



DEMOCRATIC AND ELECTORAL SERVICES

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Dear Councillor

ENVIRONMENT POLICY ADVISORY GROUP

The next meeting of the Environment Policy Advisory Group will be held as follows:

DATE: **MONDAY, 15TH JUNE, 2015**

TIME: **5.00 PM**

VENUE: **ROOM 5, CAPSWOOD, OXFORD ROAD, DENHAM**

Please note that this meeting is not open to the public.

Only apologies for absence received prior to the meeting will be recorded.

Yours faithfully

Jim Burness

Director of Resources

To: The Environment Policy Advisory Group

Mrs Sullivan
Mr Bradford
Mr Harding
Miss Hazell
Mr Read
Mr D Smith



Declarations of Interest

Any Member attending the meeting is reminded of the requirement to declare if he/she has a personal interest in any item of business, as defined in the Code of Conduct. If that interest is a prejudicial interest as defined in the Code the Member should also withdraw from the meeting.

A G E N D A

- | | (Pages) |
|---|------------------|
| 1. Apologies for absence | |
| 2. Briefing on the Role of the Environment PAG | |
| To receive a presentation from the Head of Environment | |
| 3. Minutes | |
| To receive the minutes of the meeting of the PAG held on 18 February 2015 | (1 - 4) |
| 4. Reports from Members | |
| To consider any reports/updates from the Portfolio Holder or Members on Outside Bodies | |
| 5. Current Issues | |
| The Portfolio Holder and Head of Service to update members on Part 1 current issues relating to the PAG and to receive feedback from members. | |
| 6. Reports Likely to Lead to Portfolio Holder making a Decision in Accordance with the Scheme of Delegations to Cabinet Members | |
| <i>None</i> | |
| 7. Reports Likely to Lead the Portfolio Holder making a Recommendation to Cabinet | |
| (a) Littleworth Common Ownership Update | |
| To consider report of the Portfolio Holder. | (5 - 10) |
| <i>Appendix</i> | (11 - 12) |
| (b) Recycling Update | |
| To consider report of the Portfolio Holder. | (13 - 16) |
| (c) Summers Road Car Park | |
| To consider report of the Portfolio Holder. | (17 - 20) |

8. **Reports for Noting**

(a) **Flytipping and Enforcement Update**

To consider report of the Portfolio Holder.

(21 - 24)

9. **Any other business**

Any other business which the Portfolio Holder considers is urgent.

10. **Exempt Information**

To note the following item(s) contain exempt information, which is not for publication to the press or public.

11. **Current Issues (Part II)**

The Portfolio Holder and Head of Service to update members on Part II current issues relating to the PAG and to receive feedback from members.

The next meeting is due to take place on Tuesday, 15 September 2015

ENVIRONMENT POLICY ADVISORY GROUP

Meeting - 18 February 2015

Present: Mr Naylor (Chairman)
Mr Bradford, Mr Clark, Miss Hazell, Mrs Plant, Mrs Royston and
Mr Walters MBE

Apologies for absence: Mrs Wallis

25. MINUTES

The minutes of the meeting of the PAG held on 3 December 2015 were received.

26. REPORTS FROM MEMBERS

None received.

27. WASTE MANAGEMENT PLANNING GUIDANCE REPORT

The PAG received a report explaining that there have been instances in the past where new developments have been completed but the inadequate provision for waste storage and collection had resulted in access and collection issues, placing additional strain on collection resources.

The report went on to set out a proposal for the document "Waste Management Design Guide" currently only used by the Environment Team to be made available to the Development Management Team and prospective applicants so that due regard is given to waste storage and collection arrangements when preparing applications.

The PAG, after noting the benefits of making waste planning guidance available to both the Development Management Team and prospective applicants/developers, considered the options as set out in paragraph 4.2 of the report on ways in which this could be achieved and indicated its support of Option 3 of producing a Guidance Note a draft copy of which was attached as an Appendix.

Having considered the advice of the PAG the Portfolio Holder has **AGREED** to **RECOMMEND** to Cabinet that the Waste Management Design Guide attached to the report be adopted and made available on the website.

28. BEACONSFIELD OLD TOWN COMMON LAND - LICENCES FOR USE OF COMMON LAND

The PAG considered a report explaining that the common land in Beaconsfield is managed by the Council on behalf of the owners, Hall Barn Estates and Bucks County Council in accordance with Bylaws for the common land set out under the Commons Act 1899. Under the Scheme of Management the Council shall maintain the Common free from all encroachments and shall not permit any trespass on or partial enclosure thereof or on any part thereof.

As a result of a number of issues, including encroachments, the report set out a proposed approach for controlling the use of the common land by the issuing of licences.

The PAG, whilst recognising the need for a protocol, supported the proposed approach on the understanding that the controls were not overly bureaucratic and resource intensive to implement.

The Portfolio Holder **AGREED** to **RECOMMEND** to Cabinet that the proposed approach as set out in the report be pursued, having regard to the comments made by the PAG, and a further report be submitted to a future meeting of the PAG and Cabinet.

29. **PROVISION OF CADDY LINERS TO FLATS**

Following the request made at the meeting on 14 June 2014, the PAG revisited via a report the issue of providing caddy liners to residents living in flats. The report set out the advantages and disadvantages of the Council continuing to provide caddy liners to flats including the costs which equated to between £8,000 and £14,280 per year.

Having considered the advice of the PAG, which supported the proposal not to continue to provide caddy liners, the Portfolio Holder **AGREED** to **RECOMMEND** to Cabinet that the following approach as set out in paragraph 4.9 of the report be adopted::

- Flats are not automatically provided with a further supply of liners
- Property Managers are encouraged to purchase a supply to be made available to their residents. They can be given contact details to purchase direct from the supplier which will significantly reduce costs for residents compared to buying from supermarkets etc.
- A small stock of liners is kept available to use in extenuating circumstances i.e. in very poorly performing sites where a re-launch of the service is required. And also for Reception to sell, this can be replenished as and when necessary using existing budgets.
- From time to time the Waste Team may need to promote communal food waste collections, for example in low performing areas, in which case liners may be provided as an incentive but the budget for this can be built into the specific project (for example one pallet costs £2,284.80).

30. **WASTE REGULATIONS COMPLIANCE REPORT**

The revised EU Waste Framework Directive came into force on 12 December 2008 and was transcribed into the Waste England and Wales Regulations 2011 (as amended) which came into force on 29th March 2011. One Regulation, number 13, was later amended and came into force on 1st October 2012.

Regulation 13 places a duty on all organisations involved in waste collections (not just Councils) to maintain high quality recycling by collecting paper, metal, plastic and glass separately from 1st January 2015.

The PAG received a report explaining that Regulation 12 required waste collectors such as South Bucks to demonstrate that they have taken all reasonable measures to move the management of all wastes they collect up the waste hierarchy as shown in paragraph 3.5 of

Environment Policy Advisory Group - 18 February 2015

the report which also explained that a TEEP (Technically, Environmentally and Economically Practical) assessment had been carried out demonstrating the Council's compliance with Regulations 12 and 13.

RESOLVED - that the TEEP assessment be noted.

The meeting terminated at 7.20 pm

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SUBJECT:	Littleworth Common Ownership Update
REPORT OF:	Environment Portfolio Holder – Councillor Luisa Sullivan
RESPONSIBLE OFFICER	Head of Environment – Chris Marchant
REPORT AUTHOR	Landscape Officer - Simon Gray
WARD/S AFFECTED	Burnham

1. Purpose of Report

The purpose of this report is to update Members on negotiations about the ownership of Littleworth Common and the proposed transfer of the site to SBDC.

RECOMMENDATION

That the PAG advises the Portfolio Holder to recommend to Cabinet that provided the owner can transfer sufficient title to enable the Council to access available grant funding, that the Cabinet agrees the transfer of Littleworth Common to the Council and delegates final agreement of the transfer terms to the Head of Environment in consultation with the Head of Legal and Democratic Services.

2. Reasons for Recommendations

2.1 The Council manages the land at Littleworth Common on behalf of the current owners under a management agreement. The site is a Site of Special Scientific interest (SSSI) so Natural England has specific requirements about the way that the site is managed.

2.2 The Council in past years obtained grant funding from Natural England (NE) and its predecessor English Nature. However recent restrictions on government spending and a review of NE's procedures have limited the grants that can be given to bodies who do not own the land. If the Council owns the common it would be able to apply for an NE grant of up to £4k per annum.

2.3 The owners have to date not contributed any funds towards the management of the site. This and the fact that the Council's budget for managing the site has recently been cut from £10k to £1k per annum has resulted in it been increasingly difficult to achieve measurable results.

2.4 The current owners, who own the site via an offshore company (Dropmore Holdings), do not show any interest in the site and wish to dispose of it. It is suggested that South Bucks District Council as managers of the site may wish to take it over through a property transfer to guarantee the future of the site. As freehold owners the Council would also be able to obtain the rental income of c£1,200 per annum from the lease of part of the site for a car park. This income would be used to further the habitat improvement on the site.

3. Content of Report

3.1 Littleworth Common is an important site being a Site of Special Scientific Interest (SSSI) of 16 Hectares/ 39.6 acres with valuable habitats of lowland heathland, ponds and woodland. It is valued by local residents and has many visitors.

The site is shown edged in black on the plan at Appendix A.

3.2 Natural England (NE) guidance states that “The purpose of SSSIs is to safeguard, for present and future generations, the diversity and geographic range of habitats, species... including the full range of natural and semi-natural ecosystems.” The legislation states that the owner or the occupier of the site is legally responsible for the site and has a statutory duty to get the SSSI into a favourable condition (it is currently ‘unfavourable recovering’).

Pros and Cons of the Council owning the site are shown below.

Pros

3.3 Natural England sets out specific requirements for the management of the site. The Council spends considerable time and financial resources to meet these requirements and manage the site to the satisfaction of local residents. The Council as owners would be better able to obtain external grants from Natural England as they have restrictions about the grants they can allocate to non-owners. (The Council cannot currently obtain NE funding.) As the Council already has an obligation to manage the site there would be little additional work or financial commitment if it owned the site.

3.4 Should the Council own the freehold, it would also be able to obtain the rental income of c£1,200 per annum from the lease of part of the site for a car park. This income would be used to further the habitat improvement on the site. Periodic minor surfacing repair works would be required but the cost of these would be met from the extra income generated.

3.5 Previous attempts have been made to engage with local residents to work with them in some of the tasks but these attempts have achieved little local support so a renewed approach is proposed. Should the Council own the land it would be able to work with voluntary organisations such as the Chiltern Rangers to progress further management of the common (they only work with owners of land). Initial discussions with the Chiltern Rangers have indicated that they would be willing to engage with local residents to manage the site. In their experience this approach of a third party Community organisation engaging with residents often achieves more results than the Council trying to work with residents.

3.6 The Chiltern Rangers Community Interest Company (CIC) is a new, not-for-profit social enterprise delivering woodland management and community engagement in the Chilterns area. It is proposed that should the Council own the site, it could allocate a budget of circa £2.5 K per annum to them which would enable them to engage further with residents to carry out works and achieve closer working with the community and potentially bring in more grant funding than the Council could obtain.

Therefore the total likely annual budget for other management works would be circa £3.7k less officer time.

3.7 In addition, the British Trust for Conservation Volunteers has previously expressed interest in working on the site. They have previously helped the council to set up a successful Friends Group on a similar site at Stoke Common.

3.8 Should SBDC own the common it would also be in a better position as above to work closer with partners within the Natural Environment partnership (NEP) to ensure that the site is better valued as an important part of the landscape of Buckinghamshire.

Cons

3.9 There are certain legal responsibilities that the owners of a SSSI have. These responsibilities include:

- To Comply with Management Plans. If not complied with, Natural England (NE) can impose Management Notices and possible fines.
- To carry out works at appropriate times of year – e.g. scrub clearance – and issue written notification of all potentially damaging works
- Not to carry out damaging works – possible fine of £20,000
- To comply with the Wildlife and Countryside Act 1981, Countryside and Rights of Way (CROW) Act 2000 and NERC Natural Environment and Rural Communities Act 2006, and other Legislation. e.g. Public Health and Safety, Access.
- To inform Natural England of change in ownership or occupation
- To protect species and habitats within the SSSI which are part of the Notification of the site.

3.10 Due its SSSI status, the site should be maintained in a favourable condition, and has to be maintained as a specific natural habitat for ever, and cannot be developed. However, as a responsible body, The Council already fulfils the above requirements so there would not be any additional financial, legal or practical work.

3.11 A summary of the financial implications and funding available for the site if the Council owned the site is shown in the table below:

	Without ownership £	With ownership £
NE funding	Nil	4k
SBDC funding	1k	1k
Pub car park	Nil	1.2k
Chiltern Rangers	Nil	-2.5k (but this would fund other management works.)
Total	1k	3.7k

4. Consultation

4.1 Natural England has been consulted and is supportive of the proposals.

4.2 The owners of the land, Dropmore Holdings have been approached through their solicitor and are in agreement with the proposed approach. They have been asked for a financial endowment to accompany the land transfer, to aid the management responsibility in future years. They have declined. However it is anticipated that additional grant funding from Natural England would enable considerably more habitat management work.

4.3 The land is not registered with HM Land Registry. This does not, of itself, prevent a transfer provided the owner has sufficient evidence of their legal title to the land. However, to date the owners have not been able to provide officers with documentary evidence of their title. It appears the relevant documents may have been mislaid and further searches will be necessary to establish the exact position. Again this is not necessarily fatal to a transfer as the owners can make a statutory declaration confirming their ownership. In these circumstances your officers will need to be satisfied that the legal title passing to the Council would be sufficient to access available funding.

4.4 Further work is therefore required to establish the formal proof of ownership and adequacy of title that can be transferred.

4.5 Burnham Parish Council and local residents will be updated after the meeting.

5. Options

Option 1: Do nothing. This would leave the Council as managers of the site with its current liabilities and restrictions on obtaining external funding.

Option 2: Continue to progress the transfer of the land to the Council. This is the preferred option as this would give clarity to the ownership situation and ensure the continued protection of the site for residents to enjoy and for the habitats to remain in a favourable condition. This will however be subject to establishing adequate legal title can be transferred to the Council

7. Corporate Implications

7.1 Financial implications - The District Council as managers of the land only cannot currently obtain the full grants that would be available should the Council own the freehold of the site. Should the Council own the site, the potential additional income would be in the region of £5k. Transfer will incur the Council in some fees for any searches required and registration of the Common with HM Land Registry. However these will be minimal. A transfer at nil consideration will not attract a liability for payment of Stamp Duty Land Tax.

7.2 Legally, although the land is currently owned by others, the District Council manages the land on their behalf under a Scheme of Management. The full ownership of the site would enable to Council to engage better with local residents. The legal issues relating to proof of adequate title to the Common will need to be resolved before the terms for any transfer can be finalised.

8. Links to Council Policy Objectives

8.1 The matter is related to the Council's medium-term aims of a thriving and sustainable district, which protects the Green Belt and character of the area and enhances the quality of the built environment.

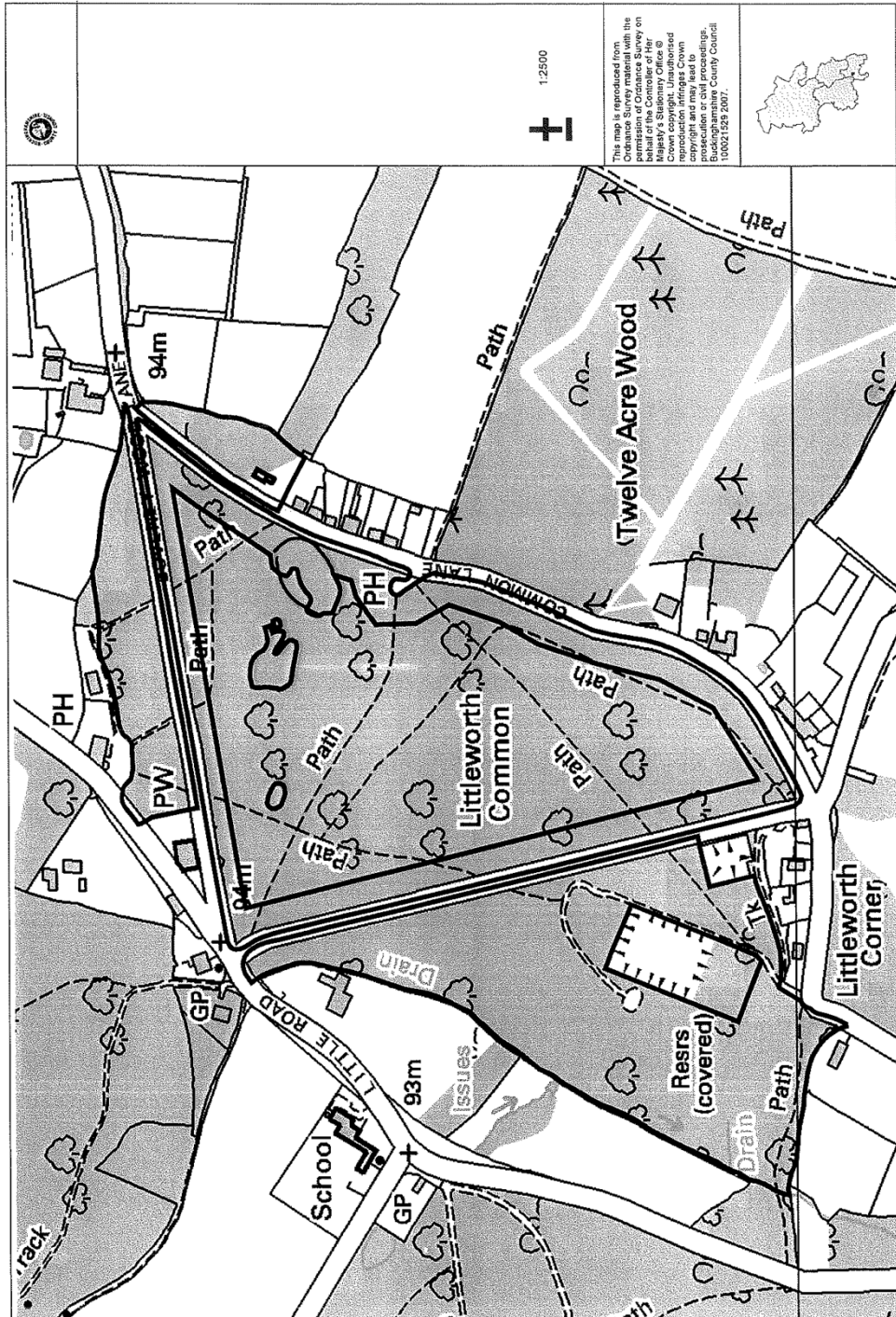
9. Next Step

9.1 Further discussions with the landowners to take place to ascertain the legal state of their current ownership and subject to establishing that adequate legal title can be transferred, terms of a transfer at nil consideration agreed with the owners.

Background Papers:	Previous PAG reports on this matter.
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Appendix A. Plan of the Littleworth Common site with the extent of the common edged in black.



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SUBJECT:	Recycling Update
REPORT OF:	Portfolio Holder for Environment – Cllr Luisa Sullivan
RESPONSIBLE OFFICER	Head of Environment – Chris Marchant
REPORT AUTHOR	Simone Singleton, 01895 837333, simone.singleton@southbucks.gov.uk
WARD/S AFFECTED	All

1. Purpose of Report

To update Members on a number of key aspects of the Waste and Recycling Collection Service and to secure commitment to trial improvements to the Bulky Waste Collection Service.

RECOMMENDATION

The PAG are asked to advise the Portfolio Holder to recommend that Cabinet agrees to support the trialling changes to Bulky Waste Collections.

2. Reasons for Recommendations

The trial will seek to increase the amount of bulky waste that is re-used or recycled and thus reducing the amount of waste sent to landfill. The benefits are as follows;

- Contribute to increasing the Councils Recycling Rate.
- Increase the availability of affordable second hand furniture for residents.
- Reduced wear and tear on collection vehicles from reduced trips to the landfill site.
- Reduction in travel distance and times once Energy from Waste plant comes on line as all waste for disposal will need to go to a specified transfer station.
- Minimal impact on residents, there should be no changes to how residents book and pay for bulky waste collections.

3. Content of Report

Background

3.1 South Bucks District Council made significant changes to the household waste and recycling collection service in February 2014. This included the provision of containers for fortnightly collection of general household rubbish, a wider range of materials (including plastic pots, tubs and trays) collected for recycling, new weekly food waste collections and an optional chargeable garden waste collection service.

3.2 Prior to implementation of the new service, South Bucks' recycling rate had remained around the 33/34% mark for a number of years. Collection data from the first full year of the new collections now indicates a recycling rate of over 50%.

3.3 There are still areas of the waste and recycling collection service where collections can be improved and this report provides an update and future plans for three key areas, namely Flats, Bring Sites and Bulky Waste Collections.

3.4 More detailed background information on the Flats Service Review can be found in the following PAG Reports;

- Flats Service Review Report – 18th June 2014
- Flats Service Review Update – 9th September 2014
- Provision of Caddy Liners to Flats – 18th February 2015

Flats Update

3.5 Following the new service roll out, approximately 3000 properties across at least 200 sites remained on a weekly general rubbish collection due to being unsuitable for the standard food waste collection service. The aim of the Flats Service Review was to bring these sites in line with household collections as well as implement improved reporting procedures and communication with both residents and property managers.

3.6 Since June 2014 Officers have been assessing these sites for the most appropriate collection, storage and access arrangements. To date 1342 properties across 97 sites have had an improved recycling collection service introduced. The new reporting procedures have ensured any issues such as contamination or excess waste have been dealt with quickly and efficiently, and as a result instances of contamination and excess waste have significantly reduced.

3.7 Improved services aim to be rolled out to the majority of the remaining sites by the end of August 2015, however there are a number of particularly challenging sites requiring significant works by the property owner which will go beyond this time frame.

Bring Site Review

3.8 South Bucks District Council currently provides 15 local recycling bring sites in various convenient locations such as car parks, train stations etc.

3.9 Since introducing the improved household recycling collection service it is thought that there may be spare capacity at some sites. Officers are currently gathering data on the capacity and tonnage collected from these sites in order to quantify the capacity and use of each site.

3.10 Once the review of this data is complete Members will be presented with a proposal for the future of these sites. This may include the reduction in the number of containers, identification of additional items that could be potentially collected i.e. light bulbs or the closure of sites where it is not efficient or economical to keep them open. A report will be prepared on this matter in time for the next Environment PAG.

Bulky Collections Trial

3.11 South Bucks District Council currently provides a chargeable bulky waste collection service for residents. The current charge is £35.50 for up to five items, however residents on certain means-tested benefits are entitled to up to two free collections within any 12 month period. The income in 14/15 was £19,723 and the budget for

15/16 is £15,130. Biffa on behalf of the Council will continue to pick up bulky waste and there are no additional collection costs as part of this report.

3.12 Last financial year 114.56 tonnes of bulky waste was collected, 19.96 tonnes of this was electrical items which were separated for recycling. The remaining 94.6 tonnes went to Landfill regardless of whether the items were re-usable or recyclable.

3.13 South Bucks District Council plays an integral part in the BCC led Bulky Waste Project that ultimately seeks to increase the re-use and recycling of bulky waste and divert this waste stream from Landfill. To this end Officers would like to lead the way by trialling the following changes to the bulky waste collection service for 3-4 months;

- All bulky waste collected will be taken to Beaconsfield Household Waste and Recycling Centre where it will be separated for recycling.
- A third sector organisation is enabled to take re-usable items prior to the collection of bulky items by waste collection contractor Biffa.

3.14 The third sector party and specific details are yet to be determined however the service received by residents will not alter. At this stage Members are asked to support this trial as a successful outcome can help increase the Councils' recycling rate further and improve the welfare of local residents by increasing the availability of affordable second hand furniture.

4. Consultation

n/a

5. Options

5.1 Option 1: take part in the trial (preferred). Section 2 sets out the reasons for the recommendation

5.2 Option 2: Do nothing. The bulky waste collection service will continue as is and all non electrical bulky waste will be landfilled until such time as the Energy from Waste Plant comes on line.

6. Corporate Implications

6.1 Potential risks are as follows;

- The flats roll out could take longer than anticipated due to consultation processes property managers need to go through with residents. This will put pressure on officer time which should be allocated to other projects.
- An agreement cannot be reached about how to conduct the bulky waste trial, however Officers and Biffa will be integral to developing a workable model

7 Links to Council Policy Objectives

7.1 This matter is related to the following local and national policy objectives:

- South Bucks Sustainable Community Strategy and Corporate Plan Key Theme - Sustainable Environment – protecting our heritage, protecting our future.
- Council priority to continue to improve the street scene and cleanliness of the district as a key public services coordinator

- The current Joint Waste Management Strategy for Bucks policies, including “securing a long-term strategy for the management of wastes for which the member authorities are collectively responsible”.
- The Council’s recycling/composting target of 60% by 2025 as part of the Joint Waste Management Strategy for Bucks. The national target of 45% by 2015 and 50% by 2020. There are no longer District specific targets.

8. Next Step

8.1 With Members support, Officers will work with Bucks County Council and Biffa to appoint a suitable third sector party and to develop a suitable model for the diversion of re-usable bulky items.

8.2 The trial will run for three to four months and accurate data will be compiled to assess the success of the trial.

Background Papers:	None
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Resources PAG 4th June & Environment PAG 15th June 2015**

SUBJECT:	Summers Road Car Park
REPORT OF:	Cllr Luisa Sullivan and Cllr David Anthony
RESPONSIBLE OFFICER	Chris Marchant - Head of Environment
REPORT AUTHOR	Simon Rycraft Tel: 01494 732073 e mail: srycraft@chiltern.gov.uk
WARD/S AFFECTED	Burnham

1. Purpose of Report

To notify and seek Members views on a request received from Burnham Parish Council for the provision of one hour free parking at the Summers Road car park.

1.1 Recommendation

It is recommended that Members consider this request and instruct officers to negotiate the detail with the Parish Council with a further report to Cabinet.

2. Content of Report

- 2.1 As part of a 106 agreement with Land Securities for the Tesco's development on Bath Road £240,000 was allocated to Burnham Parish Council for improvements to the High Street in Burnham. The Parish Council would like to use £40,000 towards subsidising free 1 hour parking at Summers Road.
- 2.2 The current parking charging and tickets sales for the last financial year 14/15 are detailed in the below table:

Charge	Ticket sales	Theoretical Income	Actual Income with overpayments
Up to ½ hour 40p	4505	£1,802	£2,063
Up to 1 hour 70p	3130	£2,191	£2,288
Up to 2 hours 90p	5500	£4,950	£5,484
Up to 3 hours £1.30	3482	£4,527	£6,060
Up to 24 hours £2.10	3858	£8,101	£8,222
Totals		£21,571	£24,117

(Sunday charge £1.10 and no pay by phone)

- 2.3 The budgeted income for this car park from ticket sales in 15/16 is £21,500. There are 4 season tickets issued at this car park for 6 months. A recent parent parking scheme for the adjacent school is being trialled and is due for a review. This allows parents to park for a limited time in the morning and evening free of charge to drop children off who then form a supervised "walking crocodile" to go to and from school. This was designed to help reduce congestion by the school at peak times.

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- 2.4 There is currently no free parking periods in the Council car parks. Previous discussion has indicated that the Council may consider this if the income was reimbursed. Attached at Appendix A is a proposal from the Parish Council that has been agreed by their Council but not discussed / agreed with Officers.
- 2.5 The key points of any agreement from South Buck's point will have to be:
- Cover all costs / loss of income
 - Proceed year to year and reviewed every September with the following years likely costs agreed based upon free tickets issued
 - Can be terminated by either party on giving 6 months' notice
 - Lost income calculated every 3 months and the Parish invoiced accordingly
 - Agreement to be by way of exchange of letters not a lease
 - District Council free to review other charges, season tickets etc. but will consult with the Parish
 - Parish Council to monitor and provide evidence of success or other wise of the scheme
 - Users to obtain free ticket from car park machine to display in their vehicle
- 2.6 With a free hour charge there will be no income from the ½ hour charge so this will have to be covered as well. The predicted loss of current income will be £4,351 from current data.

3. Consultation

This matter has been discussed with the Parish Council but not with the school or with residents.

4. Corporate Implications

- 4.1 Finance: Any arrangements agreed need to be cost neutral to the District Council. It will be necessary to recover legal, administrative, machine alteration costs as well as reimbursement for lost Pay and Display income.
- 4.2 Legal: An amendment to the South Bucks District Council Off-Street Parking Places Consolidation Order 2010 will be required and this will need the appropriate period to advertise. Signage will also need to change to reflect the new charging arrangements. A Memorandum of Understanding will need to be drawn up between SBDC and Burnham Parish Council.

5. Links to Council Policy Objectives

By agreeing to this proposal South Bucks District Council will be working with Burnham Parish Council to help to promote local communities and help to enhance the local economy.

Background Papers:	Copy of request from Burnham Parish Council
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Appendix 1.

TO: SOUTH BUCKS DISTRICT COUNCIL (“SBDC”)
FROM: BURNHAM PARISH COUNCIL (“BPC”)

PROPOSAL IN RESPECT OF SUMMERS ROAD CAR PARK, BURNHAM

Overview

BPC is seeking to enter into a long term rental arrangement in respect of the provision of one hour free parking at Summers Road Car Park, Burnham. Subject to SBDC’s assessment of this proposal, BPC requests SBDC to approve this in principle and to provide a formal memorandum of understanding (“MOU”).

This Report sets out below:-

- Background
- Specific Proposal
- Suggested Key terms
- Sustainability/Risk
- Authorisation.

Background

Further to a Deed of Agreement between SBDC, LS Taplow Limited and Deutsche Trustee Company Ltd dated 3 September 2012 in respect of the development of the former Bishops Centre, certain moneys have been made available by Land Securities to BPC by way of grants to be paid under both S.106 of the Town & Planning Act 1990 and under S.137 of the Local Government Act. The most significant is a grant of £240,000 to be paid under both S.106 of the Town & Planning Act 1990 for BPC to work with consultants (Experian) appointed by BPC to do a SWOT analysis and to implement their findings in the area of Burnham High Street.

The specific proposal below falls within that SWOT analysis.

Specific Proposal

A sum of £40,000 has been allocated from the said £240,000 grant towards subsidising Summers Road Car Park, to provide one hour of short term free parking. The current situation is that there are 10 empty retail premises in Burnham High Street. The High Street has been adversely affected by the closure of RBS, its last retail bank together with the impact of out of town shopping centres and supermarkets which provide free parking.

Suggested Key terms

- The arrangement needs to be cost neutral to both SBDC and BPC. We understand that currently, the provision of one hour parking in the Summers Road off street car park generates about £4,000 p.a. for SBDC. We suggest that the latest actual figure be the annual rental fee.
- At the end of the first (and any subsequent year), SBDC shall reconcile the annual rental with revenues which would have been generated, with any shortfall repaid by BPC and any excess refunded by SBDC, to maintain cost neutrality for both parties. In order to cap BPC’s potential exposure, SBDC shall monitor and keep BPC advised at such regular intervals (as hereafter agreed) and if such monitored figures indicate that at the year end, BPC may be subject to a shortfall above a percentage (as hereafter agreed) in excess of that year’s rental, then BPC shall have the right to terminate the MOU early on one month’s prior written notice. In no event shall BPC’s total payment to SBDC exceed £40,000.
- Any charges in addition to the rental to be determined and agreed.

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- Any proposed variation in the annual rental or charges during the Term shall be subject to mutual agreement but shall be agreed on the basis of mutual cost neutrality. Any variation shall be made only by reference to a) variation in number of car park users on which the annual rental was calculated; and b) change in the C.P.I.
- The Rental and any charges shall be paid at the start of each year, following submission of an invoice from SBDC.
- Subject to a minimum Term of at least 12 months, either party may at any time thereafter terminate the MOU on 12 months prior written notice.
- SBDC to remain responsible for all operations at the Summers Road Car Park including issue and process of tickets, signage and maintenance
- SBDC to remain responsible for Insurance at the Summers Road Car Park.

Sustainability/Risk

At a cost of approximately £4,000 p.a., made from the said £40,000 grant, there is funding available for a period approaching 10 years. Any material increase in the annual rental, whilst having the impact of reducing the Term payable from the said £40,000, would however:-

- Benefit SBDC by having increased the revenue to it from this particular car park, as the arrangement is cost neutral to SBDC , with the annual reconciliation mechanism;
- Benefit BPC in meeting its objective of increasing footfall to the High Street.

Beyond the expenditure of the said £40,000, further thought will be required to maintain sustainability to the mutual benefit of both parties but this will be made by both parties some 7-10 years hence, in light of then current situation.

Both parties moreover retain the ability to terminate after 12 months on 12 months notice or earlier by BPC as set out above.

Authorisation

This Proposal has been considered and approved by the BPC Full Council at its meeting held on 29 May 2015.

1 June 2015

Jonathan Holder

**Jonathan Holder
Locum Clerk, Burnham Parish Council**

SUBJECT:	Flytipping and Enforcement Update
REPORT OF:	Portfolio Holder for Environment - Cllr Luisa Sullivan
RESPONSIBLE OFFICER	Chris Marchant, Head of Environment
REPORT AUTHOR	Elizabeth Cullen, Contracts Manager, 01895 837330 elizabeth.cullen@southbucks.gov.uk
WARD/S AFFECTED	No specific wards affected

1. Purpose of Report

- 1.1 To update Members on the 2014/15 flytipping enforcement programme.

RECOMMENDATION

Members are asked to note the content of this report.

2. Executive Summary

- 2.1 South Bucks Flytipping has historically been a bigger problem in the South Bucks District in comparison to other areas in Bucks due to our proximity and abundance of quiet rural areas that attract flytippers.
- 2.2 A County-wide anti-flytipping campaign called Illegal Dumping Costs was launched in November 2003. Authorities in Bucks had recorded an annual increase of 10% in flytipping over the 3-5 years prior to the campaign launch.
- 2.3 This is a campaign run in a partnership between all five authorities and coordinated by Officers funded by the Joint Waste Committee and based at County Hall. Direct enforcement within the campaign has been a notable example of successful partnership working within two-tier local government.
- 2.4 The campaign has run for over 10 years now and was re-launched in 2009 with new publicity and roadshows, including on our refuse vehicles.
- 2.5 This report covers the flytipping and enforcement highlights of the financial year 2014 – 2015.

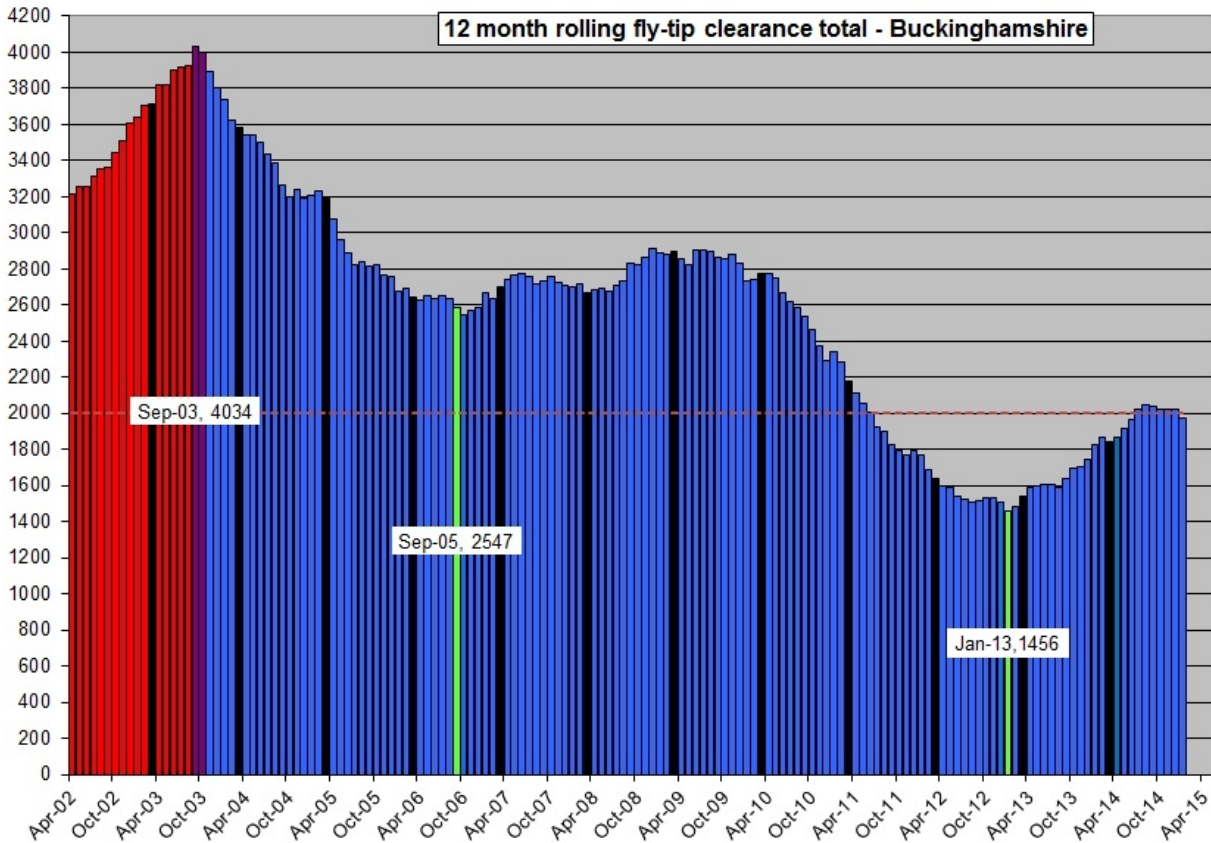
3. Reasons for Recommendations

- 3.1 No recommendations arise from this report.

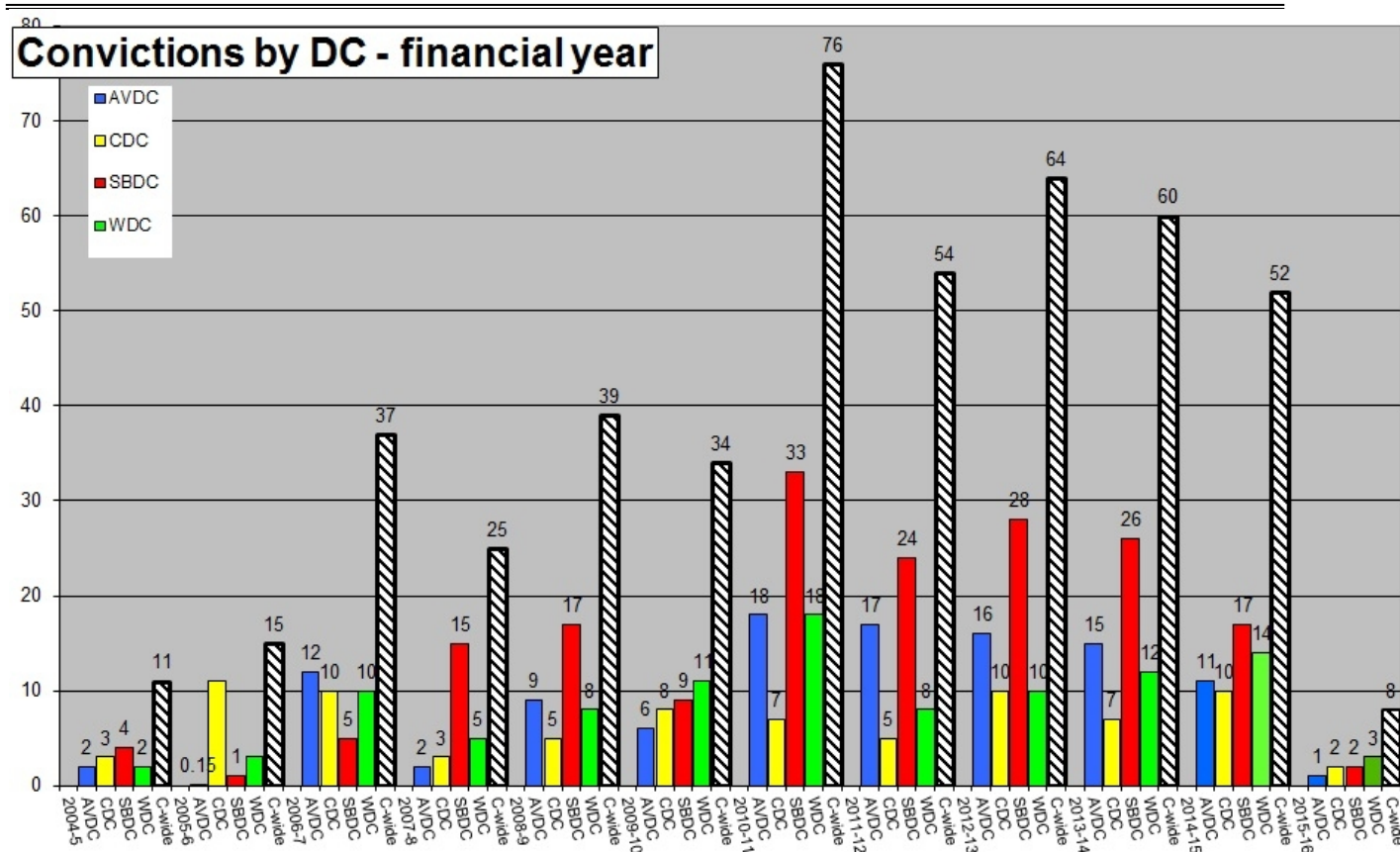
4. Content of Report

4.1 The number of flytips in Buckinghamshire declined steadily following the launch of the Illegal Dumping Costs campaign in 2003, but have begun to steadily increase during the past 18 months following a plateau. In South Bucks, the number of flytips has followed the general County-wide pattern:

Year	No of tips
2009-10	842
2010-11	511
2011-12	341
2012-13	363
2013-14	359
2014-15	484



4.2 More than one flytipper has been prosecuted per week by The Waste Partnership in the last 5 years. Relative to our size, South Bucks has continued to achieve the highest amount of enforcement action; with 29/100 PACE interviews county wide relating to flytips in our district, 17/61 case file submissions, and 17/52 convictions as shown in the table below.



4.3 Last financial year saw the number of flytips cleared increase up to 484 from 359 the previous year. This increase can in part be attributed to a sharp increase in the number of tyres dumped in the District recently, with up to hundreds being cleared each week. Tyres have to be transported to Aylesbury and hazardous materials can take several days to be removed by a specialist contractor. Incidents have dropped following an arrest and seizure of a vehicle in the last few weeks.

4.4 Flytipping tends to attract further dumping, potentially because people wrongly think that it is acceptable to dump waste adjacent to waste that has already been tipped by somebody else or that they are less likely to get caught.

4.5 However we have had some notable convictions in the past year, with the cases of flytippers caught on Allerds Road in Burnham featured on a daytime BBC1 programme called “Caught Red Handed”.

We have also had the first ‘tagged curfew’ conviction, where a man from Watford who dumped waste on Over the Misbourne in Denham was no longer allowed to go out at night (and therefore considered less likely to tip) as well as having to pay costs and fines of £1,876.

A duty of care failure in West London left a building work project manager with a bill of £3,864 after a large load of waste was dumped illegally on Old Rectory Lane in Denham, blocking access to a sewage pumping station.

4.6 In response to the drastic reduction in flytips a few years ago, the decision was made to reduce contract costs by operating our grab vehicle part-time. This combined with the recent increase in difficult to remove flytips and stretched resources due to the new service roll out and other factors, has resulted in the 2 day clearance target being missed for 6 of the last 8 quarters. The most recent result was 2.4 days and we are working in partnership with Biffa to look at how we can ensure that flytips are removed within target.

5. Consultation

Not Applicable

6. Options

No options are recommended in this report.

7. Corporate Implications

7.1 There are no financial issues identified at this time

7.2 There are no legal issues identified at this time

8. Links to Council Policy Objectives

This matter is related to the following local and national policy objectives:

- South Bucks Sustainable Community Strategy and Corporate Plan Key Theme - Sustainable Environment – protecting our heritage, protecting our future.
- Council priority to continue to improve the street scene and cleanliness of the district as a key public services coordinator
- The current Joint Waste Management Strategy for Bucks policies, including “securing a long-term strategy for the management of wastes for which the member authorities are collectively responsible”.
- The Council’s recycling/composting target of 60% by 2025 as part of the Joint Waste Management Strategy for Bucks. The national target of 45% by 2015 and 50% by 2020. There are no longer District specific targets.

9. Next Step

The response target and resource level will be reviewed as discussed above.

Background Papers:	None
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