



## DEMOCRATIC AND ELECTORAL SERVICES

Dealt with by: Democratic Services                      Switchboard: 01895 837200  
My Ref:    e-mail: democraticservices@southbucks.gov.uk  
Date: 9 June 2017    Direct Line: 01895 837225/837224

Dear Councillor

## ENVIRONMENT POLICY ADVISORY GROUP (SBDC)

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

**DATE:                      MONDAY, 19TH JUNE, 2017**  
**TIME:                      6.00 PM**  
**VENUE:                    ROOM 6, 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 (SBDC)

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

**Audio/Visual Recording of Meetings**

Please note: This meeting might be filmed, photographed, audio-recorded or reported by a party other than South Bucks District Council for subsequent broadcast or publication.

If you intend to film, photograph or audio record the proceedings or if you have any questions please contact the Democratic Services Officer (members of the press please contact the Communications Officer).



## 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**

To receive any apologies for absence.

2. **Minutes**

To receive the minutes of the meeting of the PAG held on 6 December 2016.

**(7 - 10)**

3. **Reports from Members**

To receive any reports from the Chairman or PAG Members.

4. **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, if any.

*A. REPORTS LIKELY TO LEAD TO PORTFOLIO HOLDER DECISION*

5. **Beaconsfield Common Land**

**(11 - 14)**

*Appendix A*

**(15 - 16)**

*Appendix B*

**(17 - 22)**

*Appendix C*

**(23 - 26)**

*B. REPORTS FOR INFORMATION/DISCUSSION*

6. **Update on Fighting Food Waste Project**

**(27 - 32)**

7. **Any other business**

Any other business which the Portfolio Holder considers is urgent.

The next meeting is due to take place on Tuesday, 12 September 2017

**ENVIRONMENT POLICY ADVISORY GROUP**

**Meeting - 6 December 2016**

Present: Mrs Sullivan (Chairman)  
Mr Bradford, Mr Read and Mr D Smith

Also present: Mr Dhillon

Apologies for absence: Mr Harding

**15. MINUTES**

The minutes of the meeting of the PAG held on 7 June 2016 were received.

**16. REPORTS FROM MEMBERS**

None received.

**17. CURRENT ISSUES**

The Members of the PAG were introduced to Sally Gordon, the new Joint Waste Services Manager. The joint waste team were explained to be in the midst of projects including the transfer of calls from The SBDC Waste admin team to the call centre at CDC, with training and testing of the systems currently being undertaken. Members requested updates on these projects, with agreement that these would be sent out as and when necessary.

In terms of the roll-out of recycling containers to flats:

- 74% of the project is now complete
- 15 of the remaining sites are in discussions with stakeholders e.g property managers, in order to ensure adequate bin storage areas
- 14 of the more complex sites that are remaining are to be completed in early 2017.

Councillors were advised that a situation concerning collections from a private road had been resolved, and were pleased to note that the team as a whole were able to learn from this situation.

**18. CDC AND SBDC GREENHOUSE GAS (GHG) REPORTS**

Members received the CDC and SBDC Greenhouse Gas (GHG) Reports, which had statutorily been submitted to DECC and made available on the website.

Members noted that there had been a 27.5% (187.29 tonnes) decrease of emissions throughout 2015/16, compared to the 2008/09 baseline. This was seen to be partly due to reduction in Beacon Centre emissions by 10%, and a move of many services from Capswood to King George V House, resulting in significant reductions in occupancy at Capswood. It was highlighted to Members that this has, however, led to an increase of emissions for CDC. It was noted that there has also been an increase of emissions for CDC resulting from the relinquishing of the electric vehicle.

During discussions, Members inquired as to why the electric vehicle had been relinquished, with the Head of Environment explaining that the mileage range of the electric vehicle had steadily decreased, and had therefore been proven to be inefficient. Members were informed that a report would be taken to Management Team in the immediate future regarding the Electric Vehicle plan, detailing in part the infrastructure that would need to be in place prior to acquiring any more electric vehicles. The model used by Milton Keynes was cited as one that would be useful to research and apply to SBDC and CDC.

It was therefore **RESOLVED** that the Greenhouse Gas report, its publication on the SBDC website and notification of completion to Department of Energy and Climate Change (DECC), along with the close link between the CDC & SBDC GHG reports be noted.

#### 19. **PORTFOLIO BUDGETS 2017/18**

The Portfolio Holder considered a report seeking Members' comments and approval for the draft Revenue Budget and the Fees and Charges schedule for 2017/18 for the Environment Portfolio, prior to collation of all portfolio budgets for consideration by the Cabinet.

The report outlines the context of the overall financial position facing the Council for the coming year, and confirmed that as a result of the Government's deficit reduction strategy, Local Authority funding is subject to continuing significant reductions, particularly from 2018/19 onwards, alongside constraints on the level of Council Tax increases, whilst taking into account SBDC's position as set out in detail in the recently updated Medium Term Financial Strategy.

In considering the report, the PAG particularly noted:

- that it would be prudent at this stage not to include any funding for new recurring expenditure, or to expand services;
- that the authority needs to identify measures to compensate for the reductions in resources, which would include joint working with CDC;
- that much of the budget remained the same, but that the decrease to the Environment budget of £178k (6.9%) reflects the transfer of waste calls to the call centre at CDC (a reduction of 30k), and a saving of 50k on the contract.

During discussion, Members wished to be made aware of the Biffa contract end date, which was clarified as 2021. The Head of Environment further explained to Members that once the Joint Waste team were settled, officers would begin to work on how the service could look after this date. CDC's waste contract was similarly shown to be ending in 2020, and the possibility of extension would influence the look of SBDC's waste service.

Having considered the advice of the PAG, the Portfolio Holder **RECOMMENDED** the onward submission to Cabinet of:

- The 2017/18 Revenue Budget
- The 2017/18 Fees and Charges

#### 20. **GARDEN WASTE COLLECTION CHARGES 2017-18**

The PAG received a report detailing the proposed charges for the garden waste collection service 2017/18, alongside a change in method of charging and charging structure.

Members noted that in the introductory year 2014/15, the charge per bin was set at £45, with an early bird charge of £35. For both 2015/16 and 2016/17, the charge per bin was increased to £46, with the discounted early bird charge set at £36. Currently after the early bird subscription, all SBDC residents pay £46 from the point at which they subscribe, until renewal on 31 March. Members felt that it would be appropriate to align the service with CDC, meaning that a full year's subscription would be provided to all residents from the date of sign-up. Work has been undertaken by the Joint Waste team in order to determine the appropriate charge for the next financial year, with the average charge of 7 surrounding councils being £43.85.

The report informed Members that the CDC fees and charges for 2017/18 are recommending increasing the flat rate from £35 to £38, with Members feeling that it would make sense to align the SBDC charge with this, and to amend the recommendation to reflect this and the rolling programme of subscriptions. Due to the increased resilience brought about by joining the waste teams, the steady flow of subscriptions throughout the year, expected from this change, was deemed manageable.

After taking advice from the PAG, the Portfolio Holder **RECOMMENDED** to Cabinet that the garden waste service adopts a rolling programme of subscriptions, at a charge of £38 per bin.

## 21. WASTE CONTAINERS

The PAG were presented with a report containing information relating to the proposed fees and charge for 2017/18, specifically regarding the introduction of charges to developers for waste containers provided to new developments.

Members noted from the report that SBDC is a waste collection authority, with an obligation to collect household waste, as specified in the Environmental Protection Act 1990 (EPA1990). Under the Act, local authorities have the ability to charge developers for the provision of waste containers, but SBDC currently do not implement this power. As part of the setting of fees and charges for 2017/18, SBDC has proposed that reasonable levels of charge would help to mitigate against the increasing financial pressures within local authorities.

Discussion was had by Members concerning paragraph 3.4 of the report, detailing the costs to the developers in order for each household to take full advantage of the recycling facilities provided by SBDC's waste contract, alongside the admin time and costs, based on 2015/16 data. It was noted that the full set of containers (1x240litre black wheeled bin; 1x240litre black wheeled bin with blue lid; 1x44litre paper recycling box; 1x23litre food waste bin; 1x5litre kitchen caddy) would cost the developer £92.50 per household.

Members felt it important that the waste team ensure they work closely with other departments, such as Planning, to ensure that these charges are clearly explained to developers at the planning application stage. It was agreed that, once agreed, the process for the notification, charge and supply of the containers would be circulated to Members.

The Portfolio Holder therefore **RECOMMENDED** to Cabinet that Developers be charged for waste containers for new properties, at the rate of £92.50 per set.

The meeting terminated at 6.48 pm

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<b>SUBJECT:</b>	Beaconsfield Common Land Update
<b>REPORT OF:</b>	Environment Portfolio Holder Cllr Luisa Sullivan
<b>RESPONSIBLE OFFICER</b>	Head of Environment Chris Marchant
<b>REPORT AUTHOR</b>	Landscape Officer Simon Gray
<b>WARD/S AFFECTED</b>	Beaconsfield

### 1. Purpose of Report

This report is to update Members about the Common Land and Waste of the Manor land in Beaconsfield Old Town and the responsibilities/ limitations of the Council.

The report seeks the Portfolio Holder's agreement to restrict the Council's management of the land in line with the clauses set out in the Scheme of Management and recent Council Legal advice.

#### RECOMMENDATIONS that

**The Portfolio Holder agrees, following recent Legal Advice, that SBDC**

- 1. should only undertake certain works on the Common Land in old Beaconsfield.**
- 2. should not undertake further works on the Waste of the Manor land and that Hall Barn Estates (HBE) or Bucks County Council (BCC) is required to undertake these works.**

The PAG are asked to advise the Portfolio Holder on the above recommendation.

### 2. Reasons for Recommendations

The need for the Council to limit expenditure of public money has identified a need to review the management situation in Beaconsfield Old Town.

A recent Legal Review has clarified the responsibilities of the Council with regard to Common Land and Waste of the Manor land.

### 3. Content of Report

The Common Land has been subject to a Scheme of Management (under the Commons Act 1899) by Beaconsfield Urban District Council since 1911. A new Scheme of Management 1984 was made by SBDC under Commons Scheme Regulations 1982.

The common land, shown in Appendix A, is owned by Hall Barn Estates (HBE) and Bucks County Council (BCC).

Copy of the Scheme is attached at Appendix B, with Byelaws (made in accordance with the Scheme and introduced in 1998) at Appendix C.

The land owners have historically called on SBDC to deal with all issues on the common land, and on the adjacent Waste of the Manor land.

Following recent unsuccessful proposals to alter parking arrangements on the common land, and a need to limit Council expenditure, a Legal Review of the council's responsibilities has been carried out. This has identified certain responsibilities in the Scheme that the Council should no longer carry out on common land and the Waste of the Manor. (The review looked at the wording in the scheme i.e. 'may' or 'shall' undertake and clarifies the difference for example between 'shall have power' and 'has an obligation to...'; the key points being 'Power to but Not obligation to')

#### 1. Common land Responsibilities

In previous years SBDC carried out tarmac and associated works such as white line painting to regulate parking on the Common land. However current SBDC legal advice states "The Council's duty is to keep the land free from encroachment i.e. to preserve open access for recreational purposes and not to permit any trespass or partial enclosure. There is no duty to maintain the surfacing as the Council do not own the land."

Also "There is no obligation to physically maintain the land in terms of surface repairs." (Paragraph 8 in the Scheme states "The Council shall have power to repair the existing paths and roads...other than highways..." but this does not impose an obligation on the Council to do so.)

Therefore SBDC has written to the two land owners (BCC and HBE) to state that it will no longer undertake surfacing works and repairs etc. on the common Land and will limit its work to that specified in the Scheme of Management, as above. BCC and HBE are responsible for the maintenance/ surfacing/ cleaning of the land in their ownership and have liability for its condition and maintenance.

Responsibility (for people tripping etc.) falls to whoever is in control and occupation, which will be the landowner. Complaints therefore ought to be directed first to BCC. They should confirm whether they have responsibility either as Highways Authority or land owner. If they don't have responsibility they can direct the complaint to HBE as the relevant owner with responsibility.

Items placed on land without land owner permission should be removed by the landowners – SBDC Legal advice concludes that the landowners are mistaken in thinking they have no right to remove unwanted items from their land. The District Council's powers to remove offending items are limited.

#### 2. 'Waste of the Manor' Responsibilities

In recent years SBDC has also carried out surfacing works etc. on the 'Waste of the Manor' (the pavements) for the benefit of local residents and to ensure the pavements were in good repair (taking the view that the Council should do what it can to prevent accidents) as the owners were not doing this. However in this age of austerity it is increasing difficult to justify the

expenditure, and no way of raising revenue to fund this. The council can no longer afford to undertake works on land that it does not have a legal interest in.

The recent Legal Review has advised that "SBDC has no duty or responsibility in respect of the land outside the registered Scheme described as "waste of the manor" as it is not registered common. It belongs to Hall Barn Estates and is their responsibility, unless it is highway land."

Therefore SBDC has informed the owners (BCC and Hall Barn) of its intention to cease all involvement with the land not covered by the common land Status. It is the responsibility of the owner to clarify whether they are responsible for the maintenance of this land. (Buckinghamshire County Council as Highways Authority is under a statutory duty to maintain adopted highway (s41 Highways Act) unless it can prove that someone else is responsible.)

However Hall Barn is arguing that SBDC 'has always' managed all the land and should continue to do so, but due to limited resources and legal advice the council is resisting this. There is a risk of legal challenge about this.

The matter of the ownership of the Waste of the Manor in London End was raised with the registered owners, Hall Barn Estates, in December 2015 but to date the estate has done nothing to acknowledge ownership of, or responsibility for, the land. Meanwhile the tarmac surfacing especially on the south side has deteriorated significantly and there is a risk that accidents will occur on the uneven surface for which Bucks County Council/ Hall Barn Estates should take full responsibility.

#### **4. Consultation**

Hall Barn Estates and BCC have been made aware of the Council's intentions to limit its responsibilities. HBE is disputing this and to date no response from BCC has been received.

#### **5. Options**

Option 1. Do nothing and continue to suffer expenditure on land that is not the responsibility of the Council.

Option 2. Limit the Council's involvement as set out above and insist that the land owners acknowledge their responsibilities. This is the preferred option but there is a risk of legal challenge.

#### **7. Corporate Implications**

Financial - A saving to the Council as works would no longer be Council responsibility.

Legal – Comments included in the report above.

#### **8. Links to Council Policy Objectives**

This matter relates to the following council objectives -

1. Delivering cost- effective, customer- focused services

2. Working towards safe and healthier local communities

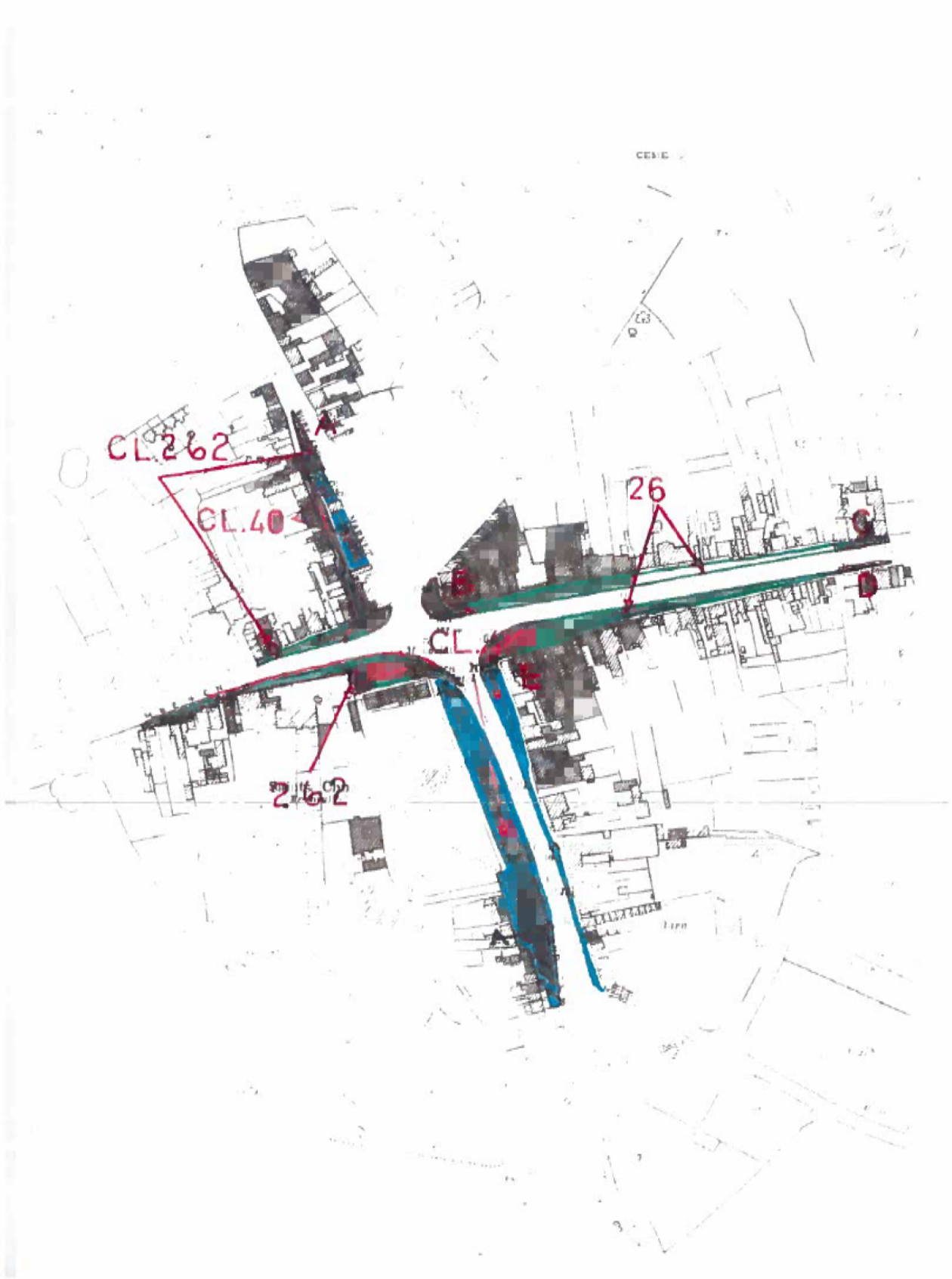
### 9. Next Step

Formal notification would be made to Hall Barn Estates (HBE) and Bucks County Council (BCC) to inform them of SBDC's position and responsibilities, and that they should accept responsibility for their land.

<b>Background Papers:</b>	None
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# Appendix A

## Map of Common Land



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## SOUTH BUCKS DISTRICT COUNCIL

## COMMONS ACT 1899

(The Commons (Schemes) Regulations 1982)

## FORM OF SCHEME

1. The pieces of land with ponds, streams, paths and roads thereon commonly known as Long Bottom (CL36); Council Hall (CL37); Davenies Barn (CL38); Candlemas Lane (CL39); Aylesbury End - West Side (CL40 and CL262); Windsor End - East Side (CL41); Windsor End - West Side (CL41); Wycombe End - North Side (CL262); Wycombe End - South Side (CL262); London End - North Side (CL262); and London End - South Side (CL262) and (CL41) situate in the Parish of Beaconsfield in the County of Buckingham and hereinafter referred to as "the Common" as shown on a plan sealed by, and deposited at the offices of the South Bucks District Council of Council Offices, Windsor Road, Slough in the Royal County of Berkshire hereinafter called "the Council" and thereon edged green and red being a common within the meaning of the Commons Act 1899, shall henceforth be regulated by this Scheme, and the management thereof shall be vested in the Council.
2. The Council from time to time may execute any necessary works of drainage, raising, levelling or other works for the protection and improvement of the Common, and may, for the prevention of accidents, fence any quarry, pit, pond, stream or other like place on the Common, and shall preserve the turf, shrubs, trees, plants and grass thereon, and for this purpose may, for short periods, enclose by fences such portions as may require rest to revive the same, and may plant trees and shrubs for shelter or ornament and, may place seats upon and light the Common, and otherwise improve the Common as a place for exercise and recreation. Save as hereinafter provided, the Council shall do nothing that may otherwise vary or alter the natural features or aspects of the Common or interfere with free access to any part thereof, and shall not erect upon the Common any shelter, pavilion, drinking fountain or other

building without the consent of the person or persons entitled to the soil of the Common and of the Secretary of State for the Environment. The Secretary of State, in giving or withholding his consent, shall have regard to the same considerations and shall if necessary, hold the same enquiries as are directed by the Commons Act 1876(a) to be taken into consideration and held by the Secretary of State before forming an opinion whether an application under the Inclosure Acts 1845 to 1882 shall be acceded to or not.

3. The Council shall maintain the Common free from all encroachments and shall not permit any trespass on or partial enclosure thereof or of any part thereof.

4. The inhabitants of the neighbourhood shall have a right of free access to every part of the Common and a privilege of playing games and of enjoying other kinds of recreation thereon, subject to any byelaws made by the Council under this Scheme.

5. The Council may, with the consent of the person or persons entitled to the soil of the Common, and of the Secretary of State, (a) temporarily set apart and fence such portion or portions of the Common as it may consider expedient for the parking of motor and other vehicles, and (b) may make such charges for the use of such part as it may deem necessary and reasonable: provided that any area so set apart shall not be so near to any dwellinghouse as to create a nuisance or be an annoyance to the inhabitants of the house. The Secretary of State, in giving or withholding his consent, shall have regard to the same considerations and shall, if necessary, hold the same enquiries as, are directed by the Commons Act 1876 to be taken into consideration and held by the Secretary of State before forming an opinion whether an application under the Inclosure Acts 1845 to 1882 shall be acceded to or not.

6. The Council may, for the prevention of nuisances and the preservation of order on the Common, and subject to the provisions of Section 10 of the Commons Act 1899, make, revoke or alter byelaws for any of the following purposes, namely:-

- (a) prohibiting any person without lawful authority from digging or taking turf, sods, gravel, sand, clay or other substance on or from the Common, and from



- cutting, felling defacing or injuring any gorse, heather, timber or other tree, shrub, brushwood or other plant growing on the Common;
- (b) regulating the place and mode of digging and taking turf, sods, gravel, sand, clay or other substance and cutting, felling and taking trees or underwood on or from the Common in exercise of any right of common or other right over the Common;
- (c) prohibiting the injury, defacement removal or displacement of seats, drinking fountains, fences, noticeboards or any structures or works erected or maintained by the Council on the Common;
- (d) prohibiting any person without lawful authority from killing molesting or intentionally disturbing any animal, bird or fish or engaging in hunting, shooting or fishing or the setting of traps or nets or the laying of snares;
- (e) regulating or controlling the driving, drawing or placing upon the Common or any part thereof without lawful authority of any motor vehicle, motor cycle, carriage, cart, caravan, truck or other vehicle (including any aircraft), except in the case of an accident or other sufficient cause PROVIDED that nothing shall prejudice the property or rights of the Lord of the Manor or the lawful right of his tenants and servants to park a motor vehicle on that part of the Common situated at the Old Town of Beaconsfield, identified and registered as CL40, 41 and 262, provided that the motor vehicles shall be used and enjoyed in connection with their own personal use and not in connection with any trade or business;
- (f) prohibiting:-
- (i) the flying of any model aircraft
  - (ii) the taking off or (except in the case of accident or other sufficient cause) landing of any glider or any other aircraft;
  - (iii) the flying of any glider or aircraft in such a manner as to be likely to cause undue

- interference with the enjoyment of the Common by persons lawfully on it;
- (g) prohibiting or, except in the case of a fair or market lawfully held, regulating the placing on the Common of any show, exhibition, swing, roundabout or other like thing but without prejudice to any property and rights of the Lord of the Manor;
  - (h) regulating games to be played and other means of recreation to be exercised on the Common;
  - (i) regulating assemblies of persons on the Common;
  - (j) regulating the use of any portion of the Common temporarily enclosed or set apart under this Scheme for any purpose;
  - (k) prohibiting or regulating the riding, driving, exercising or breaking in of horses without lawful authority on any part of the Common;
  - (l) prohibiting any person without lawful authority from turning out or permitting to remain on the Common any cattle, sheep or other animals;
  - (m) prohibiting any person from bathing in any pond or stream on the Common save in accordance with the byelaws;
  - (n) prohibiting camping or the lighting of any fire;
  - (o) prohibiting or regulating any act or thing which may injure or disfigure the Common, or interfere with the use thereof by the public for the purposes of exercise and recreation;
  - (p) authorising any Officer of the Council, after due warning, to remove from the Common any vehicle or animal drawn, driven or placed, or any structure erected or placed thereon in contravention of this Scheme or of any byelaw made under this Scheme;
  - (q) prohibiting any person on the Common from selling or offering or exposing for sale or letting to hire or offer or exposing for letting to hire, any commodity or article unless in pursuance of an agreement with the Council or otherwise in the exercise of any lawful right or privilege such as the holding of a lawful market or fair on the Common;

THE COMMON &  
COUNCIL was  
a Resolution  
held on 16th

(r) prohibiting the fixing of bills, placards or notices on trees, fences, erections or noticeboards on the Common;

(s) prohibiting the hindrance or obstruction of an Officer of the Council in the exercise of his powers or duties under this Scheme or under any byelaw made thereunder.

7. Copies of all byelaws made under this Scheme shall be displayed on noticeboards placed on such parts of the Common as the Council think fit.

8. The Council shall have power to repair and maintain the existing paths and roads on the Common, other than highways repairable by the inhabitants at large and to set out, construct and maintain or authorize the construction and maintenance of such new paths and roads on the Common as appear to the Council to be necessary or expedient.

9. Nothing in this Scheme or any byelaw made under it shall prejudice or affect any property or right of the person entitled as Lord of the Manor or otherwise to the soil of the Common, or of any person claiming under him, which is lawfully exercisable in, over, under or on the soil or surface of the Common and this shall also include any rights in connection with game, or with mines, minerals or other substrata or otherwise, or prejudice or affect any right of the commoners in or over the Common or the lawful use of any highway or thoroughfare on the Common, or affect any power or obligation to repair any such highway or thoroughfare.

10. Printed copies of this Scheme shall be available for sale at the Offices of the Council for such reasonable price as the Council may determine.

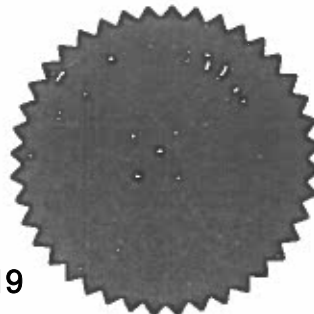
11. The Commons Scheme made by the Beaconsfield Urban District Council on Tuesday 28th November, 1911 is hereby revoked.

THE COMMON SEAL of the SOUTH BUCKS DISTRICT  
COUNCIL was hereunto affixed in pursuance of  
Resolution and at a meeting of the Council  
held on 16th October, 1984

*P. J. G. J. G.*

Chairman

*A. P. Henrys.*  
Secretary



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SOUTH BUCKS DISTRICT COUNCILByelaws under a scheme approved under the Commons Act 1899

## COMMONS ACT 1899

## BYELAWS MADE BY THE SOUTH BUCKS DISTRICT COUNCIL UNDER THE COMMONS ACT 1899, WITH RESPECT TO COMMON LAND

1. In these byelaws the expression "the council" means the South Bucks District Council; the expression "the commons" means the pieces of land, with the ponds, streams, paths and roads thereon commonly known as Long Bottom (CL36), Council Hall (CL37), Davenies Barn (CL38), Candlemas Lane (CL39); Aylesbury End - West Side (CL40 and CL262), Windsor End - East Side (CL41); Windsor End - West Side (CL41), Wycombe End - North Side (CL262), Wycombe End - South Side (CL262), London End - North Side (CL262) and London End - South Side (CL262 and CL41) situate in the Parish of Beaconsfield in the county of Buckinghamshire and referred to as the commons in the scheme for the regulation and management of such commons made by the Council under the Commons Act 1899, on the 16th day of October 1984, and the expression "the scheme" means the scheme for the regulation and management of the commons hereinbefore referred to.
2. No person shall on the commons remove or displace any soil or plant.
3. No person shall without reasonable excuse remove or displace any barrier, railing, post or seat, or any part of any erection or ornament, or any implement provided for use in the laying out or maintenance of the commons.
4. a) No person shall without lawful excuse or authority on the commons kill, molest or intentionally disturb any animal, bird or fish or engage in hunting, shooting or fishing or the setting of traps or nets or the laying of snares.  
b) This byelaw shall not prohibit any fishing which may be authorised by the Council.
5. i) No person shall on the commons sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article, unless, in pursuance of an agreement with the Council, or otherwise in the exercise of any lawful right or privilege, he is authorised to sell or let to hire such commodity or article.  
ii) No person shall without the consent of the Council erect a tent or use any vehicle, including a

caravan, or any other structure for the purpose of camping on the commons except on any area which may be set apart and indicated by notice as a place where camping is permitted.

6. No person shall on the commons, except as hereinafter provided erect any post, rail, fence, pole, tent, booth, stand, building or other structure:

Provided that this prohibition shall not apply where upon an application to the Council they grant permission to erect any post, rail, fence, pole, tent, booth, stand, building, or other structure, upon such occasion and for such purpose as are specified in the application.

7. No person shall on the commons, except in the case of accident or other sufficient cause, take off, fly or land any glider, manned or unmanned weighing in total more than 4 kilogrammes or any other aircraft manned or unmanned weighing in total more than 4 kilogrammes.

8. No person shall light a fire on the land, or place or throw or let fall a lighted match or any other thing so as to be likely to cause a fire.

This byelaw shall not prevent the lighting or use of a properly constructed camping stove or cooker in any area set aside for the purpose, in such a manner as not to cause danger of or damage by fire.

9. No person shall, to the danger or annoyance of any other person on the commons, throw or discharge any missile.

10. No person shall, except in pursuance of a lawful agreement with the Council, turn out or permit any animal to graze on the land.

11. Where the Council set apart any such part of the commons as may be fixed by the Council, and described in a notice board affixed or set up in some conspicuous position on the commons, for the purpose of any game specified in the notice board, which, by reason of the rules or manner of playing, or for the prevention of damage, danger, or discomfort to any person on the commons may necessitate, at any time during the continuance of the game, the exclusive use by the player or players of any space in such part of the commons - a person shall not in any space elsewhere on the commons play or take part in any game so specified in such a manner as to exclude persons not playing or taking part in the game from the use of such a space.

12. No person shall, except in the exercise of any lawful right or privilege, ride or break in a horse on the commons.
13. No person shall on the commons:
- intentionally obstruct any officer of the Council in the proper execution of his duties;
  - intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
  - intentionally obstruct any other person in the proper use of the common, or behave so as to give reasonable grounds for annoyance to other persons on the common.

## PENALTIES

14. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding ~~one hundred pounds~~ LEVEL 2 ON THE STANDARD SCALE.
15. An officer of the council may, after due warning, remove from the commons any vehicle or animal drawn, driven or placed or any structure erected or placed thereon in contravention of the foregoing byelaws.

The Statutes of the Council was  
heretofore affixed in the presence of

Chairman. *Rosalind K. Wingrove*

Deputy District Secretary. *G. J. Blair*

6<sup>TH</sup> JULY 1988.

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 9<sup>TH</sup> day of DECEMBER 1988.

Signed by authority of the Secretary of State

*C. L. Scoble*

C. L. SCOBLE

JB3ABT  
An Assistant Under-Secretary of State

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<b>SUBJECT:</b>	<i>Update on Fighting Food Waste Project</i>
<b>REPORT OF:</b>	<i>Cllr Luisa Sullivan</i>
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<b>WARD/S AFFECTED</b>	<i>All</i>

## 1. Purpose of Report

To update Environment PAG regarding the approach for the county wide Fighting Food Waste project to be delivered through the Waste Partnership for Buckinghamshire.

### RECOMMENDATION

- 1. That the update be noted..**

## 2. Executive Summary

The Waste Partnership for Buckinghamshire submitted a bid to DCLG's fund for increasing recycling rates and the partnership was awarded £838,600 for its proposed 'Fighting Food Waste' project.

The aim of the project is to encourage more residents to recycle their food waste; this will increase recycling rates and also represents the lower cost option for processing food waste.

A base data gathering exercise has identified that 50% of Buckinghamshire residents use their food recycling service but of that 50%, only a proportion of food waste is being captured.

The Partnership Delivery Team for the project have looked at best practice examples provided by the Waste Resource Action Programme (WRAP). WRAP is a national organisation funded by central government to provide waste advice to local authorities and business. In terms of providing effective communications and the preferred approach has been shared with Environment Cabinet Members across the partnership, who have agreed with the proposals.

It is proposed that a communications package containing a leaflet, a roll of caddy liners and bin sticker for the residual bins be delivered to Buckinghamshire residents with wider communications taking place to promote food recycling and food waste reduction. Further data gathering exercises will take place to monitor the effectiveness of the campaign.

## 3. Reasons for Recommendations

The report is provided for information purposes.

## 4. Content of Report

The Waste Partnership for Buckinghamshire was awarded £838,600 by DCLG for its proposed 'Fighting Food Waste' project and the purpose of this report is to provide an update on the progress of that project.

The project brief is to motivate residents across Bucks to make better use of their existing food recycling collections in order to divert more food waste to Anaerobic Digestion. This is a more cost effective method of extracting energy from food waste as compared with the energy from waste facility in the north of the county, and increased participation in the service will result in increased recycling rates for the districts and will also benefit the environment. A series of activities and communications are planned to motivate residents to recycle their food waste and following this, a focus will be placed on reducing the amount of food waste generated within the home, in the first place.

A Project Manager was recruited by the Waste Partnership in September 2016, who works on behalf of the partner authorities to lead the delivery of the project. Senior Waste Officers for each of the Bucks authorities maintain an overview of the project governance arrangements and a Partnership Delivery Team (PDT), with officers from each of the authorities, meet regularly with the Project Manager to work on the project delivery. A meeting with Environment Cabinet Members and their deputies took place on 29<sup>th</sup> March to outline the proposed actions and Members were supportive of the approach.

SBDC acts as treasurer for the fund.

### **Research in to methods of engagement**

The PDT have researched best practice examples for increasing participation in food recycling schemes. WRAP has provided valuable information on food waste participation, ranging from reasons why residents are non users, lapsed users or low users of food recycling collections and also which methods of communication are the most successful for engaging with those target audiences.

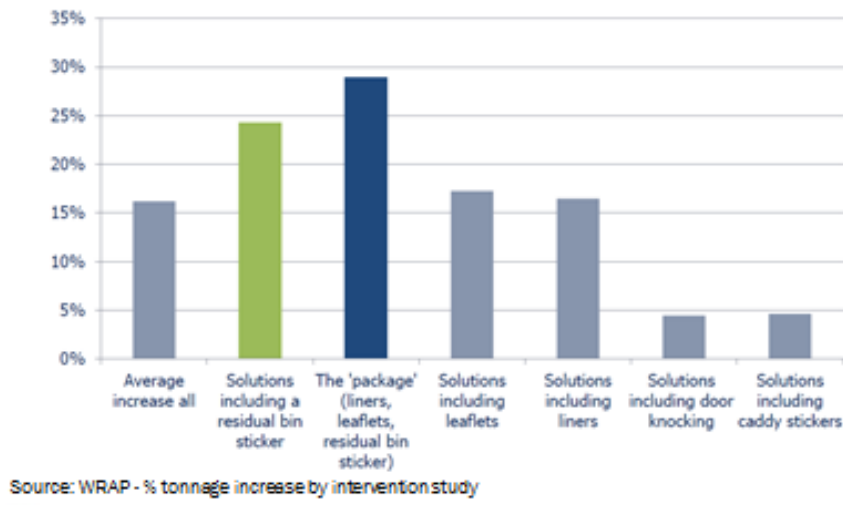
Common themes for low users, lapsed users or non users include:

- Concerns about the messy/smelly nature of food waste
- Would like to have free liners for their food waste caddy

WRAP undertook some pilots with a number of local authorities to establish which communication package was the most effective. The most successful package proved to be the provision of free caddy liners, a leaflet and a residual bin sticker, advising residents to place their food waste into their food recycling bin rather than into the refuse bin. This package was proven to result in an increase in food waste tonnage by almost 30% (see figure 1) and also resulted in a positive impact on participation in recycling collections.

Figure 1

**BIN STICKERS, LEAFLETS & CADDY LINERS**



**Baseline data**

A baseline data gathering exercise took place in February to measure the current participation of residents across Bucks. The exercise revealed that:

- 50% of residents are currently using their food recycling service
- Of those residents participating, the amount of food waste not captured equated to;
  - SBDC – 30% not captured
  - CDC/WDC – 49% not captured
  - AVDC – 18% not captured

From these results, it is clear that half of residents are not using their food recycling service and those using the service could be recycling more than they are.

**Plastic caddy liners**

Currently, residents are advised to use compostable caddy liners to contain their food waste. Compostable caddy liners are expensive and many residents may not be using their food recycling service as they are reluctant to purchase the liners. This assumption is borne out by WRAP’s research into barriers to participation.

The technology and processes used in anaerobic digestion plants have developed and AD operators are now happy to receive food waste contained in plastic bags. Operators are able to easily split open the plastic bags prior to processing the food waste and many local authorities now promote the use of plastic bags with their residents for the containment of food waste, as they are cheaper to purchase or residents may choose to use plastic bags they already have in the house; for example, used bread bags.

The use of plastic caddy liners have now been approved by Agrivert, the AD operator which processes our food waste, and as part of the FFW programme, it is proposed that our residents are offered that option. The change will be clearly communicated with residents. They may still use compostable liners if they prefer, but will also have the option to use plastic liners.

**Communications package**

The approved communications package, advocated by WRAP, will be provided to residents. This will include:

- Leaflet
- Sticker for residual bin
- Supply of plastic caddy liners



Due to the supply chain lead in times, the communication packages will be delivered out to residents in the autumn, but prior to that, further communications will be developed to launch the new plastic liner message and to provide a clear explanation on the change.

**Wider communications**

Other communication mediums will be used to promote the messages:

- Social media- facebook, twitter etc will be used for highly targeted communication bursts, targeting specific age groups or geographical groups within Bucks, with food recycling messages
- Website messages and a revamped Recycle for Bucks website with a Smart Waste Wizard - providing recycling information for residents
- Digital media, including Instagram and Pinterest etc
- School engagement and door knocking in targeted areas (low performing)
- Radio/local press releases

Further data gathering exercises will take place to monitor the impact of the campaign and will also start to link into WRAP’s Love Food, Hate Waste (LFHW) messages – for instance

the average family wastes up to £60 in food each month. The PDT will use the data gathering exercises to identify areas where the targeted engagement take place.

**5. Consultation**

*The communications plan for this project was shared with Environment Cabinet Members who are supportive of the approach.*

**6. Options**

No alternative options

**7. Corporate Implications**

*Reports must include specific comments addressing the following implications;*

*3.1 Financial – The Fighting Food Waste project is funded by the DCLG award to the Waste Partnership for Bucks and the Senior Officer Group are monitoring expenditure. SBDC provide the treasury arrangements for the fund.*

*3.2 Legal – The Environmental Protection Act, 1990, sets waste collection authorities (District Councils) a duty to collect waste. The Waste Framework for England & Wales has set national recycling targets of 50% by 2020.*

**8. Links to Council Policy Objectives**

The Fighting Food Waste project supports the objective:

Striving to conserve the environment and promote sustainability

**9. Next Step**

Communications identified for the Fighting Food Waste Project will commence over the coming months and a further meeting with Environment Cabinet Members is planned for the autumn.

<b>Background Papers:</b>	It is a legal requirement that we make available any background papers relied on to prepare the report and should be listed at the end of the report (copies of Part 1 background papers for executive decisions must be provided to Democratic Services )
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