

**Item 2: Local Committee (Spelthorne) Minutes 23 March 2015, Annex 1****QUESTIONS FOR LOCAL COMMITTEE SPELTHORNE 23.03.15****WRITTEN QUESTIONS****1. Member Questions****1.1 Cllr Spencer Taylor will ask the following question:**

"Who is responsible for setting the policy regarding waste collection and charges concerned? Where does the waste go from street parties, fun days, community events etc.? Does this now mean a warning needs to go out to voluntary groups that they or individuals organising said events will see a charge for the collection of the bi-product? This could undermine the drive to bring communities closer together though such organisations and events."

**Richard Parkinson, SCC Waste Operations Group Manager, will give the following answer:**

The types of waste for which a district or borough council **can** make a charge for collection and the county council may make a charge for disposal are set out in statute. The relevant pieces of legislation are The Environmental Protection Act 1990 and the Controlled Waste Regulations 2012.

The legislation categorises charging arrangements based on the types of premises or on the organisation or activity from which waste is produced. It is not explicit with regard to how waste from street parties, fun days, community events etc is to be treated and therefore I suspect that it is down to each authority to interpret the legislation accordingly, using legal advice where appropriate.

**Jackie Taylor, Head of Street Scene, Spelthorne Borough Council, will give the following answer:**

Where waste is produced, either rubbish or recycling as a result of an event that has been charged for, it is classed as commercial e.g.

- If a church hall hires out its facilities, waste produced is classed as commercial waste but produced in a domestic environment and is subject to domestic collection charges as detailed in our own fees & charges;
- If however the same church hall produces waste as part of its every day actions i.e. get-togethers & meetings where no fee is payable for the event, the waste is classed as domestic and is collected FOC, as long as it is collected within our own domestic schedules i.e. alternate weekly rubbish & recycling.

In terms of street parties it is up to the organisers to manage, organise & arrange their own waste collection & disposal. It is not the authority's responsibility to do so; most will take their waste to the local civic amenity site. Spelthorne Borough Council's Street Parties Guidance Notes <https://www.spelthorne.gov.uk/article/3229/Street-parties-guidance-notes> state that:-

'8. The site must be left clean and tidy after the event. You will be responsible for clearing your own rubbish. The Council will not take away extra rubbish from street parties, so you will have to put it in your bins or take it to Charlton Lane tip.'

Where larger events are organised and we contribute to the safety and/or management of the event we do make separate arrangements for disposal of the waste produced, these instances are variable and judged on their own merit.

In terms of commercial collections, most commercial waste collectors will offer a recycling collection. We don't currently operate a commercial waste collection but we are required to do so if needed and may charge admin fees for such arrangements. It is therefore probably cheaper for the producer to go directly to the supplier rather than through us as a 3<sup>rd</sup> party.

I am not currently aware of any of our voluntary organisations adversely affected by our policy but am more than happy to discuss their requirements with them to see if there is anything we can do, or offer any advice to assist and/or reduce potential costs.

## **1.2 Cllr Daniel Jenkins will ask the following question:**

In February 2014 hundreds of homes in Staines upon Thames were affected by flooding from the River Ash. It is known that the floodwater emanated from the privately owned Thames Water Aqueduct, and was apparently the consequence of man made infrastructure. A year later many residents in Staines upon Thames still suffer from the effects of the flooding and not all have been able to obtain proper compensation. Under the Flood Water Management Act 2010 (FWMA), Surrey County Council has a duty to investigate, but has failed to use this power to investigate the causes that led to the flooding.

Will this committee call upon Surrey County Council to use its powers under the FWMA 2010 to conduct a full and thorough investigation into the circumstances and causes that led to the flooding of the River Ash in 2014?

## **Thomas Pooley, Project Consultant, SCC will give the following answer:**

Surrey County Council has fulfilled its duty under S19 of the Flood and Water Management Act 2010 to investigate the causes of flooding from the River Ash.

In partnership with Spelthorne Borough Council, a full and thorough S19 investigation has been completed and published. The report covers the requirements under the Act and complies with the duties imposed upon the County Council.

Furthermore, the Environment Agency has also undertaken its own investigations into the flooding and the River Ash, and this is covered by two separate reports for the West Thames, and Lower Colne and Ash Catchment. These reports have already established that the aqueduct is the responsibility of Thames Water to manage. The Environment Agency and Thames Water have agreed on an updated operational and management agreement for the aqueduct at times of flooding. The aqueduct will be solely operated by Thames Water.

It is therefore not proposed that this Committee calls upon Surrey County Council to undertake any further investigation into the causes of the flooding from the River Ash. In this particular case, there are already three reports addressing the area in question, the risk management authorities are known, and there is agreed action going forward.

## **2. Public Questions**

### **2.1 Andrew McLuskey will ask the following question:**

“Given that Surrey County Council has clearly spelled out its vision for the future of Stanwell Quarry as a recreational area (in planning application SCC ref 2014/0005 – now approved) how do they react to Heathrow’s suggestion, in their recent submission to the Airports Commission, that the area be used for a car park (sic)?”

### **Alan Stones, SCC Planning and Development Group, will give the following answer:**

Planning permission for mineral working at Stanwell Quarry was first granted in 1964. The majority of the site has been worked and restored. Planning permission for waste recycling (Ref. SP08/0337) with an amended restoration scheme was granted planning permission in October 2011 and was subject to a legal agreement which secured a long term management arrangement for the site. A planning application (SCC Ref 2014/0005) was submitted in January 2014 to reorder the phasing of restoration at the site without changing the end date for final restoration of October 2017. The issue of a decision notice for the latter planning application is dependant on completing a deed of variation to the previous legal agreement and this matter is in progress.

The approved restoration is for the majority of the land to be used for agriculture, with some wetland and woodland planting and management to the south. The approved restoration complies with planning policy in that it seeks to reinstate the previous land use which is compatible with the Green Belt designation. There is no formal element of recreation. Any future planning application to the County Planning Authority would be treated on its merits in accordance with Development Plan policy and any relevant material planning considerations.

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