishment of the Working Group will contribute directly and significantly to improving the Council's sustainability practice. It will also contribute to enhancing community safety in areas such as tackling poor air quality.
- 6.5    **Partnerships:** The Climate Change Action Plan includes specific actions to promote wider understanding and action through the variety of relationships that the Council has with other organisations operating in the Borough, including those that are subject to formal contracts.

## 7    Background papers

- 7.1    The documents referred to in compiling this report are as follows:

### Previous reports:

- [Report to the meeting of the Environment and Safe Communities Committee on 22 October 2019 on the Establishment of an Environment and Sustainability Cross-Party Member Working Group.](#)

### Other papers:

- [Climate Change Action Plan, January 2020](#)
- [Climate Change Action Plan Update \(report to the Environment and Safe Communities Committee meeting on 26 January 2021\)](#)
- [Motion to Council in support of the Climate and Ecological Emergency Bill \(19 July 2021\)](#)



## **DRAFT ENVIRONMENT AND SUSTAINABILITY MEMBER WORKING GROUP**

### **TERMS OF REFERENCE**

The Environment and Sustainability Member Working Group has been established by the Environment and Safe Communities Committee as a Task and Finish Group to oversee the delivery of the Council's Climate Change ambition.

#### **Role of Group**

1. To monitor and review actions of the Council to deliver the climate change priorities set out in the Annual Plan 2021-22.
2. To help to identify the key climate change priorities to feed into the Annual Plan 2022-23.
3. To identify initial key performance indicators and targets to enable the Council to track progress over time (to be included in the Annual Plan 2022-23 key performance indicators).
4. To monitor and review actions of the Council to deliver the climate change priorities set out in the Annual Plan 2021-22.
5. To consider the actions that the Council can take to influence the behaviour and actions of local residents, businesses and partners that can impact positively on the carbon footprint of the Borough.
6. To identify the sources of and likely availability of funding to enable the costed proposals to be taken forward.

#### **Decision Making/Reporting**

Proposals raised by the Working Group will need to be presented through the committee process to the Environment and Safe Communities Committee and potentially the Strategy and Resources Committee where financial authority is required. The Working Group will operate by consensus: no voting and quorum are required.

#### **Membership**

The membership will comprise the members as agreed by the Environment and Safe Communities Committee Chairman and no substitutions will be supported. Officers will provide support as required. Stakeholders will be consulted and then invited to attend meetings, if appropriate.

<b>Councillors:</b>	Vice Chair of Environment and Safe Communities (Chair)
TBC	Residents' Association member
TBC	Residents' Association member
TBC	Residents' Association member
TBC	Labour member
TBC	Liberal Democrat member
TBC	Conservative member
<b>Officers:</b>	Relevant officers as required

### **Frequency and Timing of Meetings**

Agreed that the frequency of meetings will be one per quarter (total of four per annum).

### **Budget**

There is no budget for this Working Group. Any additional funding would need to be requested through the Strategy and Resources Committee or projects within the capital programme.

19 October 2022

## **ADOPTION AND IMPLEMENTATION OF ANTI-IDLING ENFORCEMENT POWERS**

**Head of Service:** Rod Brown, Head of Housing & Community  
**Wards affected:** (All Wards);  
**Urgent Decision?(yes/no)** No  
**If yes, reason urgent decision required:**  
**Appendices (attached):** None

### **Summary**

This report adopts the Environment and Safe Communities Committee's recommendation of 26 January 2021 to seek approval for the implementation of anti-idling legislation aimed at reducing vehicle emissions and improving clean air.

### **Recommendation (s)**

#### **The Committee is asked to:**

- (1) approve the implementation and enforcement of provisions relating to anti idling set out in the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 ("2002 Regulations");**
- (2) delegate authority to the Head of Housing and Community to:**
  - i. develop, produce and keep updated policies and procedures for the introduction, service and management of enforcement powers under the 2002 Regulations;**
  - ii. authorise and train relevant officers, or any other person, to stop the commission of stationary idling offences and issue fixed penalty notices ("FPNs") under Pt 6 and Pt 7 of the 2002 Regulations.**
  - iii. where appropriate seek relevant permission from Surrey County Council for the erection of signage for enforcement fo the 2002 Regulations**
  - iv. launch a public education campaign on the 2002 Regulations in January 2022**
  - v. report progress to Environment and Safer Communities Committee in March 2022**

## **1 Reason for Recommendation**

- 1.1 The cutting of emissions by reducing and stopping the idling of engines is an important component in the Council's action plans and strategies to improve clean air and tackle climate change.

## **2 Background**

- 2.1 As part of the Ewell Air Quality Management Area the Council agreed a localised action plan to tackle air pollution in an area of Ewell Village. This included education and awareness training, particularly with local schools as well as changes in road layout which has helped even traffic flow. At the time there were also recommendations to adopt powers to take enforcement action to prevent vehicles idling. Following the creation of additional enforcement officer roles, we are now able to enforce against idling vehicles.
- 2.2 At a full Council meeting on 21 July 2020 the Council resolved to refer a motion of "Enforcement against cars idling" to this Committee which was noted on 26 January 2021. As well as the duty to improve areas of poor air quality, tackling carbon emissions is also part of a wider commitment to tackle climate change. To that end the Council agreed its Climate Change Action Plan ("CCAP") in January 2020.
- 2.3 The CCAP included the objective to implement the #DontBeldle campaign which enables the Council to begin to 'Fine drivers who leave [their] engine running whilst parked'. At a committee meeting on 26 January 2021 it was agreed the Council would continue with the current arrangements of the CCAP relating to car idling (page 6. [here](#)).
- 2.4 There are various pieces of legislation that create anti-idling rules and prohibitions including under road traffic statutes and regulations. At this stage, the most straightforward approach is to adopt enforcement powers under Pt 6 and Pt 7 of the 2002 Regulations. The current recommendation is to implement anti-idling areas and to authorise officers to enforce anti-idling. This approach is considered straightforward as the Department for Transport's authorisation is not required and the proposals do not require the Council to undertake air quality assessments when enforcing anti-idling.

## **3 The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 ("2002 Regulations")**

### *What are the enforcement powers?*

- 3.1 Under the 2002 Regulations power can be given to Council officers etc. to require drivers to turn-off their engine while they are parked and running their engine unnecessarily. If they fail to comply with this requirement the officer etc. has the power to issue a fixed penalty notice ("FPN"). An FPN is a financial penalty.

Guidance on use of enforcement powers

- 3.2 Guidance issued by the Secretary of State for Transport 2002 – “Guidance on powers to require drivers to switch off engines” advises that FPNs should be used as a deterrent and only issued as a last resort. With this in mind, it is anticipated that FPNs will be issued in limited circumstances where a driver refuses to switch off an engine when asked to do so by an authorised officer etc.. The guidance also recommends that a ‘common sense’ approach is taken by officers when using the powers under the Regulations.

Vehicles and exempted circumstances?

- 3.3 Reference to cars is not exclusively to be understood as cars. FPNs can be issued in respect of any motorised vehicle including cars, taxis, buses and all commercial vehicles. Modern cars, particularly electric vehicles, are fitted with idling switches that automatically cut the engine switch when stationary. The Council can be confident this will not cause enforcement problems/difficulties if officers etc. take a ‘common sense’ approach.
- 3.4 As well as taking a ‘common sense’ approach, those enforcing anti-idling measures will need to be familiar with exempted circumstances where vehicles are permitted to keep their engines idling while parked (see Regulation 98(2) of the Road Vehicles (Construction and Use) Regulations 1986). The exempted circumstances include, for example: queuing at a red traffic light; while an idling vehicle is being worked on by break-down assistance and recovery; the idling vehicle is a refrigerated delivery van; the idling vehicle is a refuse lorry.

How much is the penalty and what happens to the proceeds?

- 3.5 The enforcement process under the 2002 Regulations allows for a £20 FPN to be served in relation to stationary idling offences. This increases to £40 if not paid within 28 days. There is no discretion to amend this charge.
- 3.6 The Council can retain the income generated from the FPNs, albeit that the amount of income is expected to be minimal and the purpose behind the enforcement powers is deterrence and to improve air quality and vehicle emissions. There are no stipulations on how income from FPNs will be used.

What is the appeal process?

- 3.7 It is a requirement that the FPN contains the person and address to whom any correspondence relating to the FPN may be sent. The guidance recommends that an FPN can be queried through correspondence with the Council. The terms of the FPN remain in place even if a query is raised, although it is envisaged that the Council would not expect payment until it had been decided and notified that the representation had been unsuccessful. Alternatively, a person to whom an FPN has been issued may give notice requesting a hearing in respect of the offence to which the FPN relates. A request in writing for a hearing can be made no later than 28 days after the FPN was issued. A hearing is effectively a prosecution in the magistrates' court. In this situation, the FPN is suspended once a hearing has been requested.

Can the Council take action to enforce an unpaid penalty?

- 3.8 Where an FPN remains unpaid after the maximum period allowed (56 days after service), and there is no appeal made within the specified time the penalty can be recoverable through the County Court system. As with any contravention of Regulation 98 of the Road Vehicles (Construction and Use) Regulations 1986, a request to use the County Court system as a means of recovering unpaid FPNs would be dealt with electronically by the Traffic Enforcement Centre (Northampton County Court).

Does the Council need to involve other organisations?

- 3.9 Designation from the Department for Transport is not required for the enforcement of stationary idling offences nor the exercise of enforcement powers by officers etc.
- 3.10 The enforcement powers under Pt 6 and Pt 7 of the 2002 Regulations only apply to vehicles idling on highways. Before officers can exercise enforcement powers under the 2002 Regulations the Council must put up signs to notify drivers that anti-idling enforcement can take place in the Borough. Signage wording and locations will need to be agreed with Surrey County Council as the Highway Authority prior to installation.

What are the Next Steps?

- 3.11 If the recommendations are approved by the Committee, the next stage will be to develop and introduce procedures for the introduction, service and management of the enforcement powers under the 2002 Regulations. Once these are in place, along with the relevant signage, enforcement can begin. It is recommended that in the meantime the Council carries out a public education campaign to raise awareness of the issues and future enforcement.

### **Proposals**

- 3.12 The current proposal recommended in this report is for the Committee to approve the implementation and enforcement of provisions relating to anti idling set out in Pt 6 and Pt7 the 2002 Regulations, and delegate powers to develop, produce and keep updated appropriate policies and procedures and authorise relevant officers, or any other person, to use the enforcement powers under the 2002 Regulations.
- 3.13 These proposals follow the implementation process required under the 2002 Regulations and ensure the Committee retains oversight of the process, while allowing the relevant heads of service to manage and oversee the day-to-day use of the enforcement powers by officers. For completeness, this would not only include producing written policies and procedures that would be publicly available but ensuring officers etc. are properly trained to exercise enforcement powers.

### **Alternative Options**

- 3.14 The Committee could choose not to follow the above proposals. In this situation, education on anti-idling would still continue in limited areas within Ewell Village; however this will be primarily limited to areas around participating schools only.

## **4 Risk Assessment**

Legal or other duties

### **4.1 Impact Assessment**

4.1.1 None

### **4.2 Crime & Disorder**

4.2.1 None

### **4.3 Safeguarding**

4.3.1 None

### **4.4 Dependencies**

4.4.1 None

### **4.5 Other**

4.5.1 None

## **5 Financial Implications**

- 5.1 The Council is expected to receive limited income through the payment of FPNs.

- 5.2      The costs associated with signage are minimal. Any necessary costs associated with the signage will be met from existing revenue budgets within the Parking service. The Council already employs Civil Enforcement Officers and the issuance of FPNs in relation to this offence would be undertaken during their existing operation, therefore at no additional cost to the Council.
- 5.3      **Section 151 Officer's comments:** The financial implications are set out in the body of the report. The Council does not budget to receive income for Fixed Penalty Notices but any received will contribute to funding the enforcement provision.

## 6      Legal Implications

- 6.1      The body of the report sets out the legal implications concerning enforcement activity. As explained, the Council can authorise any officer of its authority, or any other person, to stop the commission of stationary idling offences (in accordance with Regulation 12 2002 Regulations) and to issue a FPN in respect of such an offence committed in its area. The enforcement powers under Pt 6 and Pt 7 of the 2002 Regulations are decentralised and do not require approval from the relevant Secretary of State. Consultation is not required to adopt anti-idling enforcement powers under the 2002 Regulations; however, given this Committee's oversight of the clean air and climate change strategies and plans, the decision to implement the 2002 Regulations and delegate certain ancillary matters to relevant officers is a decision that rightly falls with this committee.
- 6.2      The exercise of enforcement powers includes the power to require a driver to provide his personal details so that he can be identified for the purposes of issuing a FPN. Failure to provide these details amounts to a criminal offence subject to a fine set by the magistrates' court. The Council will need to produce a publicly available document describing the procedure for investigating drivers who refuse to provide their details, its prosecution policy and the use and retention of personal details for the purpose of enforcement.
- 6.3      **Legal Officer's comments:** none arising from the content of this report.

## 7      Policies, Plans & Partnerships

- 7.1      **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council, Safe and Well, Green and Vibrant.
- 7.2      **Service Plans:** The matter is included within the current Service Delivery Plan.
- 7.3      **Climate & Environmental Impact of recommendations:** The CCAP and this report outline the risks associated with poor air quality and climate change locally.



- 7.4    **Sustainability Policy & Community Safety Implications:** None arising from the content of this report.
- 7.5    **Partnerships:** The implementation of anti-idling legislation, along with promotion and educational messages from the Council, may lead to partnership opportunities with local schools to present positive climate change messages and warnings of the dangers caused by idling vehicles and partnership with Surrey County Council in placement of signage.

## 8    **Background papers**

- 8.1    The documents referred to in compiling this report are as follows:

### **Previous reports:**

- Motion: Enforcement Against Cars Idling Environment and Safe Communities Committee 26 January 2021 ([here](#))

### **Other papers:**

- The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 -  
http://www.legislation.gov.uk/ukxi/2002/1808/contents/made -  
Specifically Reg. 6(3), Pt 6 and Pt 7
- The Council's Climate Change Action Plan ("CCAP") agreed to by the Council in July 2019 ([here](#) p.21)

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## **EXTENSION OF PSPO: DRINKING IN A PUBLIC PLACE**

**Head of Service:** Rod Brown, Head of Housing & Community

**Wards affected:** (All Wards);

**Urgent Decision?(yes/no)**

**If yes, reason urgent decision required:**

**Appendices (attached):** Appendix 1 - Sealed PSPO 2018 No.1  
Appendix 2 - Draft PSPO  
Appendix 3 - Consultation Summary Report

### **Summary**

This report seeks authority to renew a Public Spaces Protection Order relating to alcohol.

### **Recommendation (s)**

**The Committee is asked to**

- (1) Approve the Draft Public Spaces Protection Order(s) in Appendix 2 or modify those Order(s) to cover such areas and related restrictions as the Committee considers proportionate to the statutory purpose found in ss59 to 75 Anti-social Behaviour Crime and Policing Act 2014 (“2014 Act”);**
- (2) Delegate authority to The Head of Housing and Community to make those Order(s) in accordance with the statutory process set out in the 2014 Act.**

## **1 Reasons for Recommendation**

- 1.1 As part of our approach to enforcement and community safety we said we would take action to reduce anti-social behaviour. The extension of the proposed Public Spaces Protection Orders (PSPO) prohibiting drinking in a public place should help control and reduce anti-social behaviour.

## **2 Background**

- 2.1 A Public Space Protection Order (PSPO) is designed to stop individuals or groups committing anti-social behaviour in a public space. The Council can issue a PSPO following consultation with the police, Police and Crime Commissioner, the owner or occupier of land in the restricted area and other community representatives they see fit.
- 2.2 On 24 December 2018 the Council designated areas of the Borough under the Public Spaces Protection Order (Epsom & Ewell Borough Council) 2018 No. 1. Copies of those Orders are at Appendix 1.
- 2.3 Under those Orders the Police made use of their powers in order to reduce alcohol being consumed in the streets. The current provisions permit the police to request alcohol consumption cease in the designated area and to request person(s) surrender of alcohol. Typically instances of the use of the order are not routinely recorded by police since they occur as part of an interaction with a member of the public participating in other disorderly conduct.
- 2.4 Anecdotally the powers were particularly useful around the Derby meeting when customers walk through the town centre to and from the Downs, and also in the evening, especially at weekends, when customers emerge from licensed premises carrying containers of alcohol.
- 2.5 Under the Anti-social Behaviour Crime and Policing Act 2014 the Council is required to either renew, vary or cancel any previous Orders no later than every 3 years. The Council is now being asked to renew the PSPOs to cover such areas and related restrictions as found at Appendix 2.

### Extension, requirements, prohibitions and enforcement

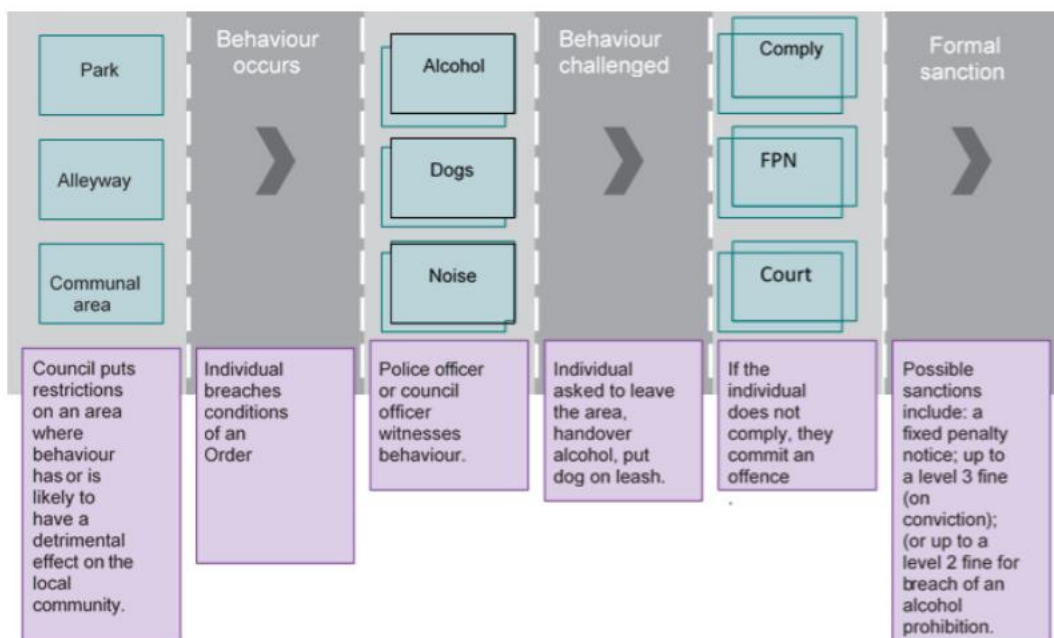
- 2.6 An extant PSPO may be extended if the Council is satisfied on reasonable grounds that doing so is necessary in order to prevent occurrence or recurrence of the activities identified in the order, or an increase in the frequency or seriousness of those activities. An order may be extended more than once. Although the test is slightly different to the requirements set out in the Act, it is recommended that the Committee consider whether the requirements under the 2014 are met.
- 2.7 Under the 2014 Act PSPOs can be made where the following requirements are met:

- activities in a public place have had or are likely to have a detrimental effect on the quality of life of those in the locality;
- the effect of those activities is considered to be of a persistent or continuing nature; and
- unreasonable,

2.8 The restrictions and requirements are set by the Council. The test is whether the effects of the activities (persistent/continuing and unreasonable) justify imposing the restrictions and requirements. These can:

- be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times.
- restrict access to public spaces (including certain types of highway) where that route is being used to commit anti-social behaviour.
- be enforced by a police officer and council officers.

2.9 Enforcement is through the criminal sanctions for breaches. A breach is a criminal offence. Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate or the courts can impose a fine of up to level 3 on prosecution. This flowchart summarises enforcement<sup>1</sup>:



<sup>1</sup> Home Office Guidance p.60. see here [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/956143/ASB\\_Statutory\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956143/ASB_Statutory_Guidance.pdf) includes more detailed guidance for frontline professionals

Process for making a PSPO

- 2.10 There is a statutory process to be followed if orders are to be made, including consultation. What follows, sets out what we have done and what we need to do to comply with that process.

*What we have done...*

- 2.11 The Council carried out a formal consultation. This included publishing the consultation on our website and sending a copy to Surrey Police, the local PCC and Surrey County Council. The responses to that formal consultation are summarised in the Consultation Report Summary at Appendix 3.

*What needs to be done*

- 2.12 The recommendation to extend the PSPO has gone to this Committee to ensure openness and accountability. The justification for the making of the PSPO is found in the Report at Appendix 3.
- 2.13 If the Committee decides to make the PSPO or make a PSPO with different terms, it will come into effect on expiring of the exiting PSPO (Appendix 1). This allows the Council officers time to draft and approve guidance and other documents, comply with certain publication requirements and take other necessary steps before the PSPO comes into effect.
- 2.14 Any PSPO will need to be sealed and published and adequate signs and notices erected. The make-up, number and location of the signs are a matter to be agreed between the Council and the police.

### **3 Proposals**

- 3.1 It is proposed that the draft orders at Appendix 2 be made with the Head of Housing and Community to coordinate the remaining steps set out above *What needs to be done*.

### **4 Risk Assessment**

Legal or other duties

4.1 Impact Assessment

- There is unlikely to be any impact if the Committee decides to extend the existing PSPO.

4.2 Crime & Disorder

- PSPOs are designed to reduce the anti-social behaviour.

#### 4.3      Safeguarding

The consumption of alcohol can have a negative impact on safeguarding and being able to control the consumption of alcohol in the street could have a positive impact on safeguarding.

#### 4.4      Dependencies

- Not applicable

#### 4.5      Other

- None

### 5      Financial Implications

5.1      The renewed orders cover the same area as covered by the existing PSPO orders but additionally include the alleyway running underneath Hudson House in Epsom following comments made in the consultation. The cost of updating and erecting new signs to publicise the fact that a PSPO is expected to be limited should the committee agree to re-enact the PSPO broadly along the lines of the current one. Should any additional signage be required it would be met from the Community Safety Reserve.

5.2      **Section 151 Officer's comments:** The financial implications are included in the body of the report.

### 6      Legal Implications

6.1      The Council has published the draft version of the PSPO in accordance with regulations.

6.2      The Council can make a PSPO on any public space within its local authority area. The definition of public space is wide and includes any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

6.3      The Council's enforcement policies and strategies will need to consider what this presents for the most vulnerable members of society and any risks associated with displacement or dispersal of people to other areas not subject to a PSPO.

6.4      Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue. Time starts to run again each time a PSPO is renewed (as is the recommendation before the Committee) or varied.

6.5    **Legal Officer's comments:** none arising from the content of this report.

## 7    Policies, Plans & Partnerships

- **Council's Key Priorities:** The following Key Priorities are engaged: Safe & Well, Green & Vibrant.
- **Service Plans:** The matter is included within the current Service Delivery Plan.
- **Climate & Environmental Impact of recommendations:** Reduction in anti-social behaviour is anticipated to reduce low level environmental offending, like littering.
- **Sustainability Policy & Community Safety Implications:** PSPOs can have a positive impact for safety in the local community.
- **Partnerships:** Surrey police – police can exercise enforcement powers.

## 8    Background papers

- The documents referred to in compiling this report are as follows:

### Previous reports:

- PSPO Report 31 January 2017: <https://democracy.epsom-ewell.gov.uk/documents/s4867/Public%20Space%20Protection%20Orders.pdf>

### Other papers:

- Consultation on Public Spaces Protection Order <https://www.epsom-ewell.gov.uk/sites/default/files/documents/council/PSPO%20Alcohol%20Consultation%20Document.pdf>



## **The Anti-social Behaviour, Crime and Policing Act 2014 Public Spaces Protection Order (Epsom & Ewell Borough Council) 2018 No. 1**

Epsom & Ewell Borough Council is satisfied that drinking in public places is being carried on within the area to which this Order applies and this activity is having a detrimental effect on the quality of life of those in the locality or it is likely that this activity will be carried out and it is likely to have, a detrimental effect on the quality of life of those in the locality, and it therefore makes this Public Spaces Protection Order covering the matters set out below.

This Order relates to all that land described in Schedules 1 to 3 ("the Restricted Area") to include all roads, pavements, footways, footpaths, bridleways and pedestrianised areas within that area.

The activities set out in this Order are prohibited or required only where an authorised person requires a person to stop the activity or requires that person to do something set out in this Order.

The activities which are prohibited or required by this Order are:

### **1. Drinking in a public place**

All persons are prohibited from drinking alcohol within a public place. This provision does not apply to alcohol being consumed within premises licensed under the Licensing Act 2003 or s115E of the Highways Act 1980.

Where an authorised person reasonably believes that a person:

- a) is or has been consuming alcohol in breach of this Order; or
- b) intends to consume alcohol in circumstances which would be a breach of this Order

the authorised person can require the person:

- i) not to consume alcohol or anything which the authorised person reasonably believes is alcohol in breach of this Order; and
- ii) to surrender anything in the person's possession which is, or which the authorised person reasonably believes to be, alcohol or a container for alcohol.

2. An authorised person who imposes a requirement under paragraph 1(b)(i) or 1(b)(ii) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

3. A requirement imposed by an authorised person under paragraph 1(b)(i) or 1(b)(ii) is not valid if the authorised person:

- (a) is asked by the person to show evidence of his or her authorisation, and

(b) fails to do so.

4. An authorised person may dispose of anything surrendered under paragraph 1(b)(ii) in whatever way he or she thinks appropriate.

5. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under paragraph 1(b)(i) or 1(b)(ii) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

## **6. Definitions**

Alcohol has the meaning given by section 191 of the Licensing Act 2003.

Authorised person means a constable or a person authorised in writing by Epsom & Ewell Borough Council.

Public place means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

7. This Order shall come into effect on 24<sup>th</sup> December 2018.

8. This Order shall have effect for a period of 3 years.

The Common Seal of Epsom & Ewell Borough Council was affixed in the presence of:

## **Schedule 1 - Epsom**

- Albert Road, Alexandra Recreation Ground, Alexandra Road, Andrews Close, Ashley Avenue and Ashley Road
- Bridle End, Bridle Road and Burgh Heath Road
- Cedar Close, Chase Road, Church Road, Church Street, Clayton Road, College Road (from Church Road to Alexandra Road), Copse Edge Avenue and Court Recreation Ground
- Delaporte Close, Depot Road, Derby Square (also known as Epsom Square) and Downs Road

- East Street, Eastway and Elizabeth Welchman Gardens
- Farriers Close, Farriers Road, footpath between Chase Road/Temple Road junction and the footpath at 61 Waterloo Road, footpath between East Street and Waterloo Road, footpath between Hook Road and Temple Road, footpath between Pound Lane and Waterloo Road
- Gosfield Road, Grove Avenue and Grove Road
- Hawthorne Place, Hazon Way, High Street, Hook Road (from East Street to Pound Lane), Horsley Close (from Hazon Way to Waterloo Road) and Horton Footpath
- Leith Road, Linden Place, Lintons Lane and Lower Court Road
- Maidenshaw Road, Manor Green Road (from Lower Court Road to Upper Court Road) Middle Close, Middle Lane and Mounthill Gardens
- Pikes Hill, Pitt Place, Pitt Road, Portland Place, Pound Lane and Prospect Place
- Randolph Road, Rosebery Avenue and Rosebery Park
- South Street, Station Approach, Stevens Close, St Martin's Close and Stones Road
- Temple Road, The Croft, The Oaks Square, The Parade, Tintagel Close and Treemount Court
- Upper Court Road, Upper High Street
- Victoria Place
- Waterloo Road, West Street (from Station Approach to South Street), Wimborne Close, Winter Close (including the children's play area), Worple Road (from The Parade to Church Street), Wyeths Road and Wyeths Mews

#### **Schedule 2 – Ewell**

- Bourne Hall Gardens
- Chessington Road (from Spring Street to Kingston Road)
- Gibraltar Recreation Ground
- High Street
- Kingston Road (from High Street to Ewell By-Pass)
- Spring Street
- The Grove
- West Street

#### **Schedule 3 – Langley Vale**

**Langley Vale including the following roads and all footpaths and areas in between:**

- Beaconsfield Road
- Grosvenor Road
- Harding Road
- Langley Close
- Mannamead, Mannamead Close and Millers Copse
- Rosebery Road
- Saddlers Way, Spencer Close, Stable Close and Strand Close
- The Hayes and The Warren
- Vale Close
- Warren Recreation Ground

In accordance with section 66 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”), any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that any requirement of the Act has not been complied with they may apply to the High Court within six weeks from the date on which this Order is made. An interested person is an individual who lives in the Restricted Area or who regularly works or visits that area.



# EPSOM AND EWELL BOROUGH COUNCIL

## DRAFT PUBLIC SPACES PROTECTION ORDER NO [X] OF 2021: ALCOHOL

### PREAMBLE

The Preamble to the Order will refer to the Council's powers under the Anti-Social Behaviour Crime and Policing Act 2014 and confirm that the powers are exercised in accordance with that Act and other relevant legislation. In particular:

1. Are the requirements in sections 59 of the Anti-Social Behaviour Crime and Policing Act 2014 met?

*(1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.*

*(2) The first condition is that*

*(a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or*

*(b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.*

*(3) The second condition is that the effect, or likely effect, of the activities*

*(a) is, or is likely to be, of a persistent or continuing nature,*

*(b) is, or is likely to be, such as to make the activities unreasonable, and*

*(c) justifies the restrictions imposed by the notice.*

2. Is the Council satisfied that the prohibitions proposed below are reasonable and necessary to prevent the detrimental effect from continuing, occurring, or recurring or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence

3. In making the Order has the Council had regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights and Equality Act 2010?

4. In all the circumstances, is it appropriate to make the Order?

### DRAFT ORDER

IN ACCORDANCE WITH PART 3 OF THE COUNCIL'S CONSTITUTION THE HEAD OF HOUSING & COMMUNITY WILL RECOMMEND THAT THE ENVIRONMENT AND SAFE COMMUNITIES COMMITTEE THE COUNCIL MAKES THE FOLLOWING ORDER

In exercise of its powers under section 59 of the Anti-Social Behaviour Crime and Policing Act 2014.

1. This Order may be cited as Epsom and Ewell Borough Council (Alcohol) Public Spaces Protection Order No.[X] of 2021 ("the Order"). This Order takes effect on the [a date within 4 months of the Committee's decision] and continues to have effect for a period of [up to three years] thereafter until [date].
2. This Order applies to the land described Schedule 1 below ("Restricted Area") and which is shown edged red on the attached plan found in Schedule 2 ("the Order plan").

3. This Order applies to all persons in 'public places' within the Restricted Area at all times of the day and night, save on where otherwise stated within the prohibitions.
4. For the purposes of this Order, 'public places' means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

## PROHIBITIONS

All persons are prohibited from drinking alcohol within a public place. This provision does not apply to alcohol being consumed within premises licensed under the Licensing Act 2003 or s115E of the Highways Act 1980.

1. Where an authorised person reasonably believes that a person:
  - a) is or has been consuming alcohol in breach of this Order; or
  - b) intends to consume alcohol in circumstances which would be a breach of this Order

the authorised person can require the person:

- i) not to consume alcohol or anything which the authorised person reasonably believes is alcohol in breach of this Order; and
- ii) to surrender anything in the person's possession which is, or which the authorised person reasonably believes to be, alcohol or a container for alcohol.

2. An authorised person who imposes a requirement under paragraph 1(b)(i) or 1(b)(ii) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

3. A requirement imposed by an authorised person under paragraph 1(b)(i) or 1(b)(ii) is not valid if the authorised person:

(a) is asked by the person to show evidence of his or her authorisation, and

(b) fails to do so.

4. An authorised person may dispose of anything surrendered under paragraph 1(b)(ii) in whatever way he or she thinks appropriate.

## DEFINITIONS

Alcohol has the meaning given by section 191 of the Licensing Act 2003.

An authorised person could be a police constable, Police Community Support Officer or authorised person designated by Epsom and Ewell Borough Council under a Grant of Authority (made on the template in Schedule 3) and must be able to present their authority upon request (an "Authorised Person").

Public place means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

#### OFFENCE AND PENALTY

- a. Any person who, without reasonable excuse, fails to comply with the prohibitions above commits an offence.
- b. Any person who is guilty of an offence under the prohibitions of the Order shall be liable to summary conviction to a fine not exceeding level 3 on the standard scale.

#### ENFORCEMENT

- a. This Order shall be enforced by Authorised Persons.
- b. Any Authorised Person may issue a fixed penalty notice (FPN) to anyone they believe has committed an offence.
- c. A person committing an offence to pay the fixed penalty of £100.00, reduced to £80.00 for early payment, failing which that person may be prosecuted. No further proceedings will be taken against a person before the expiration of 28 days following the date of the FPN.
- d. An Authorised Person may dispose of anything surrendered to that Authorised Person as a result of a requirement imposed by them in whatever way they think is appropriate.
- e. An Authorised Person may take other necessary and proportionate enforcement action in reference to the Borough's Enforcement Policy & Procedure. This may include referral to support services, low level enforcement or referral to court action.

#### APPEALS

*The Order will make clear that under Section 66 of the Anti-Social Behaviour Crime and Policing Act 2014, any challenge to this order must be made in the High Court by any interested person within 6 weeks of it being made.*

IN WITNESS WHEREOF THE COMMON SEAL OF  
THE MAYOR AND BURGESSES OF EPSOM AND EWELL

**Epsom**

- Albert Road, Alexandra Recreation Ground, Alexandra Road, Andrews Close, Ashley Avenue and Ashley Road
- Bridle End, Bridle Road and Burgh Heath Road
- Cedar Close, Chase Road, Church Road, Church Street, Clayton Road, College Road (from Church Road to Alexandra Road), Copse Edge Avenue and Court Recreation Ground
- Delaporte Close, Depot Road, Derby Square (also known as Epsom Square) and Downs Road
- East Street, Eastway and Elizabeth Welchman Gardens
- Farriers Close, Farriers Road, footpath between Chase Road/Temple Road junction and the footpath at 61 Waterloo Road, footpath between East Street and Waterloo Road, footpath between Hook Road and Temple Road, footpath between Pound Lane and Waterloo Road
- Gosfield Road, Grove Avenue and Grove Road
- Hawthorne Place, Hazon Way, High Street, Hook Road (from East Street to Pound Lane), Horsley Close (from Hazon Way to Waterloo Road) and Horton Footpath
- Leith Road, Linden Place, Lintons Lane and Lower Court Road
- Maidenshaw Road, Manor Green Road (from Lower Court Road to Upper Court Road) Middle Close, Middle Lane and Mounthill Gardens
- Pikes Hill, Pitt Place, Pitt Road, Portland Place, Pound Lane and Prospect Place
- Randolph Road, Rosebery Avenue and Rosebery Park
- South Street, Station Approach (and the alleyway leading from Station Approach under Hudson House including the carparks beneath Hudson House), Stevens Close, St Martin's Close and Stones Road
- Temple Road, The Croft, The Oaks Square, The Parade, Tintagel Close and Treemount Court
- Upper Court Road, Upper High Street
- Victoria Place
- Waterloo Road, West Street (from Station Approach to South Street), Wimborne Close, Winter Close (including the children's play area), Worple Road (from The Parade to Church Street), Wyeths Road and Wyeths Mews

**Ewell**

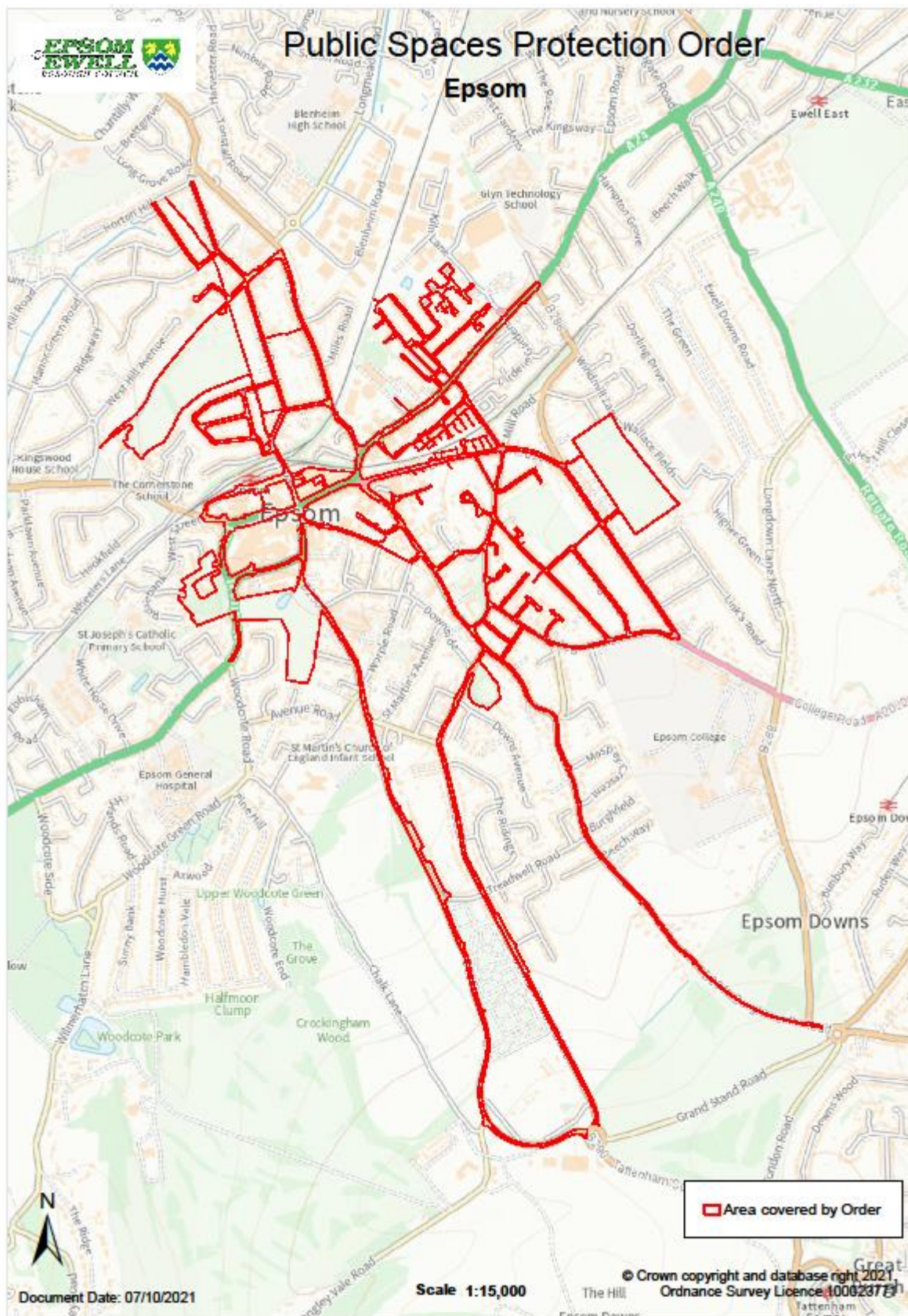
- Bourne Hall Gardens
- Chessington Road (from Spring Street to Kingston Road)
- Gibraltar Recreation Ground
- High Street
- Kingston Road (from High Street to Ewell By-Pass)
- Spring Street
- The Grove
- West Street

**Langley Vale**

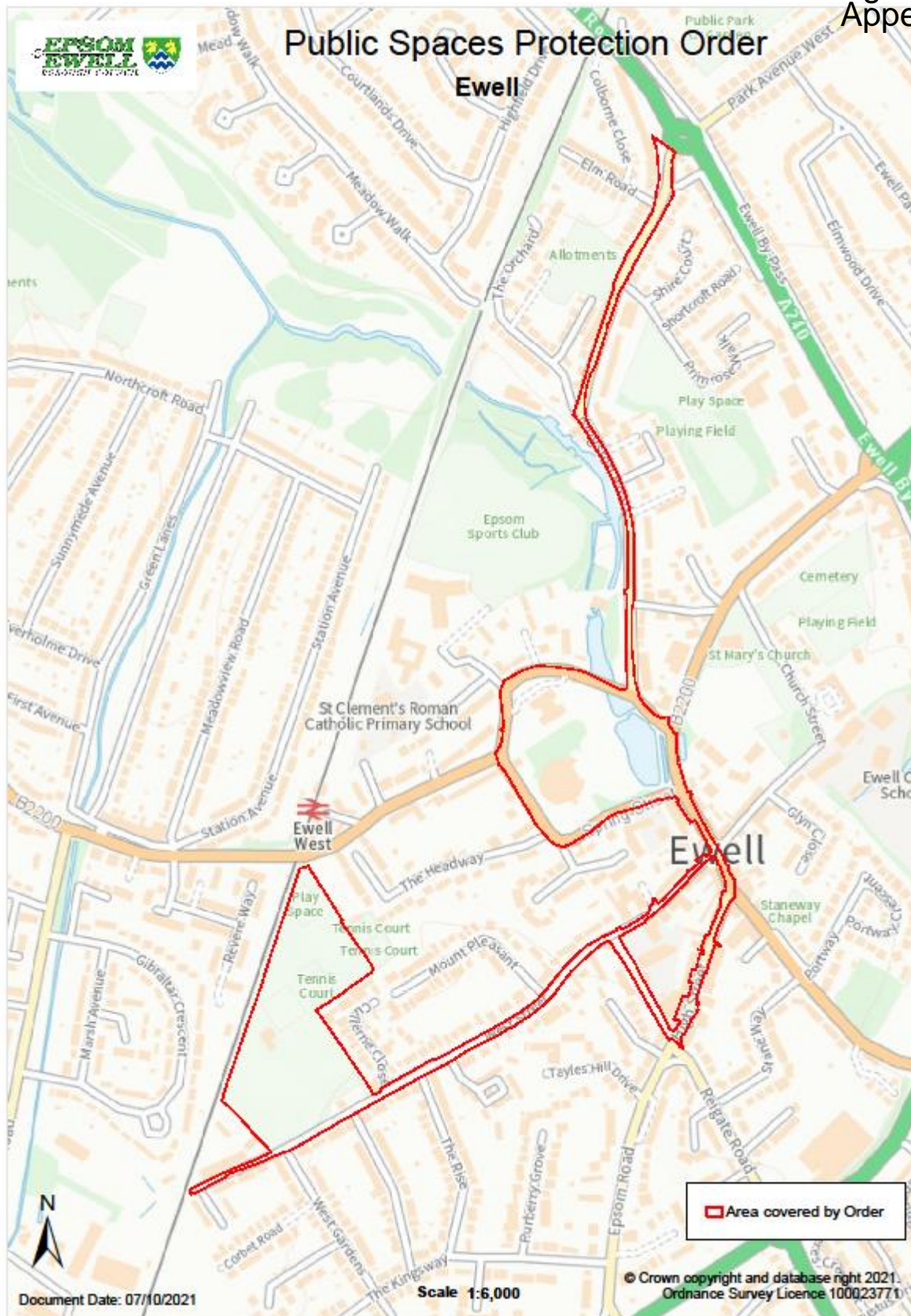
Langley Vale including the following roads and all footpaths and areas in between:



- Beaconsfield Road
- Grosvenor Road
- Harding Road
- Langley Close
- Mannamead, Mannamead Close and Millers Copse
- Rosebery Road
- Saddlers Way, Spencer Close, Stable Close and Strand Close
- The Hayes and The Warren
- Vale Close
- Warren Recreation Ground









### Schedule 3: Grant of Authority

EPSOM AND EWELL BOROUGH COUNCIL

Public Spaces Protection Orders. Anti-Social Behaviour Crime and Policing Act 2014.

OFFICER AUTHORITY

To: [OFFICER]

Date: [INSERT DATE] 2021

Subject matter: EEBC – PSPO for Alcohol Control

Authority: Chief Executive of Epsom and Ewell Borough Council

Signed: Name: Designation:

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# Epsom and Ewell Alcohol PSPO: Summary of Conclusions of Consultation 2021

## About the consultation

A Public Space Protection Order (PSPO) is designed to stop individuals or groups committing anti-social behaviour in a public space. Epsom and Ewell Borough Council can use PSPOs to address anti-social behaviour by prohibiting specific activities in defined public areas.

PSPOs must be drawn up in consultation with the community and reviewed at least every three years. We introduced a PSPO "Public Spaces Protection Order (Epsom & Ewell Borough Council) 2018 No.1" in effect from 24 December 2018 to parts of the borough. A consultation began on 21 July 2021 and ended on 6 September 2021.

This Summary of Conclusions explains how we consulted on the proposal to renew a PSPO and sets out the conclusions relied on by the Council's officers in recommending that the Committee make a PSPO in the terms contained in the draft order attached to the Committee Report together with Summary of Conclusions.

## How we consulted with the community

In addition to consulting statutory consultees, the Council adopted the approach found in 'A Common Purpose' Guidance from DEFRA and consulted the wider public. Between 21 July and 6 September 2021, the Council carried out an online survey aimed at a broad cross section of society and various groups that would be interested in the making of an alcohol PSPO. We promoted the survey through social media and on our website. Business groups in Epsom were reached via the Business Improvement District and contact was made with the various Friends of the Parks groups via the Council's Community Liaison Officer.



In addition to asking [Question 1] the participants to confirm their status (e.g., local resident) we asked the following questions.

*2. In the past 12 months have you been affected by problem behaviour related to alcohol consumption in public spaces in Epsom & Ewell?*

*2.1. If 'Yes', please share with us the location of the incident (e.g. the name of the street or park) and how it has affected you below*

*3. The proposed PSPO covers specific public places in Epsom & Ewell. Do you agree with the areas to be covered by the PSPO?*

*3a. Please specify areas to be included or excluded in the PSPO explaining your reasons below.*

*4. If you have any other comments on the proposed PSPO, please include your comments below*

## Participation

63 people participated in the survey as follows

Local resident – 49

Some one who works in the borough – 5

Local Councillor – 1

Representative of a community group – 4

Other - 4

## Key findings

The main themes identified by respondents have been extracted from the consultation responses and appear below



Suggestion to include alleyway under Hudson house.	This is considered to be a useful suggestion and is supported by evidence of alcohol related litter at this location therefore the replacement proposed PSPO includes this provision
Suggestion to include Hook Road because of student presence.	This is not proposed since there is no data relating to Hook Road and the presence of a greater proportion of students does not itself provide sufficient reason to designate this road
Suggestion to include Court Recreation Ground	Court Recreation Ground is present in the existing PSPO and is proposed to remain
Suggestion to include Epsom Common and Stamford Green	This was suggested by two respondents, one based on occasional unlicensed events “raves”, which have taken place and the other based on the opinion that “these are areas appealing to those drinking/smoking cannabis” It is not proposed to include these areas since there are pre-existing dispersal powers to address the issue of raves more directly and an area appealing to drinking does not satisfy the threshold set out in law
Suggestion to include the Hogsmill at Cuddington owing to the presence of littering	No independent evidence was found for this issue and therefore it has not been included in these proposed area.
Concern that a blanket approach has been taken and the PSPO is Borough wide	This is incorrect, the approach is deliberately constrained to those geographic areas identified

Suggestion to include Stoneleigh Broadway	This has been carefully considered. Whilst Stoneleigh Broadway has commonality with both Epsom and Ewell centres in its appearance and purpose, it records only a fraction of crime attributed to the other two main areas of the Borough across all crime types including antisocial behaviour. For this reason the recommendation is not to include it at this stage.
-------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Certain comments made the point about the effectiveness of the proposed measures in the context of their opinions on the state of policing and resources available to both Surrey Police and the Council, that late night clubs ought to be shut down and that there are too few opportunities for younger people to attend supervised social activities. These are not necessarily relevant to the proposals at hand but do provide an opportunity to elicit the opinions on wider community safety issues. These comments have been passed to the Police borough Commander and the Council's Community Safety and Enforcement Officer.

Other comments invited the Council to consider matters which are controlled by existing legislation such as possession of cannabis and the sentencing arrangements for young offenders. These are not subjects which are within the scope of Public Space Protection Orders and have been discounted for the purposes of this exercise.

### **Awareness and views of the PSPO**

- 95% of participants supported the renewal of the PSPO with 25% of those who supported also suggesting further areas for consideration which have been dealt with above.
- Significantly, 41% of those who chose to answer the question "In the past 12 months have you been affected by problem behaviour related to alcohol consumption in public spaces in Epsom & Ewell?" stated that they had been so affected. This is considered to be unusually high and may be influenced by a proportion of the business community who had responded, promoted by the Business Improvement District.

### **What happens next?**

Officers and have reviewed the results of the consultation, including feedback from businesses and local community groups.

Given that the effect of Public Spaces Protection Orders is to restrict the behaviour of everybody using the public place, the close or direct involvement of elected members will help the Council to ensure openness and accountability. Accordingly, officers have referred the decision whether to renew the PSPO and on what terms to the Council in accordance with the Council's committee procedures.

If the Committee adopts the officers' recommendations found in the Committee Report, then this Summary of Conclusions will be updated and published together with the final PSPO.

Once final terms of any PSPO as approved by the Council are published the PSPO will take effect. Existing signs will be sufficient in the event the committee agree to retain the existing area but may require additional signs in any new areas.

The proposal is that the Order will be renewed so as to provide an unbroken period of cover for a period of up to 3 years.

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## **CONSULTATION RESPONSE ON THE SURREY POLICE AND CRIME COMMISSIONER'S POLICE AND CRIME PLAN**

<b>Head of Service:</b>	Rod Brown, Head of Housing & Community
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	
<b>Appendices (attached):</b>	Appendix 1 Draft response to the Police and Crime Plan consultation

### **Summary**

This report outlines the Council's response to the Surrey Police and Crime Commissioner's consultation on the Surrey Police and Crime Plan.

### **Recommendation (s)**

#### **The Committee is asked to:**

- (1) Agree the response to the Surrey Police and Crime Commissioner's consultation on the Surrey Police and Crime Plan as set out in Appendix 1**

## **1 Reason for Recommendation**

- 1.1 The recommendation enables the council to formally respond to the Police and Crime Plan consultation.

## **2 Background**

- 2.1 One of the key responsibilities of the Surrey Police and Crime Commissioner (PPC) is to set the Police and Crime Plan in line with public priorities.
- 2.2 The Police and Crime Plan outlines the areas that Surrey Police will focus on and the key areas of performance that will be monitored in regular performance meetings between the PCC and the Chief Constable and other senior officers.

- 2.3 The PCC has initiated a consultation with key stakeholders including District and Borough Councils about the Police and Crime Plan based around nine prescribed questions.
- 2.4 Following this consultation with stakeholders the PCC will complete an open public consultation which will run from 4<sup>th</sup> October 2021 to 20<sup>th</sup> October 2021.
- 2.5 After this the draft Police and Crime Plan will be presented to the Police and Crime Panel on 24<sup>th</sup> November 2021. The final Police and Crime Plan will be published and guide Surrey policing for the following two and half years.

### **3 Consultation response**

- 3.1 The stakeholder consultation period for the Police and Crime Plan ended 30<sup>th</sup> September 2021 and given these time limitations an officer response was drafted in consultation with the Chair of this committee and submitted within the consultation period. The response was marked as a draft response which would be subject to the decision of this committee.
- 3.2 This committee is now asked to consider the submitted response and agree any amendments to the submitted draft. Following the decision of this committee a final version of the council response will be forwarded onto the PCC.

### **4 Risk Assessment**

Legal or other duties

#### **4.1 Impact Assessment**

4.1.1 None.

#### **4.2 Crime & Disorder**

4.2.1 Effective local policing is critical to the low levels of crime and disorder within the borough.

#### **4.3 Safeguarding**

4.3.1 Effective local policing will have a positive effective on safeguarding.

#### **4.4 Dependencies**

4.4.1 The eventual PCC Police and Crime Plan will be influenced by many factors including the outcomes of consultations.

## 5 Financial Implications

5.1 The adoption of the Police and Crime Plan affects the nature and priorities of Surrey's policing. There are not expected to be any financial implications for the council from the adoption of the final plan.

5.2 **Section 151 Officer's comments:** None for the purposes of this report.

## 6 Legal Implications

6.1 Under the Police Reform and Social Responsibility Act 2011 the PCC is required to produce a Police and Crime Plan and send a copy of the draft plan to the local police and crime panel and have regard to any report or recommendations made by the panel.

6.2 **Legal Officer's comments:** Nothing arising from the content of this report.

## 7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priorities are engaged: safe and well, Green and Vibrant, Opportunity and Prosperity

7.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

7.3 **Climate & Environmental Impact of recommendations:** None

7.4 **Sustainability Policy & Community Safety Implications:** Effective local policing would have a positive impact on community safety within the borough.

7.5 **Partnerships:** The Epsom and Ewell Community Safety Partnership is the strategic structure concerned with ensuring effective policing and joint working arrangements addresses local crime and disorder concerns.

## 8 Background papers

8.1 The documents referred to in compiling this report are as follows:

### **Previous reports:**

- None

### **Other papers:**

- None

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**Police and Crime Plan Consultation**

Name – Rod Brown Head of Housing and Community

Organisation – Epsom & Ewell Borough Council

Question	Response
<b>What should be the high level policing priorities for Surrey Police in the Police and Crime Plan for 2021-24?</b>	<p>Surrey Police should continue the focus on local policing and supporting the work of the neighbourhood teams.</p> <p>Surrey Police should consider the relationship with crime and the wider determinants of health with a view to using public health methodology in tackling crime. In this area there are capable professionals employed in partner agencies with aligned priorities.</p>
<b>What other broader priorities (e.g. Community Safety, victim support, criminal justice) should be included within the plan?</b>	<p>Community safety should be identified as a broader priority reflecting the need to create safer communities and reduce the fear of crime. Wellbeing more generally should be well reflected in the plan recognising that security is a building block to better health and wellness.</p>
<b>What do you think Surrey Police currently do well?</b>	<p>The improved victim focussed approach has been well received and building local partnerships with the council and other stakeholders has been welcomed.</p>
<b>What do you think Surrey Police currently do less well?</b>	<p>Residents have expressed frustration about obtaining responses to 101 calls including long wait times and lack of resulting action.</p>
<b>What are the aspects of policing where you would like to see the PCC focus improvement in over the next 3 years?</b>	<p>Protecting women and girls from abuse and violence. Anti-social behaviour in the community Serious organised Crime</p>
<b>What should be the balance between specialist policing, such as counter-terrorism, firearms, investigating serious crimes, reducing domestic violence etc and local demands for e.g. visible police presence?</b>	<p>Much of the work on counter terrorism, fire arms, investigation of serious crimes and domestic violence is not so well known to the public but it is accepted these services need to be a priority. Visible policing is however essential to reassure residents and deter criminal activity.</p>
<b>What is your view on police engagement with stakeholders and the public?</b>	<p>At a local level we have benefitted from Borough Commanders who have been very willing to take feedback and engage with all levels of officers and councillors. This has been less obvious at more senior ranks.</p>
<b>How could the role of the PCC improve engagement with residents and stakeholders?</b>	<p>As an elected official, it is necessary to be accessible and visible on both an individual level as well as part of a corporate</p>

	infrastructure. Tours of local areas, meeting local residents and Members would be most welcome.
<b>What information would you like to see on policing and community safety? (e.g. more crime statistics, police numbers, stories of success.</b>	Story telling is a powerful method of explaining issues and increasing understanding. Increasing the ease with which local people can access police data, including crime stats, resourcing and outcomes would be welcomed.

## **BUILDING CONTROL CHARGEABLE ACCOUNTS**

<b>Head of Service:</b>	Viv Evans, Head of Planning
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	N/A
<b>Appendices (attached):</b>	Appendix 1: Financial report for year ending 31 March 2021

### **Summary**

This report summarises the Building Control chargeable account for 2020/21.

### **Recommendation (s)**

#### **The Committee is asked to:**

- (1) receive the review of the Building Control chargeable account following the end of the 2020/21 financial year as provided within this report.**

## **1 Reason for Recommendation**

- 1.1 Part of the Building Control business is the need to ensure that the costs for delivering the Service is covered in the fee charging schedule. This report relates to the fee charging schedule for the delivery of this service.

## **2 Background**

- 2.1 Applications for Building Regulations approval attract charges to cover the cost of checking plans and inspecting work on site to verify compliance.
- 2.2 The principles of the charges' regulations require authorities to ensure that the price charged is an accurate reflection of the costs of carrying out the chargeable Building Control functions and for giving chargeable advice relating to Building Regulations. Authorities should not increase their charges above the level of their costs. The principles in the charges' regulations require authorities to achieve full cost recovery on their Building Regulation chargeable work and determine standard and individual charges that reflect the cost of the service on individual building projects.

- 2.3    The Building (Local Authority Charges) Regulations 2010 provide that a review of the level of charges is undertaken at the end of the financial year and that a statement is prepared which outlines the chargeable costs, the chargeable income and the amount of any surplus or deficit.

### **3    The Chargeable Account**

- 3.1    The purpose of reviewing the level of charges is to both reflect the actual cost of undertaking the work and to ensure that the service can respond to Building Regulations applications.
- 3.2    The end of financial year review of the Building Regulations chargeable account for 2020/21 (Appendix 1) indicates a deficit of £38k for the year. The non-chargeable element was a cost of £93k, resulting in a total cost of the service to the Council of £131k. The previous year saw a deficit on the chargeable account of £7k, and a cost of £104k for the non-chargeable element, resulting in a total cost of the service to the Council of £111k.
- 3.3    Building Control charges have been increased annually over the past two years and the deficit is not attributed to charges being set too low. The service had seen falling income levels prior to the pandemic due to the difficulty in competing with other providers in the sector. The service has also been impacted by both the pandemic and a regional lack of suitable staff resulting in several vacancies in the team, both of which have impacted income levels.
- 3.4    As a result of the recruitment issues and decline in income, Members agreed at Strategy & Resources Committee in September 2021 to pursue an alternative option for the delivery of the Building Control service in the future.

### **4    Risk Assessment**

Legal or other duties

#### **4.1    Impact Assessment**

4.1.1    None.

#### **4.2    Crime & Disorder**

4.2.1    None.

#### **4.3    Safeguarding**

4.3.1    None.

#### **4.4    Dependencies**

4.4.1    None.

4.5 Other

4.5.1 None.

**5 Financial Implications**

- 5.1 **Section 151 Officer's comments:** The chargeable account was reviewed by the S151 Officer ahead of the statutory deadline of 30 September 2021.

**6 Legal Implications**

- 6.1 The Council needs to review its charging scheme. For any charging scheme the Council will need to fix their charges based on the 2020/21 accounts.
- 6.2 **Legal Officer's comments:** This recommendation concerns the accounting and administration requirement under the 2010 Regs for year end 2020/21 and the statement was properly approved.

**7 Policies, Plans & Partnerships**

- 7.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council; Safe & Well.
- 7.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 7.3 **Climate & Environmental Impact of recommendations:** Building Control is integral to ensuring modern regulations relating to environmentally friendly building practices are adhered to.
- 7.4 **Sustainability Policy & Community Safety Implications:** None.
- 7.5 **Partnerships:** None.

**8 Background papers**

- 8.1 The documents referred to in compiling this report are as follows:

**Other papers:**

- Future of the Building Control Service to S&R Committee on 21 September 2021.

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# **BUILDING REGULATIONS CHARGEABLE ACCOUNT 2020/21 FINAL OUTTURN**

*Based on 70% expenditure to chargeable and 30% to non-chargeable*

Building Regulations Charging Account	Financial Year 2020/21					Financial Year 2019/20			
	2020/21 Outturn			2020/21 Full Year Budget		2019/20 Outturn			2019/20 Full Year Budget
	Chargeable	Non - Chargeable	Total	Total		Chargeable	Non - Chargeable	Total	Total
	£	£	£	£		£	£	£	£
<u>Direct Expenditure</u>									
Employee expenses	135,476	58,061	193,538	272,576		155,414	66,606	222,020	272,402
Supplies and services	8,243	3,533	11,776	7,400		14,935	6,401	21,336	7,800
<b>Total Direct Expenditure</b>	<b>143,719</b>	<b>61,594</b>	<b>205,313</b>	<b>279,976</b>		<b>170,349</b>	<b>73,007</b>	<b>243,356</b>	<b>280,202</b>
<u>Income</u>									
Building regulations charges	(177,904)	0	(177,904)	(317,612)		(235,680)	0	(235,680)	(308,361)
Miscellaneous income	0	0	0	0		(712)	0	(712)	0
<b>Total Income</b>	<b>(177,904)</b>	<b>0</b>	<b>(177,904)</b>	<b>(317,612)</b>		<b>(236,392)</b>	<b>0</b>	<b>(236,392)</b>	<b>(308,361)</b>
<b>Subtotal - Net Direct (Surplus)/Deficit</b>	<b>(34,185)</b>	<b>61,594</b>	<b>27,409</b>	<b>(37,636)</b>		<b>(66,042)</b>	<b>73,007</b>	<b>6,965</b>	<b>(28,159)</b>
Central and support service charges	72,297	30,984	103,282	103,775		72,704	31,159	103,863	103,775
<b>(Surplus) / Deficit for Year</b>	<b>38,112</b>	<b>92,579</b>	<b>130,691</b>	<b>66,139</b>		<b>6,662</b>	<b>104,166</b>	<b>110,828</b>	<b>75,616</b>

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## **BUDGET TARGETS 2022/23**

**Head of Service:** Lee Duffy, Chief Finance Officer  
**Wards affected:** (All Wards);  
**Urgent Decision?(yes/no)** No  
**If yes, reason urgent decision required:** N/A  
**Appendices (attached):**

### **Summary**

This report informs the Committee of the Council's revenue budget targets presented to the Environment & Safe Communities Committee. The report seeks guidance on the preparation of the Committee's service estimates for 2022/23.

### **Recommendation (s)**

#### **The Committee is asked to:**

- (1) Note the implications of the budget targets presented to Strategy & Resources Committee on 21 September 2021.**
- (2) Support the changes to services and savings identified in section 3 of this report and that these are included within the budget presented to this Committee in January 2022.**
- (3) Note that any additional new growth items supported by this Committee will need to be fully funded from existing budgets.**

## **1 Reason for Recommendation**

- 1.1 The recommendations will provide a clear framework for officers to develop a balanced budget for 2022/23. Strategy and Resources Committee has agreed one of its key priorities for 2022/23 is to achieve financial stability for the Council.

## **2 Background**

- 2.1 On 21 September 2021, Strategy & Resources Committee will consider budget targets that would enable the Council to set a balanced budget for 2022/23. The budget targets include:

- 2.1.1 Excluding any new growth in expenditure, a level of savings of £1.6 million is needed to achieve a balanced budget over the next four-year financial planning period.
- 2.1.2 That estimates be prepared including the delivery of savings already identified in the Financial Plan for 2022/23 totalling £342,000.
- 2.1.3 That at least £210,000 additional revenue is generated from an increase of 3% on discretionary fees and charges.
- 2.1.4 That a provision for pay award is made of £416,000 that would allow for a 2% cost of living increase.
- 2.1.5 That any additional new growth items supported by Policy Committees will need to be fully funded from existing budgets.

### 3 Proposals

- 3.1 The Council is facing a great deal of uncertainty, and it is unlikely to have sufficient information to reliably predict the long-term impact of Covid-19 on Council services before the end of 2021/22. The Government's expected delay to the Fair Funding Review provides the Council with an opportunity to agree a budget for 2022/23 without the need for delivering any additional savings other than those already agreed within the current Financial Plan (which total £342k).
- 3.2 Delivery of these existing savings will be required for a balanced budget to be achieved for 2022/23. Of the £342,000 total savings, the table below shows the savings previously agreed by this Committee.

Summary of Agreed Savings for 2022/23	£000
Review of Waste Collection	100
Review of Grounds Maintenance	67
Additional Trade Waste income	5
<b>Total</b>	<b>172</b>

- 3.3 Upon reviewing the above savings, if this Committee decides not to proceed with any items, they will need to identify alternative savings options as part of the budget presented to this committee in January 2022.
- 3.4 Furthermore, with the Council facing a projected budget deficit of £1.6m by 2025/26, Policy Committees must determine how any additional new growth items they may support will need be fully funded from existing budgets.

### 4 Risk Assessment

Legal or other duties

4.1      Impact Assessment

4.1.1   Financial risk assessments will be completed with service estimates for this Committee in January 2022 and for Council in February 2022.

4.2      Crime & Disorder

4.2.1   None.

4.3      Safeguarding

4.3.1   None.

4.4      Dependencies

4.4.1   None.

4.5      Other

4.5.1   None.

**5      Financial Implications**

5.1      Financial implications are set out in the body of the report.

5.2      **Section 151 Officer's comments:** It is important that the budgets target recommendations be agreed to maintain the future financial health of the Council.

**6      Legal Implications**

6.1      The Council has a statutory responsibility to set a balanced budget each year.

6.2      **Legal Officer's comments:** None for the purposes of this report.

**7      Policies, Plans & Partnerships**

7.1      **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council; Green & Vibrant; Safe & Well.

7.2      **Service Plans:** The matter is included within the current Service Delivery Plan.

7.3      **Climate & Environmental Impact of recommendations:** In January 2020 the Council adopted a Climate Change Action Plan. The financial implications of the Council's Climate Change Action Plan will need to be assessed on a business case basis.

7.4    **Sustainability Policy & Community Safety Implications:** None.

7.5    **Partnerships:** None.

## **8    Background papers**

8.1    The documents referred to in compiling this report are as follows:

### **Previous reports:**

- Budget Targets Report to Financial Policy Panel 7 September 2021.
- Budget Targets Report to S&R Committee on 21 September 2021.

### **Other papers:**

- Budget Book 2021/22.
- Medium Term Financial Strategy 2020 to 2024.