

Public Document Pack

NONSUCH PARK JOINT MANAGEMENT COMMITTEE

Monday 14 October 2024 at 10.00 am

Mansion House, Nonsuch Park

The members listed below are summoned to attend the Nonsuch Park Joint Management Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Committee Members

Councillor Louise Phelan, London Borough of Sutton (Chair)
Councillor Julian Freeman, Epsom & Ewell Borough Council
Councillor Tony Froud, Epsom & Ewell Borough Council
Councillor Peter Geiringer, London Borough of Sutton
Councillor Christine Howells, Epsom & Ewell Borough Council
Councillor Christopher Woolmer, London Borough of Sutton

Yours sincerely



Clerk to the Committee

For further information, please contact democraticservices@epsom-ewell.gov.uk or 01372 732000

EMERGENCY EVACUATION PROCEDURE

No emergency drill is planned to take place during the meeting. If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by staff. It is vital that you follow their instructions.

- You should proceed calmly; do not run
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building. Move to the assembly point and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

Public information

This meeting will be held at the Mansion House, Nonsuch Park. A limited number of seats will be available in the public seating area. If you wish to observe the meeting from the seating area, please arrive at the Mansion House before the start of the meeting. A member of staff will show you to the seating area. For further information please contact Democratic Services, email: democraticservices@epsom-ewell.gov.uk, telephone: 01372 732000.

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

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Questions and Statements from the Public

Up to 30 minutes will be set aside for questions and statements from members of the public at meetings of this Committee. Any member of the public who lives, works, attends an educational establishment or owns or leases land in the Borough may ask a question or make a statement on matters related to the management and control of the Park.

Questions cannot relate to 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 Chair are inappropriate or offensive will not be accepted. Each question or statement will be limited to 3 minutes in length

Members of the public are requested to submit their questions in writing to democraticservices@epsom-ewell.gov.uk by noon on the third working day before the day of the meeting. For this meeting this is **Noon, Wednesday 09 October**.

Statements are requested to be submitted in writing to democraticservices@epsom-ewell.gov.uk by noon on the working day before the day of the meeting. For this meeting this is **Noon, Friday 11 October**.

Questions and statements not submitted to Democratic Services prior to the meeting may be accepted at the Chair's discretion.

For more information on public speaking protocol at Committees, please see [Annex 4.2](#) of the Epsom & Ewell Borough Council Operating Framework.

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 Act 1972 (as amended). Should any such matters arise during the course of discussion of the below items or should the Chair agree to discuss any other such matters on the grounds of urgency, the Committee may wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

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AGENDA

1. QUESTIONS AND STATEMENTS FROM THE PUBLIC

Up to 30 minutes will be set aside for the Committee to receive any questions or statements from members of the public.

To register to ask a question or make a statement at a meeting of the Committee, please contact: Democraticservices@epsom-ewell.gov.uk

Questions and statements not submitted to Democratic Services prior to the meeting may be accepted at the Chair's discretion.

2. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 10)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on 17 June 2024 (attached) and to authorise the Chair to sign them.

3. DECLARATIONS OF INTEREST

To receive declarations of any Disclosable Pecuniary Interests or other registrable or non-registrable interests from Members in respect of any item to be considered at the meeting.

4. A TRIBUTE TO GERALD SMITH

The Committee shall receive a tribute to the late Gerald Smith.

5. NONSUCH PARK VIRTUAL TOUR PRESENTATION

Representatives of Whistlestop Arts shall provide the Committee with a presentation on the Nonsuch Park Virtual Day Trip.

6. COMMERCIAL DOG WALKING IN NONSUCH PARK LICENSING SCHEME (Pages 11 - 18)

To propose a 12 month pilot Commercial Dog Walking Licensing Scheme in Nonsuch Park as set out in this report.

7. INDOOR DONATION UNITS UPDATE REPORT (Pages 19 - 22)

To update the Committee of the progress of the Indoor Donation Units.

8. AGREEMENT IN PRINCIPLE FOR A PLAYGROUND IN NONSUCH PARK (Pages 23 - 26)

To seek permission from the Joint Management Committee to pursue a bid to Your Fund Surrey for a toddler playground in the London Road Dog Free area.

9. MID YEAR BUDGET MONITORING REPORT (Pages 27 - 36)

This report advises the Nonsuch Park Joint Management Committee of the mid-year financial position for 2024/25 and the forecast outturn.

10. URGENT DECISIONS (Pages 37 - 40)

To report to the committee the decisions taken by the Chief Executive and Directors on the grounds of urgency, in compliance with the requirements of the Constitution.

Minutes of the Meeting of the NONSUCH PARK JOINT MANAGEMENT COMMITTEE held at the Mansion House, Nonsuch Park on 17 June 2024

PRESENT -

Councillor Louise Phelan (London Borough of Sutton) (Chair); Councillors Tony Froud (Epsom & Ewell Borough Council), Peter Geiringer (London Borough of Sutton), Christopher Woolmer (London Borough of Sutton) and Robert Leach (Epsom & Ewell Borough Council) (as nominated substitute for Councillor Christine Howells)

In Attendance: Michael Teasdale (Representative, Friends of Nonsuch)

Absent: Councillor Julian Freeman (Epsom & Ewell Borough Council) and Councillor Christine Howells (Epsom & Ewell Borough Council)

Officers present: Jackie King (Chief Executive, Epsom & Ewell Borough Council, Committee Clerk), Samantha Whitehead (Streetcare Manager, Epsom & Ewell Borough Council), Brendan Bradley (Chief Finance Officer, Epsom & Ewell Borough Council), Vanessa Newton (Senior Accountant, Epsom & Ewell Borough Council), Mark Dalzell (Head of Parks and Open Spaces, London Borough of Sutton) and Dan Clackson (Democratic Services Officer, Epsom & Ewell Borough Council)

1 APPOINTMENT OF THE CHAIR FOR 2024/25

The Committee was asked to appoint a Chair for Nonsuch Park Joint Management Committee from Councillors representing Sutton Council for the Municipal Year 2024/2025.

Councillor Christopher Woolmer proposed that Councillor Louise Phelan be appointed. Councillor Peter Geiringer seconded the proposal.

The Committee unanimously agreed that Councillor Louise Phelan be appointed as Chair for Nonsuch Park Joint Management Committee for the Municipal Year 2024/2025.

2 QUESTIONS AND STATEMENTS FROM THE PUBLIC

No questions or statements were received from members of the public.

3 DECLARATIONS OF INTEREST

No declarations of interest were made by Members with respect to any items of business to be considered at the meeting.

4 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the minutes of the meeting of the Committee held on 25 March 2024 and authorised the Chair to sign them.

5 REPORT FROM 1ST CHEAM SCOUTS GROUP

The Committee received and noted the report submitted by the invited representative of the 1st Cheam Scouts Group, outlining the Scout Group's use of the Park.

6 COMMERCIAL DOG WALKING CONSULTATION RESULTS

The Committee received a report presenting the results of the Nonsuch Park Commercial Dog Walking Consultation and recommending establishment of a Working Group to consider how the matter should be progressed.

The Committee considered the following matters:

- a) **Dog number limit.** It was noted that, according to the results of the consultation, the general opinion from the public was that there should be a 4 to 6-dog limit on the number of dogs walked at any time by one person. The Streetcare manager advised that the general view from professional dog-walkers was that a 6 dogs was the lowest the upper limit could be for their business to be viable.
- b) **Displacement.** It was considered that placing a limit on the number of dogs allowed to be walked commercially by any one person in Nonsuch Park could cause a displacement resulting in an increase in dogs walked instead at nearby parks in Epsom and Sutton instead.
- c) **Purpose of the working group.** Following a question from a Member, the Streetcare Manager advised that the purpose of the working group would be to consider the necessity and/or viability of a possible licensing scheme for commercial dog walking in the Park, and to consider what such a scheme may look like. Further to its considerations, the working group would make a recommendation to the Committee for a decision.
- d) **Consistency with other commercial operations.** It was noted that, should a commercial dog-walking licensing scheme be put in place, it would be important to remain consistent, with respect to the fees and charges, with other commercial operations in the Park, such as the fitness coaching that takes place in the Park. The Streetcare Manager confirmed that any money raised through a dog-walking licensing scheme would go directly towards the upkeep and maintenance of the park and would not be treated as a revenue scheme.
- e) **Licensing scheme in other parks.** It was confirmed that there were currently no commercial dog-walking licensing schemes in place for any

parks in Epsom & Ewell or Sutton. It was noted that responses to Qs 17 of the consultation indicated that the largest proportion of people who supported a licensing scheme in Nonsuch Park also supported the idea of such a scheme being extended to all parks in both boroughs.

- f) **Complaints from park visitors with respect to other parks.** The Head of Parks and Open Spaces stated that the dog-related complaints received from visitors of Nonsuch Park were also received with respect to other parks in the Sutton area. He stated that fouling in particular was an issue in some of the smaller, less busy parks. The Streetcare Manager confirmed that complaints were also frequently received with respect to fouling in Nonsuch Park.
- g) **Large dog groups and associated risks.** It was noted that there were currently no regulations in place for the number of dogs that could be walked commercially by a single person at any one time in the Park. The Committee considered the potential health and safety implications for park visitors associated with large groups of dogs, as well as the increased risk of dog fouling.
- h) **Dog-free areas in Nonsuch and other parks.** In response to a Member, the Head of Parks and Open Spaces confirmed that Overton Park, Quarry Park, and Thomas Wall Park in the Sutton Borough have fenced-off, dog-free areas. The Streetcare Manager confirmed that Nonsuch Park has a fenced-off dog-free area at each of the three entrance gates, and that people recognise and respect the no-dogs rule for the dog-free areas of the Park. She stated that there had been conversations on the idea of converting one of the dog-free areas to a dog-socialising area that could be rented out for dog meet-ups.
- i) **Report for next meeting.** The Committee agreed that a report with a recommendation from the working group would be brought to the Committee at its October meeting.

Following consideration, the Committee unanimously resolved to:

- (1) **Receive the results of the Nonsuch Park Commercial Dog Walking Consultation, as seen at Appendices 2, 3 and 4 of the report.**
- (2) **Agree to establish a Nonsuch Park Commercial Dog Walking Working Group.**
- (3) **Approve the draft Terms of Reference for the working group, as set out at Appendix 1 of the report.**
- (4) **Appoint members to the working group, in line with the rules of membership as set out in the Terms of Reference at appendix 1 of the report.**

The Working Group membership was agreed as follows:

- **Councillor Louise Phelan (Chair)**
- **Councillor Julian Freeman**
- **Councillor Tony Froud**
- **Councillor Peter Geiringer**
- **Councillor Christine Howells**
- **Councillor Vanessa Udall**
- **Councillor Christopher Woolmer**

7 OUTDOOR DONATION POST

The Committee received a report providing an update on the Outdoor Donation Post project.

The Committee considered the following matters:

- a) **Location of café donation unit.** Chair: The Streetcare Manager confirmed that the café donation unit would be placed at the rear of the café in a prominent and eye-catching location.
- b) **Signage.** It was suggested that appropriate signage could be placed by the donation units to aid in drawing people's attention to them.
- c) **Potential use for Bovingdons events.** It was noted that the units could be used wirelessly on battery power for up to 4 hours. A Member enquired as to whether Bovingdons would be happy to use the donation units wirelessly during events, such as weddings, in order to receive donations for the Park from event attendees. The Streetcare Manager stated that she would discuss the matter with Bovingdons.
- d) **Effectiveness of indoor units.** In response to a Member, the Streetcare Manager stated that indoor donation units tend to garner higher usage than outdoor units. She continued to explain that indoor units are also far less susceptible to the vandalism and wear-and-tear that outdoor units are vulnerable to.
- e) **Cash donations.** In response to a Member, the Streetcare Manager confirmed that there would also be an option provided for the public to make cash donations.
- f) **Online donations.** A Member enquired as to whether it would be possible to provide a QR code to link people to a website to make online donations. In response, the Streetcare Manager explained that setting up a website and receiving online payments would have associated

administration resourcing challenges, and stated that the matter would need to be investigated further.

- g) Cheque donations.** In response to a Member, the Streetcare Manager confirmed that there would also be an option provided for the public to make cheque donations.
- h) Report for future meeting.** The Committee agreed that an update report on the contactless donation units would be brought to the Committee at its October meeting.

Following consideration, the Committee unanimously resolved to:

- (1) Agree to halt the Outdoor Donation Post Project, due to prohibitive installation costs.**
- (2) Agree to officers procuring indoor, contactless donation units for the museum and café.**

8 NONSUCH PARK JOINT MANAGEMENT COMMITTEE FINAL ACCOUNTS 2023-24

This item presents the Joint Management Committee's final accounts for the financial year 2023/24.

The Committee considered the following matters:

- a) Hire of bins.** The Streetcare Manager confirmed that the Park has three trade waste bins used for general waste produced within the Park. She explained that investigations had been made into the possibility of acquiring 'Bigbelly bins' that inform the Council when they are full and need emptying, but they were not considered a viable option for Nonsuch Park due to costs.
- b) Asbestos surveys.** The Streetcare Manager confirmed that there was asbestos in the roofing of the tractor sheds, on account of the time period in which they were built. She explained that the asbestos is not dangerous unless disturbed, and that the asbestos surveys were conducted routinely in order to the safety of Park users and staff.

Following consideration, the Committee resolved to:

- (1) Receive the final accounts for 2023/24.**

9 CALENDAR OF MEETINGS 2024/25

To fix the dates and times for meetings of the Nonsuch Park Joint Management Committee for the 2024/25 Municipal Year.

Following consideration, the Committee unanimously resolved to:

- (1) Fix the day and time of its meetings for the municipal year 2024/25, as set out at section 2.2 of the report:**
- **Monday 17th June 2024, 10:00**
 - **Monday 14th October 2024, 10:00**
 - **Monday 20th January 2025, 10:00**
 - **Monday 24th March 2025, 10:00**

The meeting began at 10.02 am and ended at 10.52 am

COUNCILLOR LOUISE PHELAN (CHAIR)

COMMERCIAL DOG WALKING IN NONSUCH PARK LICENSING SCHEME

Head of Service: Ian Dyer, Head of Operational Services
Report Author Samantha Whitehead
Wards affected: Nonsuch Ward;
Appendices (attached):

Summary

To propose a 12 month pilot Commercial Dog Walking Licensing Scheme in Nonsuch Park as set out in this report.

Recommendation (s)

The Committee is asked to:

- (1) Note the outcome of the Commercial Dog Walking Working Group Meeting and subsequent Commercial Dog Walking Forum.**
- (2) Agree to adopt the proposal for a 12 month pilot Commercial Dog Walking Licensing Scheme for Nonsuch Park as set out in section 3 of this report.**
- (3) Agree to a Dog Walking Code of Conduct to be devised and advertised for all dog walkers in the park.**
- (4) Agree to receive a draft Nonsuch Park Commercial Dog-Walking Licensing Policy and a draft Nonsuch Park Dog Walking Code of Conduct for approval at the January meeting of the Committee.**

1 Reason for Recommendation

- 1.1 The Nonsuch Park Joint Management Committee is committed to taking reasonable and appropriate action to ensure the safety of all park users. The introduction of a 12 month pilot Commercial Dog Walking Licensing Scheme and a new Dog Walking Code of Conduct for all dog walkers in the park will help to address the public's concerns which were highlighted in the dog walking consultation carried out in April 2024. In addition, the proposals will formalise the arrangements for the use of the park by professional dog walkers to bring this activity in line with other commercial users.

2 Background

- 2.1 At the last meeting of the Joint Management Committee in June 2024, the committee resolved to set up a Working Group to review the results of the dog walking consultation in more detail and consider the necessity and/or viability of a possible licence scheme for commercial dog walking in the park and to consider what such a scheme may look like. Further to its considerations, the working group agreed to present their findings to the Joint Management Committee and put forward a recommendation to the Committee for a decision.
- 2.2 The Working Group first met on 15 July 2024 and discussed the results of the consultation. After significant debate the Working Group agreed that before implementing any kind of Commercial Dog Walking Licensing Scheme, they would like to engage directly with the Commercial Dog Walkers so their views could be considered.
- 2.3 As a result, the Working Group hosted a Commercial Dog Walkers Forum on 20 August 2024 at Bourne Hall. An open invitation was circulated to commercial dog walkers to come along, express their views and help shape the future of dog control in the park.
- 2.4 The Forum was well attended by around 25 people who were keen to take part. The group consisted of mainly commercial dog walkers who were actively working in Nonsuch Park and a few members of the public who attended to show their support to the group.
- 2.5 Several issues were discussed and summarised below:

Number of Dogs

This was one of the main issues for debate, all the dog walkers in attendance stated that their insurance covered them for up to six dogs. Members of the Working Group mentioned that this conflicted with the results of our consultation, advice from the RSPCA and Reigate & Banstead Borough Council, a neighbouring borough who had recently changed their Public Space Protection Order and reduced the number of dogs to four. The commercial dog walkers explained that their business was only viable if six dogs could be walked at one time.

The attendees stated that if they had to decrease to four dogs this would have a financial impact on their clients and could result in dogs not being walked due to rising costs. If owners could not afford to employ a dog walker this would have a detrimental effect on the dog's well-being. It was felt that under-exercised dogs had the potential to become unruly and lack socialisation skills, particularly if long walks were limited to weekends when owners were available.

Dog Control

The commercial dog walkers stated that they were the professionals, a lot of them had qualifications and they were selective over the dogs they choose to walk. A lot of the walk focussed on training and recall, and they didn't want to take out badly behaved dogs, which didn't respond well to the others in the group and were 'difficult'. The commercial dog walkers felt that they were unfair target for accusations of badly behaved dogs and the badly behaved dogs were often walked by their owners or uninsured commercial dog walkers who turned up in the park with far more than six dogs.

Park Community

The attendees commented on how supportive the Nonsuch Park Dog Walking Community was and how they all felt safe to work and walk there. The Commercial Dog Walkers felt that they were the 'eyes and the ears' of the park, walking there day in and day out and could react immediately to any issues, such as lost dogs, lost items, and instances of anti-social behaviour. Some dog walkers commented that they choose to travel to Nonsuch as it was such a lovely and friendly environment.

It was stated that many of the commercial dog walkers were women who have chosen this career to fit in with their care giving commitments and family circumstances. Therefore, having a safe and supportive space to work was very important to them.

The Commercial Dog Walkers showed an interest in becoming more involved with the park and some offered up their time on a voluntary basis to help with specific projects, such as helping to repair the dog free area at the London Road Gate or helping to raise money for specific projects in the park.

Cost

Several attendees were transparent with their charges and stated that they charged in the region of £17 per hour. However, they were eager to point out that the £17 per hour, per dog, covered pick up and drop off (which added significant time to their day), fuel, cleaning, and maintenance of their vehicles, insurance, taxes, and other overheads. It was felt that other people did not always account for these hidden costs when calculating their hourly rate and that it was not pure profit.

Views on Introducing a Licensing Scheme

When the Working Group directly asked the attendees about introducing a dog walking licensing scheme, the majority were in support if the conditions were right. The commercial dog walkers, would be happy to see some enforcement of irresponsible Commercial Dog Walkers, described as the type that open the back of a van and let the dogs run loose, as these walkers gave the whole profession a bad name.

The main concern would be over the cost of the licence, the number of dogs which they would be permitted to walk and how we would enforce those who did not comply with the scheme.

In summary, attendees felt that a sum in the region of £200 per annum would be affordable and that they should be able to walk up to six dogs.

Other Points Raised

- Lack of CCTV in the park
- Fencing and gates need improving on the dog free areas.
- Better signs across the park
- Dog walking code of conduct for all dog walkers

2.6 Overall, members of the Working Group who attended the Forum meeting were pleased with the level of positive engagement and felt that it had given them a better understanding of the profession.

3 Proposal

3.1 The Working Group reconvened on 4 September 2024 to discuss the results of the Forum meeting and agreed to put forward a proposal to the Joint Management Committee based on the results of the Consultation and their findings.

3.2 The overarching proposal is to:

- Introduce a 12 month pilot - Commercial Dog Walking Licensing Scheme to launch in April 2025
- In line with other commercial activities in the park, commercial dog walkers will need to provide proof of public liability insurance and risk assessments and sign an agreement.
- Set the charge at £200 per annum.
- Limit the number of dogs to a maximum of six with a recommendation of four.
- In exchange the Joint Management Committee will provide commercial dog walkers with a coloured Armband or Lanyard and a car sticker so that they can be easily identified.
- Provide targeted enforcement where we have evidence of non-compliance.
- Develop a Dog Walking Code of Conduct in collaboration with the dog walking community.

4 Risk Assessment

Legal or other duties

4.1 Equality Impact Assessment

4.1.1 This proposal will bring commercial dog walking in line with other commercial activities in the park.

4.1.2 The proposed scheme has considered the cost of a license to ensure it remains affordable for Commercial Dog Walkers. This consideration aims to prevent a significant increase in their overheads, which could severely impact end users of this service, such as the elderly, disabled, or those on low incomes who rely on dog walking services for their animals' welfare.

4.1.3 If the Committee sets the license cost too high or restricts Commercial Dog Walkers to fewer than six dogs, professional dog walkers may choose to operate in other parks. This shift could be detrimental to the Nonsuch Park Community and the safety network that this group provides to each other and the wider park community. Research indicates this may particularly impact lone women who use the park.

4.2 Crime & Disorder

4.2.1 This proposal will help to reduce the perception of anti-social behaviour relating to multiple dog walking in the park.

4.3 Safeguarding

4.3.1 This proposal will help to safeguard the public against the fear of unregulated groups of multiple dog walkers in the park.

4.4 Dependencies

4.4.1 The success of this proposal will depend on successful engagement with the dog walking community. A dedicated Nonsuch Park email address has been created and has been shared with the group to keep them updated on progress and decisions.

4.5 Other

4.5.1 None

5 Financial Implications

- 5.1 If members agree to adopt the proposals as set out in section 3, the pilot licensing scheme will generate some income for the park. However, this will need to be offset against administration of the scheme and provision of targeted enforcement activity. Any additional costs should be managed and limited, so as to be fully funded by the additional income generated.
- 5.2 If there are any surplus funds after costs have been deducted, these will be ring-fenced to the Joint Management Committee budget and used to support the up-keep of the park.
- 5.3 **Section 151 Officer's comments:** None arising from the contents in this report.

6 Legal Implications

- 6.1 Support from the legal team will be required to prepare a Commercial Dog Walking Licence agreement and a code of conduct ahead of launching the scheme.
- 6.2 **Legal Officer's comments:** None other than as set out in the report Policies, Plans & Partnerships
- 6.3 **Council's Key Priorities:** The following Key Priorities are engaged:
- Safe & Well
 - Opportunity & Prosperity
- 6.4 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 6.5 **Climate & Environmental Impact of recommendations:** None
- 6.6 **Sustainability Policy & Community Safety Implications:**
- 6.7 **Partnerships:** This success of this proposal will rely on forging robust relationships with commercial dog walkers in Nonsuch Park

7 Background papers

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

Previous reports:

- Commercial Dog Walking Consultation Results – 17 June 2024
- Report on Commercial Dog Walking in Nonsuch Park – 25 March 2024

Other papers:

- None

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INDOOR DONATION UNITS UPDATE REPORT

Head of Service: Ian Dyer, Head of Operational Services
Report Author Samantha Whitehead
Wards affected: Nonsuch Ward;
Appendices (attached):

Summary

To update the Committee of the progress of the Indoor Donation Units.

Recommendation (s)

The Committee is asked to:

- (1) Note the progress of this project.**
- (2) Agree first fundraising objective for the launch of the Good Box Donation units.**

1 Reason for Recommendation

- 1.1 The indoor donation post project is progressing and a final meeting to discuss artwork and installation has been scheduled with a completion date set for end of October 2024.
- 1.2 The Joint Management Committee are asked to provide a decision on the first fund raising objective from the ideas set out in section 3 of this report.

2 Background

- 2.1 At the June 2024 meeting of the Joint Management Committee, it was agreed to pursue the installation of two indoor, portable, contactless donation units for fund raising in Nonsuch Park.
- 2.2 The Good Box GBx Core units have been selected and officers are in the process of working with Good Box to complete the artwork and installation, which is scheduled to complete by the end of October.

3 Outstanding tasks

- 3.1 Officers will now need to work with Finance and the Friends of Nonsuch to establish how payments will be collected and the Committee is asked to provide a decision on the first fund raising objective.
- 3.2 The subject of fund raising ideas has been discussed previously, and it has been agreed that people are more likely to donate when there is a specific objective for their fund raising efforts.
- 3.3 Some common themes for funding have arisen over the past years including:
 - Improved signage and historical interpretation
 - Improving car park surfacing
 - Improving fencing and gates around the dog free areas
- 3.4 Members are asked to provide officers with a decision on what they would like the first fund raising objective to be so that this can be advertised on the Good Box screen and will form the basis of associated marketing of the devices when they are launched.

4 Risk Assessment

Legal or other duties

- 4.1 Equality Impact Assessment
 - 4.1.1 Alternative ways of donating i.e., cash or cheque will be offered in addition to contactless donations.
- 4.2 Crime & Disorder
 - 4.2.1 As the units will be situated indoors, there is less risk of vandalism.
- 4.3 Safeguarding
 - 4.3.1 None for the purpose of this report
- 4.4 Dependencies

4.4.1

4.5 Other

4.5.1 None

5 Financial Implications

5.1 As mentioned in section 3, there are still some financial technicalities to work through. Officers will meet ahead of the launch to agree the best way to handle donations either direct to the JMC or via The Friends of Nonsuch who are registered as a charity.

5.2 Any fund raising objective should be achievable and capable of being fully delivered through donations unless additional alternative funding can be identified.

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

6 Legal Implications

6.1 There are no legal implications for the purpose of this report.

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:

- Opportunity & Prosperity
- Smart & Connected

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:** None

7.5 **Partnerships:** This project is in partnership with The Friends of Nonsuch

8 Background papers

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

Previous reports:

- Outdoor Donation Post Report – 17 June 2024
- Outdoor Donation Post Report – 25 March 2024

Other papers:

- None

AGREEMENT IN PRINCIPLE FOR A PLAYGROUND IN NONSUCH PARK

Head of Service: Ian Dyer, Head of Operational Services
Report Author Samantha Whitehead
Wards affected: Nonsuch Ward;
Appendices (attached):

Summary

To seek permission from the Joint Management Committee to pursue a bid to Your Fund Surrey for a toddler playground in the London Road Dog Free area.

Recommendation (s)

The Committee is asked to:

- (1) Give authority for officers to investigate the viability of a playground in Nonsuch Park London Road Dog Free Area.**
- (2) Agree to receive a further report on progress of this application at their next meeting on 20 January 2025.**

1 Reason for Recommendation

- 1.1 Officers recently received an offer from Surrey County Council Councillor – John Beckett to apply to Your Fund Surrey to install a toddler playground in Nonsuch Park. Due to the lack of play facilities in the Stoneleigh area, the idea of playground has been suggested on several occasions over the years but has never been progressed due to lack of funding.

2 Background

- 2.1 The Your Fund Surrey Scheme has two funding streams, small and large community projects.
- 2.2 The installation of a toddler playground falls into a small community scheme and funding is available up to £50,000.
- 2.3 The scheme must be put forward by one of the following:

- Voluntary or community organisation
- Registered charity
- Constituted group or club
- Community interest company (CIC)
- Social enterprise
- School or statutory body (including town, parish or community council but **excluding** borough and district councils)
- Local business

2.4 Therefore, if members are in support of progressing this project, officers will need to ask one of our partners to put the bid forward on behalf of the park. It is likely that the Little Oaks Forest School would be interested in supporting this project.

2.5 The deadline for applications is 25 January 2025.

2.6 If members support the project in principle, officers will need to investigate if planning permission is required and if Surrey County Council need to be consulted as owners of the park.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 This will be carried out ahead of commencing the project.

3.2 Crime & Disorder

3.2.1 None for the purpose of this report.

3.3 Safeguarding

3.3.1 If the project is supported, all appropriate safeguarding measures pertaining to a children's playground will be put in place.

3.4 Dependencies

3.4.1 This project is dependent on support from the Joint Management Committee and partner organisations to submit the bid on our behalf.

3.5 Other

3.5.1 None

4 Financial Implications

- 4.1 The project to acquire and install a playground will need to be fully funded from external sources, as the JMC does not have budget for this work.
- 4.2 If the project is progressed, it will need to be agreed who will maintain the playground in the future as the JMC do not have a budget for playground inspections and on-going maintenance.
- 4.3 As this project will largely benefit the residents of Epsom and Ewell and the lack of play facilities have been highlighted in Epsom & Ewell Borough Council's draft Open Space Audit it is likely that this can be absorbed in Epsom & Ewell's current revenue budgets with the caveat that the facility will not be replaced when it reaches end of life. It would be appropriate to consult Epsom & Ewell Borough Council's Environment Committee to confirm its agreement to adopting responsibility for ongoing inspections and maintenance within its existing budgeted resources.
- 4.4 **Section 151 Officer's comments:** As part of the project, a plan should be developed at the outset for how to manage and fund the replacement or decommissioning of the equipment when it reaches end-of-life, as well as ongoing maintenance and inspections.

5 Legal Implications

- 5.1 There could be legal implications concerning the installation of a play facility under the terms of the head lease with Surrey County Council.
- 5.2 **Legal Officer's comments:** None other than as set out in the report.

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged:
 - Safe & Well
 - Green & Vibrant
- 6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:**
- 6.4 **Sustainability Policy & Community Safety Implications:**
- 6.5 **Partnerships:** This project will require partnership working with the park community to submit the bid application.
- 6.6 Background papers
- 6.7 The documents referred to in compiling this report are as follows:

Previous reports:

- None

Other papers:

- None

MID-YEAR BUDGET MONITORING REPORT

Head of Service:	Brendan Bradley, Chief Finance Officer
Report Author	Mitra Hagh-Shenas, Accountant
Wards affected:	Nonsuch Ward;
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	N/A
Appendices (attached):	1. NJMC Mid-Year Budget Monitoring 24/25

Summary

This report advises the Nonsuch Park Joint Management Committee of the mid-year financial position for 2024/25 and the forecast outturn.

Recommendation (s)

The Committee is asked to:

- (1) Note the mid-year financial position.

1 Reason for Recommendation

- 1.1 To make the NJMC aware of the mid-year financial position for 2024/25 and the forecast outturn.

2 Background

- 2.1 The budget for the current financial year was agreed at Nonsuch Joint Management Committee meeting on 25th March 2024. The budget is set out at Appendix 1 in the standard NJMC accounts format.

3 Mid-Year Budget Monitoring

- 3.1 At the mid-year position, a deficit variance of £2,790 is forecast against the agreed net expenditure budget of £222,000. Within the forecast there are a number of compensating variances, the main reasons for the forecast adverse variance are set out in the following paragraphs:

- 3.1.1 Filming income is forecast at nil as no income has been received to date, compared to a budget target of £1,000. This income stream is variable as it depends on demand from production companies. Should opportunities arise to generate additional filming income, these will be explored as appropriate.
- 3.1.2 Mansion House and Café rent are reviewed every 5 years. The last review took place in June 2024 and rent for both Mansion House and cafe have increased. As a result, forecast income for 2024/25 is £137,204 which is £17,204 higher than the set income budget of £120,000.
- 3.1.3 Actual hiring income to date from events and fitness groups is £14,436. This figure includes two regular annual festivals and some ad hoc bookings. Based on the previous months' bookings, £3,000 more income is anticipated until the end of March 2025. The forecast is £17,436 against £10,700 budget, showing a favourable variance of £6,736.

The budget for Nonsuch Mansion House fuel is set at £1,760. The actual cost to date is amounting to £2,995 with a overspend of £1,240. The variance is due to the service of a fuel tank in Nonsuch and purchase of diesel to fill the tank.

Maintenance Budgets Update

- 3.2 Building and maintenance budget for Nonsuch Grounds is set at £10,160. The forecast expenditure for the Grounds maintenance is £15,050 which is £4,890 higher than the budget, owing to the following:
 - 3.2.1 At Sparrow Farm Car Park, the flooded access road had to be repaired and a drain has been made to get rid of the excess rainwater. The work completed at a cost of £9,840.
 - 3.2.2 Other unplanned urgent ad hoc maintenance works in Nonsuch Grounds amounted to £5,210.
- 3.3 Building and maintenance budget for Nonsuch Mansion House is set at £90,160. This budget includes £60,000 for render repair to Mansion House, £30,000 for Mansion boundary wall and £160 budgeted for ad hoc maintenance. A total spend of £96,700 is forecast for Nonsuch Mansion House maintenance which is £6,540 higher than the budget.
 - 3.3.1 Render repairs to Mansion House started in August 2024 with the highest priority on the Nonsuch planned works for 24/25 due to concerns with loose high-level turrets and render. The budget is set at £60K and it is expected that the budget will be fully utilised for the project.

- 3.3.2 Nonsuch Mansion House boundary wall restoration project is completed at a cost of £30,990. Project budget is set at £30,000 including £15,000 match funding from London Borough of Sutton. Overall cost of the restoration has been £990 higher than the set budget due to the unexpected issues with the high-level wall and structural engineer's fees. Due to the issue, two additional buttresses had to be built to support the wall.
- 3.3.3 The cost of the various repair and maintenance works completed in Mansion House amounts to £5,710 which is £5,550 higher than the set budget of £160.
- 3.4 Sparrow Farm Lodge's boiler has had to be replaced. The cost is estimated at approximately £4,000. Castlemaine Lodge boiler and piping system also had to be replaced with an estimated cost of £7,000. Both boilers were c.25 years old.
- 3.5 Members will receive a more comprehensive property maintenance update from the Senior Building Surveyor at the January committee.

4 Risk Assessment

Legal or other duties

4.1 Equality Impact Assessment

4.1.1 None arising from the contents of this report.

4.2 The principal risks that the NJMC manages are as follows:

4.2.1 Funding for repairs and maintenance, particularly at buildings and for potholes on roads;

4.2.2 Properties becoming vacant, with the associated loss of rent and exposure to council tax;

4.2.3 Lack of resource to fund management plan;

4.2.4 The NJMC mitigates these risks through the monitoring of buildings and roads by officers, and by managing relationships with tenants. The NJMC also holds a working balance and a repairs and renewals reserve, which can be used to fund one-off, unexpected budget variances.

4.3 Crime & Disorder

4.3.1 None arising from the contents of this report.

4.4 Safeguarding

4.4.1 None arising from the contents of this report.

4.5 Dependencies

4.5.1 None arising from the contents of this report.

4.6 Other

4.6.1 None arising from the contents of this report.

5 Financial Implications

5.1 The balance of the repairs and renewals reserve as at 31st March 2024 stood at £24,230. It is forecast that this balance will increase at year end to £27,230, following a budgeted contribution into the reserve of £3,000.

5.2 The NJMC also holds a working balance of £65,798 which is forecast to increase at year end to £66,008 owing to a budgeted contribution into the reserve of £3,000, partially offset by the forecast deficit of £2,790.

5.3 **Section 151 Officer's comments:** Financial implications are set out in the body of this report.

6 Legal Implications

6.1 **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: Green & Vibrant, Effective Council.

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

7.3 **Climate & Environmental Impact of recommendations:** None arising from the contents of this report.

7.4 **Sustainability Policy & Community Safety Implications:** None arising from the contents of this report.

7.5 **Partnerships:** None arising from the contents of this report.

8 Background papers

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

Previous reports:

- Finance Report and Budget 2024/25 - NJMC Committee. 25 March 2024.

Other papers:

- None.

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NONSUCH PARK NJMC MID-YEAR BUDGET MONITORING REPORT YEAR 2024-25

2023/24 Actual		2024/25 Budget	2024/25 Actual	2024/25 Forecast	2024/25 Forecast Variance
£	<u>Expenditure</u>	£	£	£	£
	Grounds				
1,200	Maintenance of grounds	830	-338	830	0
520	Plants seeds & fertilisers etc.	520	-520	520	0
3,520	Emptying bins	3,520	0	3,520	0
24,290	Maintenance of roads	19,120	12,983	20,000	880
1,734	Purchase of plants	4,000	-127	4,000	0
15,900	Tree Maintenance contract scheduled works recharges	15,900	0	15,900	0
695	Asbestos Surveys	1,400	0	600	-800
0	OOH Ad hoc call outs	0	153	200	200
8,444	Engineering and fabric recharge	9,200	3,064	9,200	0
3,823	Rech ad hoc building works and vandalism	0	163	200	200
33,913	Building and M&E maintenance works	10,160	15,045	15,050	4,890
3,106	Electricity	4,000	943	4,000	0
30	Gas	250	106	430	180
5,095	Water charges - metered	4,250	-2,150	4,250	0
-34	Council Tax for London Road Lodge	0	0	0	0
1,335	Cleaning contract recharges	1,450	492	1,470	20
2,187	Petrol diesel & oil	1,760	2,995	3,000	1,240
2,313	Transport insurance	2,570	0	2,570	0
0	OP. equipment & tools : Purchase	500	0	500	0
1,600	OP. equipment & tools : R & M	1,600	-157	1,600	0
4,050	Hire of Bins	4,900	0	4,900	0
3,300	Purchase of memorials e.g benches trees	3,500	900	3,500	0
2,009	Legal expenses	2,500	125	2,500	0
320	EPC Survey - London Road Lodge	0	0	0	0
26,590	Transport fleet SLA NJMC	28,370	0	28,370	0
2,285	Insurance recharges	2,750	0	2,750	0
148,225	Sub-Total	123,050	33,677	129,860	6,810

2023/24 Actual		2024/25 Budget	2024/25 Actual	2024/25 Forecast	2024/25 Forecast Variance
£	Expenditure	£	£	£	£
	Mansion House				
0	Vandalism repairs	210	0	210	0
0	Asbestos Surveys	450	0	450	0
22,857	Engineer and fabric	24,892	8,294	24,892	0
89,992	Building and M&E maintenance works	90,160	54,353	96,700	6,540
27,360	Electricity	23,000	465	23,000	0
5,690	Gas	8,000	897	8,000	0
13,230	Cleaning Contract recharges	14,400	4,988	14,900	500
7,895	Commercial tenanted property insurance - Mansion House	8,760	0	8,760	0
7,142	Insurance recharges	8,010	0	8,010	0
174,168	Sub-Total	177,882	68,997	184,922	7,040
	Central Expenses				
26,000	Additional pension contribs	26,000	0	26,000	0
0	Building and M&E maintenance works	0	0	11,000	11,000
0	Clothing & uniforms	160	0	160	0
750	Surveyors fees	0	0	0	0
47	General office expenses	561	250	560	-1
501	Commercial tenanted property insurance	560	0	560	0
0	Projects budget	2,750	0	2,750	0
960	External Audit	960	0	960	0
1,133	Insurance recharges	1,270	0	1,270	0
540	Internal audit recharges	579	0	580	1
106,250	Grounds Maintenance Staff Recharge	112,630	0	112,630	0
35,870	Management costs SLA recharge	38,030	0	38,030	0
2,486	Contribution to/(from) NJMC R&R fund	3,000	0	3,000	0
0	Contribution to/(from) NJMC WB	3,000	0	3,000	0
174,538	Sub-total	189,500	250	200,500	11,000
496,930	Gross Expenditure	490,432	102,924	515,281	24,849

2023/24 Actual		2024/25 Budget	2024/25 Actual	2024/25 Forecast	2024/25 Forecast Variance
£	Income	£	£	£	£
-90	Filming Income	-1,000	0	0	1,000
-4,550	Memorial receipts	-3,710	-1,835	-3,710	0
-5,001	Rent for London Road Lodge	-16,500	-6,731	-15,500	1,000
-44,000	Grant from LB Sutton	-15,000	0	-15,000	0
-7,895	Mansion House insurance recovered	-8,760	0	-8,760	0
-107,700	Mansion House - Bovingdons letting	-120,000	-63,834	-137,204	-17,204
-26,363	Mansion House - Service charges variable	-27,003	-4,013	-27,003	0
-5,463	Mansion House - Service charges fixed	-5,463	-5,463	-5,463	0
-392	Old Boathouse - Licence to occupy	-2,350	0	-2,350	0
-1,363	Nursery Lodge insurance recovered	-560	0	-560	0
-1,602	NJMC service charges (Nursery lodge)	-1,746	-1,150	-1,746	0
-10,406	Events & Fitness Groups Hire charges	-10,700	-14,436	-17,436	-6,736
-9,716	Staff property rent- Castlemaine and Sparrow Farm lodges	-9,720	-3,239	-9,720	0
-22,000	Nursery Lodge rental income	-22,000	-11,000	-22,000	0
-10,740	Mansion House Flat 1 Rent	-10,740	-5,370	-10,740	0
-9,180	Mansion House Flat 3 Rent	-9,180	0	-9,180	0
-4,467	Interest on balances	-4,000	0	-4,120	-120
-270,928	Gross Income	-268,432	-117,070	-290,492	-22,060
226,002	Net Expenditure	222,000	-14,146	224,790	2,790
	Precepts:				
-113,040	Precept to be levied on EEBC	-111,000	-111,000	-111,000	0
-113,040	Precept to be levied on LB Sutton	-111,000	-111,000	-111,000	0
- 226,081	Total Precepts	-222,000	-222,000	-222,000	0
-79	Surplus (-) / Deficit in Year			2,790	
65,719	Balance b/fwd. 1 April			65,798	
-79	(Surplus)/deficit for the year			2,790	
	Add budgeted contribution (to)/from working balance			-3,000	
65,798	Balance c/fwd. 31 March			66,008	

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URGENT DECISIONS

Head of Service: Piero Ionta, Head of Legal Service

Report Author Andrew Bircher

Wards affected: Nonsuch Ward;

Urgent Decision?(yes/no) no

If yes, reason urgent decision required:

Appendices (attached):

Summary

To report to the committee the decisions taken by the Chief Executive and Directors on the grounds of urgency, in compliance with the requirements of the Constitution.

Recommendation (s)

The Committee is asked to:

- (1) Note the urgent decisions taken and the reasons for those decisions, since the last meeting of the committee.**

1 Reason for Recommendation

- 1.1 To report to the committee the decisions taken by the Chief Executive and Directors on the grounds of urgency, in compliance with the requirements of the Constitution.

2 Background

- 2.1 The scheme of delegation sets out that the Chief Executive and Directors are authorised to take decisions on grounds of urgency regarding matters which would otherwise be reserved for determination by a Committee or Council. A matter can be deemed urgent if, in the reasonable opinion of the officer concerned, a delay would seriously prejudice the interest of the Council or of the public and it is not practicable to convene a quorate meeting of the relevant decision-making body in sufficient time to take the decision.

2.2 Since the last meeting of the Committee, three urgent decisions have been taken by the Chief Executive in consultation with the Chair, Cllr Phelan, and published in Member News in line with the Council's Constitution, Appendix 2, Paragraph 3.1. iii. The decision is set out below:

2.2.1 **Decision 136** – Unlawful Encampment (UE) at Nonsuch Park

2.2.2 **Urgency reason for decision 136** – A decision is required to confirm that the UE is not tolerated by the JMC – who are responsible for the management of the Park - so that consideration of the Council's powers under s.77 and s.78 of the Criminal Justice and Public Order Act 1994 may be acted upon.

2.2.3 It was necessary to make this decision within 24hrs so there was insufficient time to schedule a special JMC public meeting and delaying this decision until the next JMC would seriously prejudice the interest of the Council and local residents.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 None arising directly from this report

3.2 Crime & Disorder

3.2.1 None arise from this report

3.3 Safeguarding

3.3.1 None arise from this report

3.4 Dependencies

3.4.1 None arise from this report

3.5 Other

3.5.1 none

4 Financial Implications

4.1 **Section 151 Officer's comments:** Finance are consulted as part of the urgent decision-making process.

5 Legal Implications

5.1 **Legal Officer's comments:** Legal are consulted as part of the urgent decision-making process.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- N/A

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

6.3 **Climate & Environmental Impact of recommendations –** None.

6.4 **Sustainability Policy & Community Safety Implications:** - None.

6.5 **Partnerships:** N/A

7 Background papers

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

Previous reports:

- None.

Other papers:

- None.

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