

Minutes of a meeting of the **Environment Committee** of Buckingham Town Council held on **Monday 17th June 2019** in the Council Chamber, Cornwall's Meadow, Buckingham at 7pm.

Present:

Cllr. D. Isham
 Cllr. A. Mahi
 Cllr. Ms. R. Newell Vice-Chair
 Cllr. Mrs. L. O'Donoghue
 Cllr. A. Ralph
 Cllr. Mrs. C. Strain-Clark
 Cllr. R. Stuchbury

In attendance: Mr. L. Phillips Green Spaces Manager
 Mr P Hodson Town Clerk
 Mrs N. Stockill Committee Clerk

In Cllr. Gateley's absence Cllr. Newell Chaired the meeting for the first item.

PUBLIC SESSION

Mr. Andrew Green, Child Welfare Officer of Buckingham United spoke to Members on the Club's proposed management of Town Council's football pitches at Lace Hill. The Club has been promoted in the League and recent years have seen the membership grow to 170 local members and 6 individual teams. Buckingham United will be playing teams from further afield and inline with the Club's growth the Management Team aspire to take on the pitch maintenance.

Mr. Green asked Members to disregard item 1 (consideration of a 30-year lease) from the Estates Manager's report (E/20/19) with the idea that the Club would revisit the idea in future months, providing Councillors with detailed information and plans of what any future development could look like.

Mr Goodgame, long-time supporter of Buckingham United said the current Management Team were young, motivated and highly capable individuals and he was heartened to see such enthusiasm behind Buckingham's grassroots football. Mr. Goodgame encouraged Members to support the Club in their endeavours.

99/19 Election of Chair

To elect a Chair of the Committee for 2019-2020

Proposed by Cllr. Stuchbury, seconded by Cllr. Mahi and unanimously **AGREED** to appoint Cllr. Newell to the position of Chair for 2019-2020.

100/19 Election of Vice Chair

To elect a Vice Chair of the Committee for 2019-2020

Proposed by Cllr. Stuchbury, seconded by Cllr. O'Donoghue and unanimously **AGREED** to appoint Cllr. Gateley to the position of Vice Chair for 2019-20.

101/19 Apologies for Absence

Members received and accepted apologies from Town Cllrs. Cole, Harvey, Hiron, Gateley and Smith and County Councillor Whyte.

102/19 Declarations of Interest

There were no declarations of interest.

103/19 Minutes

Members received and **AGREED** the minutes of the Environment Committee meeting held on 8th April 2019 and seen by Full Council on the 20th May 2019.

*Members **AGREED** to take agenda item 13.1 (Buckingham United) next for the benefit of members of the public present.*

104/19/19 Buckingham United

Members received and discussed a written report from the Estates Manager.

Proposed by Cllr Stuchbury, seconded by Cllr. O'Donoghue and **AGREED** to exclude item 1 (consideration of a 30-year lease) of the Officer's report as requested by Mr. Green in the Public Session.

The Town Clerk highlighted the report recommendations and explained that, following investigation, no other sports clubs in Buckingham wished to take on the management of the pitches under the same terms as Buckingham United.

Proposed by Cllr Stuchbury, seconded by Cllr. O'Donoghue and unanimously **AGREED** to accept the report recommendations as follows:

2. That members agree to allow Buckingham Utd. to install a removable socketed spectator barrier which can be removed at the end of each season, this is to improve the pitch for spectators and allow Buckingham Utd. to put up sponsorship boards on the rails to generate income for the club. This is on the condition that Buckingham Utd. take on the Maintenance of the two pitches.
3. That members agree that Buckingham Utd. can install a storage container and fenced off area in an agreed location for storage of maintenance equipment, goals nets etc. for both pitches (using the grant provided by the Town Council for this purpose)
4. That members agree to allow Buckingham Utd. to use two removable team shelters and store these by the container.
5. That members agree to allow Buckingham Utd. to obtain an alcohol licence and serve alcohol after first team games with the provision that this permission will be removed if any poor behaviour is reported.

Members congratulated Buckingham United on their recent promotion.

19.16 Members of the public left the chamber.

105/19 Terms of Reference

Members reviewed and **AGREED** the Terms of Reference as agreed at Full Council (min 22.2.5/19)

106/19 Action Report

Members received the Action Report and noted the following updates from the Estates Manager:

566/18 (Great River Ouse) – Recruitment for a River Warden Coordinator was ongoing and the River Restoration Society hoped to have someone in place soon.

445/18 (Water Bottle Refill) – A new supplier had been identified to provide the water bottle refill station for Chandos Park.

737/18 (Town Centre Audit) – Minor highway repairs prices are being sought from contractors under the additional devolved services. Additional repairs identified within the recent Town Centre Audit could be considered once feedback had been received on the first round of minor highway repairs. The Town Clerk said the maintenance of Buckingham's milestone marks would be discussed at the next meeting of the Environment Committee.

ACTION TOWN CLERK

Members discussed issuing a press release on the current and additional devolved responsibilities of the Town Council. The Town Clerk stated it had previously been agreed to issue a press release following the repair works.

880/18 (Gritting) – The Town Clerk had received the following response from Transport for Bucks:

No Equality Impact Assessment has been carried out as a part of the development of our winter service policy. The basis of the decision not to carry out an assessment is based upon:

- i) The policy is safety focussed and looks at delivering de-icing materials to the more heavily trafficked parts of the network so that the risk of incidents occurring is reduced
- ii) The policy looks to mirror the best practice guidance laid down within the Code of Practice (Well Maintained Highways Infrastructure)
- iii) The policy does not disadvantage any user more than any other

The full response is appended to these minutes.

107/19 Budgets

Members received and **AGREED** the latest figures

108/19 Ear-marked reserves

Members received a report from the Town Clerk and **AGREED** to added the following funds to earmarked reserves with the remainder being moved to general reserves:

New cemetery	£20,000
Play area replacement	£10,000
Solar panels for Lace Hill	£28,076

109/19 Extended devolved services arrangement and town centre audit
Item already discussed under Action reports (minutes 106/19)

110/19 Bourton Park Management Plan Draft

Members received and noted an initial draft of the Bourton Park Management Plan. The Town Clerk explained that the finalised plan would identify strategic developments in the Park that could attract Section 106 funding.

Members discussed the possibility of locating a toilet block in Bourton Park. Proposed by Cllr. Stuchbury, seconded by Cllr. Strain-Clark and unanimously **AGREED** for the Town Clerk to draft a feasibility study in line with the Management Plan. **ACTION TOWN CLERK**

111/19 Bourton Park – Temporary Summer toilets

The Town Clerk highlighted the following issues:

- No budget had been allocated for temporary toilets in the 2019/20 precept.
- Temporary toilets could be subject to vandalism and would incur additional costs for cleaning and maintenance.

Members **AGREED** a recommendation by the Town Clerk to revisit the idea of temporary toilets following approval and implementation of the Bourton Park Management Plan.

112/19 Lace Hill Pitches Cancer Relay Event

Members received a written report from the Lace Hill Coordinator and noted that Mr. Weston was open to arranging the event in alternative locations in Buckingham. The Estates Manager said that maintenance of the pitches was extremely costly and time consuming and any damage caused to the pitches would be problematic to repair before the start of the season. As Members have agreed for Buckingham United to take on the maintenance of the pitches it would be unfair to organise an event that risked the pitches not being up to standard before the start of the season. Members discussed alternative locations in Buckingham including Bourton Park, Verney Park and Embleton Way.

Members **AGREED** that Lace Hill was not a suitable venue and offered the possibility of Bourton Park dependant on the Estates Manger's further discussions with Mr Weston and an update being brought back to a future meeting of Environment Committee. **ACTION ESTATES MANAGER**

113/19 Lace Hill Sports and Community Centre

113.1/19 Coffee Bar

Members received and **AGREED** a written report from the Lace Hill Coordinator. Councillors recorded their thanks to the Lace Hill Coordinator and Caretaker for their hard work and initiative.

113.2/19 Banners at Lace Hill

Members received a written report from the Lace Hill Coordinator and held a discussion over an appropriate scale of fees for advertising at Lace Hill.

Proposed by Cllr. Mahi, seconded by Cllr. Stuchbury and unanimously **AGREED**

to allow up to five advertising banners at Lace Hill Sports and Community Centre at a monthly fee of £25 for Not for Profit organisations and £50 for any other business/organisation. Members also **AGREED** for the Town Clerk to draft a policy to be brought back to a future meeting of the Environment committee.

AGREED ACTION TOWN CLERK

114/19 New Cemetery and Allotments

The Town Clerk advised Members that New College Oxford had not yet signed the final documents for the purchase of the new cemetery and allotments. The College already owned allotment land in Buckingham and have asked if the Town Council would consider taking their current tenants if, in the future there was not space on the current land. Members discussed and **AGREED** that any of the College's existing tenants would be considered for an allotment irrespective of any plans for the future development of their land, or any plots they already cultivated.

ACTION TOWN CLERK

The Town Clerk said a public consultation may be required to meet the requirements of the public works board loan and the cemetery consultation would take place between Thursday 19th September and Thursday 17th October with a public session event for 7.30pm onwards at Lace Hill on Thursday 10th October.

114/19 Cemetery

Members discussed and **AGREED** an uplift of cemetery fees in line with RPI of 3.1% being rounded to the nearest £5

115/19 Shopmobility

Members received a report from the Town Clerk and **AGREED** to write to users and relevant consumer groups to conduct a more detailed examination of the needs of service (and potential service) users and for a report back to a future meeting of Environment Committee.

Members discussed Cllr. Stuchbury's suggestion to lease out the Shopmobility unit outside of the usual hours of operation. Members **AGREED** to Cllr. O'Donoghue's suggestion of contacting SJ Mobility to see if they would be interesting in operating a repair service from the Shopmobility Unit.

ACTION TOWN CLERK

116/19 Buckingham Community Wildlife Project

Cllr. Newell reported from the meeting held earlier that evening, and that notes would be circulated shortly, explaining that AVDC's Ecologist had recorded dormice on the land off Osier Way. Cllr. O'Donoghue reported having found great crested newts in her back garden.

117/19 Access Awareness

Cllr. Isham reported the resignation of Chairman Mr J. Russell and Secretary Ms. Jenny Bates. Mr. Ed Grimsdale has stood as temporary Chair but there were no nominations to the post of Secretary. Cllr. Isham expressed concern

over the lack of Members and encouraged Councillors to consider joining and to promote the current vacancies.

118/19 News Releases

Members **AGREED** for the Town Clerk to draft a press release on the Access for All vacancies.

119/19 Chair's Announcements

Cllr. Newell thanked Members and officers for their hard work and attendance at the evening's meeting.

120/19 Date of Next Meeting: Monday 2nd September 2019

Meeting closed at: 20.46

Chair..... Date.....

Appendix A (minute 106/19 refers)

No Equality Impact Assessment has been carried out as a part of the development of our winter service policy. The basis of the decision not to carry out an assessment is based upon:

- i) The policy is safety focussed and looks at delivering de-icing materials to the more heavily trafficked parts of the network so that the risk of incidents occurring is reduced
- ii) The policy looks to mirror the best practice guidance laid down within the Code of Practice (Well Maintained Highways Infrastructure)
- iii) The policy does not disadvantage any user more than any other

The policy that has been adopted in Buckinghamshire is very similar to that operated by the majority of highways authorities across the country (England) where the legislative framework is consistent.

The HA does now have a duty under the Highways Act 1980 S41 (1A), In particular, a highway authority are under a duty to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice. This duty was enacted following the Goodes vs East Sussex case where it was found that the Act did not adequately cover defects that occur *on* the surface rather than *of* the surface. See <https://www.brownejacobson.com/insurance/training-and-resources/legal-updates/2000/06/goodes-v-east-sussex-county-council-house-of-lords> for a better understanding of the case.

We do rely on the “reasonably practicable” aspects contained within the provision as it would be impossible to keep the network free of ice in its entirety, indeed in some instances we simply can’t as the freezing point depression effects of salt can be overcome simply as a consequence of really prolonged cold weather.

As far as I am aware we have never been challenged since the law was changed (Oct 2003) about the “reasonably practicable” aspect of the duty.

The methodology that determines which roads are treated is a well-developed tool and means that:

By default all A & B roads are included

The remainder of the network is selected against a range of criteria, ranging from bendiness, hilliness, speed, regular bus route, school bus route etc.

As you are aware we do not actively treat footways or cycleways, the incidence of ice on these parts of the network is more prevalent (especially in the early months of the season) than on carriageways. In addition, delivery of deicing materials to these parts of the network is slow and inefficient. Typically an 18T gritter will, at a standard treatment of 20g/m², deliver deicing material to 65km of road in approximately 2 – 2.5 hours. The small plant and equipment required to deliver deicing material to footways and the like would require a much higher level of resource to deliver the same amount.

Environment 17th June 2019

Ratified

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PUBLIC SECTOR EQUALITY DUTY 2010/CRIME AND DISORDER ACT, 1988: the decisions made during the course of the meeting were duly considered and it was decided that there were no resulting direct or indirect implications in respect of crime and disorder, or equalities considerations, other than those stated in the minutes.

Initial