

4th January 2022

AGENDA

Dear Councillor,

You are summoned to a meeting of the:

Parks and Estates Committee on Monday 10th January 2022 at 7.00pm, to be held at the Civic Centre, Sambourne Road, Warminster, BA12 8LB

Membership:

Cllr Allensby (West) Vice-Chairman	Cllr Macdonald (East)
Cllr Brett (East)	Cllr Macfarlane (West)
Cllr Fraser (West) Chairman	Cllr Parks (North)
Cllr Fryer (Broadway)	Mr Peter Hewitt (Advisor)

Copied to all other members for information.

Members of the public are welcome to attend meetings of the council and committees, unless excluded due to the confidential nature of the business.

If you wish to contribute during public participation, please contact admin@warminster-tc.gov.uk prior to the meeting to enable this to be facilitated. If you do not wish to attend in person, the chairman may read out your contribution.

Yours sincerely

Tom Dommett (CiLCA)

Town Clerk and Responsible Financial Officer



1. Apologies for absence

To receive and accept apologies, including reason for absence, from those unable to attend.

2. <u>Declarations of Interest</u>

To receive any declarations of interest under Warminster Town Council's (WTC) Code of Conduct issued in accordance with the Localism Act 2011

3. Minutes

- **3.1 To approve and sign** as a correct record, the minutes of the Parks and Estates Committee meeting held on Monday 13th September 2021; and Standing Order 12.1 provides that they may therefore be taken as read.
- **3.2 To note** any matters arising from the minutes of the Parks and Estates Committee meeting held on Monday 13th September 2021.

4. Chairman's Announcements

To note any announcements made by the chairman.

Standing Orders will be suspended to allow for public participation.

5. Public Participation

To enable members of the public to address the committee with a written submission, an allowance of three minutes per person regarding any item on the agenda and **to receive** any petitions and deputations. The chairperson will read any statements submitted in advance.

Standing Orders will be reinstated following public participation.

6. Reports from Unitary Authority Members

To note reports provided which are relevant to this committee.

7. Parks and Estates Manager's report

Report attached for members information. For Noting. (See attached)

8. Accounts

Members to note the accounts for the Parks and Estates Committee up to 30th November 2021. (See attached)

9. Review of flower planting

Report attached for members information. For Noting (See attached)

10. Tree Planting

The planting for the Queen's Jubilee in the Lake Pleasure Grounds and Ashley Combe has been rescheduled for Friday 14th January after the tree delivery was delayed. Members, local schools and nearby residents have been invited to participate. **For noting**



11. Road sweeper

Currently the waste is taken to a licenced specialist waste disposal site near Devizes. This is less than ideal as it reduces the sweeping time. Officers would like members to consider building a purpose-built facility which can accommodate the councils future needs.

Members are asked to instruct officers to work in consultation with Councillor Parks to seek a site for a purpose built facility for sweeper waste and bring a recommendation back to Full Council.

12. Queensway Cableway

The cable way at Queensway Play Area was taken down after the timber posts failed a penetration test. Officers have made initial enquiries to establish approximate cost to replace with a new cableway. The costs are expected to be between £10,000 and £15,000.

Members to agree a replacement cableway and Queensway Play Area at a cost of up to £15,000. This to be funded from the EMR capital projects.

13. Litter Bins

Members to receive the report (attached) and resolve on whether £3000 should be assigned for the repair and replacement of bins for the coming year and whether of £5000 should be assigned to refurbish the litter bins in the town centre.

This to be funded from services to be devolved unallocated global budget (299/4000).

14. Communications

- **14.1 Members to** decide on items requiring a press release.
- **14.2 Members to** confirm their spokesperson for any item listed on the agenda and to report on the committee's decision if required.

Confidential session pursuant to Section 1 (2) of the Public Bodies Admission to Meetings) Act 1960; the Council, by resolution, may exclude the public from a meeting (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings.

15. <u>Tenant Matters</u>

Members to receive the officers report and decide accordingly.

This item is under confidential session at the request of the tenant.

The date of the next Parks and Estates Committee will be Monday 14th March 2022 at 7.00pm

Minutes from this meeting will be available to all members of the public either from our website www.warminster-tc.gov.uk or by contacting us at Warminster Civic Centre.



Parks and Estate Manager's Report:

Parks and Estates Committee January 10th 2022

Lake Pleasure Grounds

- 1 Lake: The Japanese knotweed has been treated and cut down.
- **Pavilion Café:** Is open for trade outside the building offering a takeaway service. Sales have declined as the weather has deteriorated. Officers are looking to repair/replace the flooring on the veranda as this is becoming unsafe with some trip hazards.
- 3 Play area: The new trim trail is completed and open and being well used.
- **Skatepark:** is open and being well used as always.
- Public Toilets: Central Car Park public conveniences: All toilets are open. The lock on the door on the gent's toilet is damaged and has been removed. Unfortunately, the door is badly damaged, and officers are seeking a company to replace the door.
- 6 Lake Pleasure Grounds public conveniences: All toilets are open.
- **Paddling Pool**: Currently Closed. Phase 1 of the construction of the new splash pad has been completed.
 - Phase 2 should commence in January with phase 3 scheduled for around 14th March 2022. It is planned that the splash pad will be open for Easter 2022 (April 15th-18th) and be a showpiece for Spring in the Park (May 1st, 2022).
- 8 Elizabeth Collyns Garden: Warminster School maintained the garden as part of their school volunteering up until Christmas and will begin again in the spring term when the days are longer until then the grounds team will keep the area up together.
- 9 Flower Beds: See report
- **Boats on the lake:** Planning is underway to get boats back on the lake for summer 2022.
- 11 MUGA area: see tennis courts
- **Boat House:** Nothing to report.
- **Putting green:** Is now closed for the winter. Planting of the shrubs to divide the putting and picnic areas has been completed.
- **Tennis Courts:** Officers are currently looking into the refurbishment of the courts with a report to committee for the next meeting.
- **15** Tree works: Nothing to report.
- **Scout hut**: The wall at the top of the steps into the park has been rebuilt after it became unsafe.

Outside Services

- 17 Play Areas: The agreed work at The Heathlands has been completed.
- **18** Closed churchyards: General winter works are under way.
- **19** Hanging baskets and Tubs: Nothing to report.
- 20 Sweeper (Basil Brushes): See agenda.
- 21 Street Furniture: Nothing to report.

Stuart Legg 04.01.2022

Detailed Income & Expenditure by Budget Heading 30/11/2021

Month No: 8 Cost Centre Report

		Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
4037	Maintenance Contracts	23	289	1,250	961		961	23.1%	
	Dewey House :- Indirect Expenditure	1,205	10,916	14,575	3,659	0	3,659	74.9%	
	Net Income over Expenditure	(1,205)	(6,716)	(7,375)	(659)				
209	Outside Services								
4001	Salaries	14,745	111,289	188,050	76,761		76,761	59.2%	
4007	Uniform	40	1,281	900	(381)		(381)	142.4%	
4008	Training	315	555	1,500	945		945	37.0%	
4020	Consumables & Other Expenses	179	1,296	0	(1,296)		(1,296)	0.0%	
4022	Postage & Telephone	117	1,072	0	(1,072)		(1,072)	0.0%	
4024	Photocopier Charges	0	0	0	(0)		(0)	0.0%	
4025	IT (Website & Email)	103	927	0	(927)		(927)	0.0%	
4028	Insurance	0	501	0	(501)		(501)	0.0%	
4036	Repairs and Renewals	2,622	2,634	0	(2,634)		(2,634)	0.0%	
4040	Equipment/Furniture	77	1,030	250	(780)		(780)	412.1%	
4042	Vehicle Costs	960	12,834	12,500	(334)		(334)	102.7%	
4044	Tree Works	0	584	0	(584)		(584)	0.0%	
	Outside Services :- Indirect Expenditure	19,159	134,002	203,200	69,198	0	69,198	65.9%	0
	Net Expenditure	(19,159)	(134,002)	(203,200)	(69,198)				
210	Town Park								
1006	Rent - 23 Weymouth St	330	2,640	3,960	1,320			66.7%	
1020	Town Park Events Income	0	50	4,000	3,950			1.3%	
1550	Boats Income	0	0	4,500	4,500			0.0%	
	Town Park :- Income	330	2,690	12,460	9,770			21.6%	0
4001	Salaries	0	0	15,000	15,000		15,000	0.0%	
4012	Water Rates	553	7,006	14,000	6,994		6,994	50.0%	
4014	Electricity and Gas	187	1,560	2,500	940		940	62.4%	
4020	Consumables & Other Expenses	227	1,115	300	(815)		(815)	371.6%	
1000	Printing & Stationery	0	0	100	100		100	0.0%	
4023	Insurance	112	893	1,250	357		357	71.4%	
	NO PORT CONTROL OF THE PROPERTY OF THE PROPERT		2 0 4 5	0	(3,845)		(3,845)	0.0%	
4028	Refuse Collection\Bin Emptying	327	3,845	-					
4028 4035		32 7 304	966	10,000	9,034		9,034	9.7%	
4028 4035	Refuse Collection\Bin Emptying Repairs and Renewals				9,034 (480)		9,034 (480)	9.7% 0.0%	
4028 4035 4036 4037	Refuse Collection\Bin Emptying Repairs and Renewals	304	966	10,000					
4028 4035 4036 4037 4040	Refuse Collection\Bin Emptying Repairs and Renewals Maintenance Contracts	304 0	966 480	10,000 0	(480)		(480)	0.0%	
4028 4035 4036 4037 4040 4044	Refuse Collection\Bin Emptying Repairs and Renewals Maintenance Contracts Equipment/Furniture	304 0 423	966 480 1,704	10,000 0 5,000	(480) 3,296		(480) 3,296	0.0% 34.1%	
4028 4035 4036 4037 4040 4044	Refuse Collection\Bin Emptying Repairs and Renewals Maintenance Contracts Equipment/Furniture Tree Works	304 0 423 0	966 480 1,704 2,801	10,000 0 5,000 0	(480) 3,296 (2,801)		(480) 3,296 (2,801)	0.0% 34.1% 0.0%	0

Detailed Income & Expenditure by Budget Heading 30/11/2021

Cost Centre Report

Month No: 8

		Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
211	Open Spaces								
4038	Grounds Maintenance	0	573	0	(573)		(573)	0.0%	
4040	Equipment/Furniture	0	0	250	250		250	0.0%	
	Flood Wardens	0	179	0	(179)		(179)	0.0%	
	Open Spaces :- Indirect Expenditure	0	752	250	(502)		(502)	300.7%	
	Net Expenditure	0	(752)	(250)	502				
212	Cemetery and Churchyard	E \ <u>.</u>							
5	l -	E0	704	1.000	076			70.40/	
1212	Burial Fees	50	724	1,000	276			72.4%	
	Cemetery and Churchyard :- Income	50	724	1,000	276			72.4%	0
4011	Rates	23	180	200	20		20	89.8%	
4028	Insurance	88	706	950	244		244	74.3%	
Comoto	ery and Churchyard :- Indirect Expenditure	111	885	1,150	265		265	77.0%	
Cemere	ery and Chorchyard Indirect Experionare	9 1 3	000	1,130	203	U	203	77.070	
	Net Income over Expenditure	(61)	(161)	(150)	11				
214	Public Conveniences (TP & CCP)								
<u>4001</u>	Salaries	0	0	8,350	8,350		8,350	0.0%	
4011	Rates	0	(3,593)	0	3,593		3,593	0.0%	
4012	Water Rates	0	554	2,500	1,946		1,946	22.1%	
4014	Electricity and Gas	363	2,196	1,500	(696)		(696)	146.4%	
4016	Cleaning	110	475	0	(475)		(475)	0.0%	
4020	Consumables & Other Expenses	0	1,202	100	(1,102)		(1,102)	1201.8%	
4028	Insurance	16	126	200	74		74	62.8%	
4036	Repairs and Renewals	0	1,293	1,750	457		457	73.9%	
4040	Equipment/Furniture	0	4	100	96		96	3.9%	
Р	ublic Conveniences (TP & CCP) :- Indirect Expenditure	489	2,256	14,500	12,244	0	12,244	15.6%	0
	Net Expenditure	(489)	(2,256)	(14,500)	(12,244)				
215	Street Furniture								
_		0.0	20.4	000	00		0.0	70.00/	
	Insurance	33	264	360	96		96	73.3%	
	Equipment/Furniture	0	(600)	1,500	2,100		2,100	(40.0%)	
4003	Baskets & Tubs	346	3,334	3,000	(334)		(334)	111.1%	
	Street Furniture :- Indirect Expenditure	379	2,998	4,860	1,862	0	1,862	61.7%	0
	Net Expenditure	(379)	(2,998)	(4,860)	(1,862)				
		4.5 02							

Detailed Income & Expenditure by Budget Heading 30/11/2021

Month No: 8 Cost Centre Report

		Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
216	Pavilion Cafe								
1180	Grants Recieved	0	9,659	0	(9,659)			0.0%	
1600	Pavillion Cafe Sales	1,600	60,752	50,000	(10,752)			121.5%	
	Pavilion Cafe :- Income	1,600	70,411	50,000	(20,411)			140.8%	
3540	Pavilion Purchases	(55)	19,019	25,000	5,982		5,982	76.1%	
	Pavilion Cafe :- Direct Expenditure	(55)	19,019	25,000	5,982		5,982	76.1%	
4001	Salaries	5,798	22,359	45,900	23,541		23,541	48.7%	
4007	Uniform	0	61	150	89		89	40.7%	
4008	Training	0	0	250	250		250	0.0%	
4010	Health & Safety	0	0	100	100		100	0.0%	
4011	Rates	290	2,034	0	(2,034)		(2,034)	0.0%	
4016	Cleaning	24	24	20	(4)		(4)	122.2%	
4020	Consumables & Other Expenses	162	3,051	2,000	(1,051)		(1,051)	152.5%	
4022	Postage & Telephone	22	214	500	286		286	42.8%	
4023	Printing & Stationery	0	0	200	200		200	0.0%	
4025	IT (Website & Email)	9	103	0	(103)		(103)	0.0%	
4036	Repairs and Renewals	97	445	2,000	1,555		1,555	22.3%	
4037	Maintenance Contracts	0	88	0	(88)		(88)	0.0%	
4040	Equipment/Furniture	825	1,026	500	(526)		(526)	205.2%	
4055	Stocktaking Fees	0	120	240	120		120	50.0%	
4061	Streamline Charges	44	774	700	(74)		(74)	110.6%	
	Pavilion Cafe :- Indirect Expenditure	7,272	30,299	52,560	22,261	0	22,261	57.6%	
	Net Income over Expenditure	(5,617)	21,093	(27,560)	(48,653)				
217	Play Areas								
4010	Health & Safety	0	475	1,000	525		525	47.5%	
	Cleaning	0	0	1,000	1,000		1,000	0.0%	
	Consumables & Other Expenses	0	0	500	500		500	0.0%	
	Insurance	0	0	4,050	4,050		4,050	0.0%	
	Repairs and Renewals	289	3,618	10,000	6,382		6,382	36.2%	
	Equipment/Furniture	0	180	1,000	820		820	18.0%	
4044	Tree Works	0	0	2,000	2,000		2,000	0.0%	
	Play Areas :- Indirect Expenditure	289	4,273	19,550	15,277	0	15,277	21.9%	
	Net Expenditure	(289)	(4,273)	(19,550)	(15,277)				
218	Skate Park	t d		<u>.</u> 2	23				
	Repairs and Renewals	0	0	1,000	1,000		1,000	0.0%	
	Skate Park :- Indirect Expenditure			1,000	1,000		1,000	0.0%	
			- 1540 - 1540 - 1540	documentarion in the second	60,000,000	₩.	64.555	45/10/25/70/6 2005	
	Net Expenditure -	0	0	(1,000)	(1,000)				

Detailed Income & Expenditure by Budget Heading 30/11/2021

Month No: 8 Cost Centre Report

		Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
219	Sweeper								
-	Repairs and Renewals	39	941	0	(941)		(941)	0.0%	
4040	Equipment/Furniture	27	27	0	(27)		(27)	0.0%	
	Vehicle Costs	151	747	0	(747)		(747)	0.0%	
4090	Sweeper Leasing	2,056	16,450	24,675	8,225		8,225	66.7%	
4091	Sweeper Consumables	0	598	2,000	1,402		1,402	29.9%	
4092	Sweeper Fuel	486	2,946	2,000	(946)		(946)	147.3%	
4093	Sweeper Waste Disposal	2,322	16,832	30,000	13,168		13,168	56.1%	
4094	Sweeper Maintenance	0	0	1,000	1,000		1,000	0.0%	
	Sweeper :- Indirect Expenditure	5,080	38,541	59,675	21,134	0	21,134	64.6%	
	Net Expenditure	(5,080)	(38,541)	(59,675)	(21,134)				
220	Depot								
4011	Rates	717	4,304	0	(4,304)		(4,304)	0.0%	
4014	Electricity and Gas	0	223	0	(223)		(223)	0.0%	
4018	Rent	0	8,281	0	(8,281)		(8,281)	0.0%	
4020	Consumables & Other Expenses	5	5	1,000	995		995	0.5%	
4025	IT (Website & Email)	40	80	0	(80)		(80)	0.0%	
4036	Repairs and Renewals	0	0	1,000	1,000		1,000	0.0%	
4037	Maintenance Contracts	0	150	0	(150)		(150)	0.0%	
4040	Equipment/Furniture	0	0	1,500	1,500		1,500	0.0%	
4921	CAP - Vehicles & Equipment	0	0	2,000	2,000		2,000	0.0%	
	Depot :- Indirect Expenditure	762	13,042	5,500	(7,542)	0	(7,542)	237.1%	0
	Net Expenditure	(762)	(13,042)	(5,500)	7,542				
299	Services to be devolved								
4000	UNALLOCATED GLOBAL BUDGET	0	0	262,000	262,000		262,000	0.0%	
	Equipment/Furniture	0	1,465	0	(1,465)		(1,465)	0.0%	
	Sustainable Warminster	0	(152)	0	152		152	0.0%	
5316	Tfr frm Services to be Devolve	0	(1,465)	0	1,465		1,465	0.0%	
Servi	ces to be devolved :- Indirect Expenditure	0	(152)	262,000	262,152	0	262,152	(0.1%)	
	Net Expenditure	0	152	(262,000)	(262,152)				
301	Civic Centre								
1001	Parameter Company	2,038	17,916	20,000	2,084			89.6%	
	Events Income	60	476	500	24			95.2%	
	Equipment Hire	0	119	0	(119)			0.0%	
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	Civic Centre :- Income	2,098	18,511	20,500	1,989			90.3%	0

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Summary

Overall, the planting has gone well this year with the wildflower planting in the park a notable success with the council receiving many compliments from members of the public. The notable change to be made for next year is to use formal planting in all planters in the town as the wildflower mix did not last as well as hoped in these smaller areas.

Introduction

After taking services 'in house' Warminster Town Council (WTC) planted the park and areas around the town for the first time this year. In line with our policy to increase biodiversity wildflower mixes were planted where it was deemed appropriate to do so. This included the flower beds to the south of the Pavilion café, planters outside the Athenaeum, planters at the Obelisk and the planter at the railway station.

In line with the councils policy not use pesticides in the Lake Pleasure Grounds a low growing Wild flower mix was planted along fence lines.

Formal bedding was planted in the flower bed at St Lawrence chapel and local primary schools planted the 6 flower beds to the North of the Pavilion café using formal bedding provided by WTC.

Findings

- The wildflower planting in the beds in the Lake Pleasure Grounds was a success with many compliments from members of the public. The grounds team found that as a tall mix had been used the flowers fell over towards the end of the season.
- The Wildflower mix in the planters initially looked to be a success however a complaint was received and towards the end of the season the planters started to look quite messy.
- The wildflower planting along fence lines worked well in places after a poor start due to a very cold spring with slow germination.
- The formal bedding at St Lawrence Chapel has worked well with the site looking good all summer.
- The schools bedding has been a great success again this year with 5 primary schools taking part and the final bed planted by the local beavers group.

Conclusion

Wildflower planting in the beds south of the cafe was a success and will continue. To prevent the flowers toppling over a low growing seed mix will be combined with the higher mix.

Planting a wild flower mix in the planters was not a huge success and will be replaced by formal planting.

The wildflower planting along the fence lines in the Lake Pleasure Grounds will continue with the grounds team trying to better establish the seed.

The formal bedding at St Lawrence Chapel will continue as will the schools planting.

Parks and Estates Committee meeting 10th January 2022

Road Sweeper

Recommendation

Members are asked to instruct officers to work in consultation with Councillor Parks to seek a site for a purpose built facility for sweeper waste and bring a recommendation back to Full Council.

Purpose of the Report

To update members regarding the current sweeper waste situation and propose a way forward.

Background

The road sweeper was introduced as part of the decision to take on further services from Wiltshire Council. The state of the detritus on roads was the top concern raised by residents to Councillors. Several other towns have similarly made the decision to utilise a road sweeper, for example – Devizes, Trowbridge, Chippenham. It has been one of the top successes in terms of positive feedback from Residents.

When the council started with the road sweeper, it ensured all regulations were complied with in terms of storing and disposing of waste. Since then, alterations to the storage have meant that changes have been needed to be made to ensure all regulations continue to be complied with.

This has included not sweeping on excessively wet days to reduce the amount of water collected.

Currently the waste is taken to a licenced specialist waste disposal site near Devizes. This is less than ideal as it reduces the sweeping time. It is a short-term solution and officers would like members to consider building a purpose-built facility which can accommodate the councils' future needs.

This would be an area of land where the waste can be tipped onto a non-permeable surface and water collected in a drain. The water can then be collected for removal and treatment later.

Summary and recommendation

Members are asked to instruct officers to work in consultation with Councillor Parks to seek a site for a purpose built facility and bring a recommendation back to Full Council.

Financial and Resource Implications

None at present.

Legal Implications and Legislative Powers

The Council can do this under the power of general competence.

Environmental Implications

By building or owning a purpose built facility the council can ensure it meets all its environmental obligations without relying on a third party.

Risk Assessment

N/a

Crime and Disorder

Officers are not aware of any issues the council should consider under the Crime and Disorder Act.

Parks and Estates Committee meeting 10th January 2022

Litter Bins

Recommendation

Members agree to fund the refurbishment of the litter bins in the town centre.

Purpose of the Report

- 1) To update members regarding the current litter bin situation around the town.
- 2) To inform members as to the current condition of the litter bins in Warminster town centre.
- 3) To present a solution to improve the condition of the litter bins in Warminster town centre.

Background

In April 2021 the Environmental Services Committee agreed to fund the replacement of litter bins around the town and agreed a sum of £3000 for this.

ES/20/033 Repair and Replacement of Litter Bins

Members unanimously approved a sum of £3000 to be earmarked for bin repair and renewal from the financial year 2021/2022 and instructed officers to work with Wiltshire Council to improve the condition of the bins around the town and to ensure that any bins replaced were on their collection route for emptying.

Recently Councillor Parks has highlighted the condition of the litter bins in the town centre.

Findings

The funding to replace and repair bins has been a success with 10 bins being replaced and a further 10 repaired. Of the £3000 agreed for this £400 is still available (which is the approximate cost of 2 post mounted bins).

There are 28 litter bins in the town centre, (see map below) many of the town centre bins have delaminated and almost all are in a tired condition and in need of refurbishment. Officers have carried out a survey of these bins and have found over 20 are in need of refurbishment. After speaking with Broxap (the bin manufacturer) the approximate cost to refurbish these bins is £250 per bin.



Summary and recommendation

It is suggested that a further sum of £3000 should be assigned for the repair and replacement of bins for the coming year.

It is also suggested that a sum of £5000 should be assigned to refurbish the litter bins in the town centre.

Financial and Resource Implications

The total cost is £8000 and can be taken from the devolved services budget.

Legal Implications and Legislative Powers

The Council will need to gain the permission of Wiltshire council to carry out this work.

Environmental Implications

Officers are not aware of any issues the council should consider.

Risk Assessment

Any required risk assessments will be carried out prior to any work being undertaken,

Crime and Disorder

Officers are not aware of any issues the council should consider under the Crime and Disorder Act.