

POLICY REVIEW AND DEVELOPMENT PANEL REPORT

REPORT TO:	Corporate Performance Panel		
DATE:	27 February 2023		
TITLE:	Hunstanton Promenade Waste Water - Update		
TYPE OF REPORT:	Update		
PORTFOLIO(S):	Portfolio Holder Property [Cllr Adrian Lawrence]		
REPORT AUTHOR:	Matthew Henry [Assistant Director Property & Projects]		
OPEN/EXEMPT	Open	WILL BE SUBJECT TO A FUTURE CABINET REPORT:	No

REPORT SUMMARY/COVER PAGE

PURPOSE OF REPORT/SUMMARY:

A joint report, between Barry Brandford (Waste and Recycling Manager) and Matthew Henry (Assistant Director Property & Projects) was submitted to Corporate Performance Panel (CPP) at its meeting on 8th November 2021. The report [Waste Issues Hunstanton Promenade] outlined general waste issues in Hunstanton, and how the Council dealt with these operationally.

In addition to the general approach to waste in Hunstanton, issues relating to commercial tenants operating kiosk outlets (with the Council as commercial landlord) on the promenade were also identified. The report presented to CPP in November 2021 set out the formal contractual requirements within the commercial leases between the Borough Council and the various commercial tenants.

CPP requested that the Assistant Director Property & Projects provide additional information in respect of the tenants' compliance with the terms of their leases, particularly with regard to their treatment of their waste.

At the CPP meeting on 16 June 2022 the Assistant Director of Property & Projects provided confirmation that tenants had been contacted to provide further information on how they disposed of their waste, however not all information requested had been provided.

The attached report details the information gathered from each kiosk holder of how they dispose of their waste.

KEY ISSUES:

- Kiosk traders (with leases from the Borough Council) potentially not complying with the terms and conditions of their leases in terms of waste disposal.
- Providing sufficient evidence of this activity and the management of any identified breaches.

OPTIONS CONSIDERED:

Not applicable

RECOMMENDATIONS:

None – this report had been requested by the CPP to understand how waste water is disposed of by the kiosk holders

REASONS FOR RECOMMENDATIONS:

REPORT DETAIL

1.0 Introduction

- 1.1 Via Corporate Performance Panel information has been provided to the Assistant Director Property & Projects that indicates that waste water from one of the promenade kiosk operators may have been discharged into one of the promenade surface water drains. Note this is the only reference/complaint received by the Assistant Director and his Property Services Team in respect of such alleged activities.
- 1.2 The Property Services Team has been in contact with the various traders that lease sites on the promenade from the Borough Council, and attached is a report of information gathered during the last trading/summer season which summarises the disposal of waste products by the Kiosk traders.
- 1.3 As previously advised it is extremely difficult to police the disposal of waste and for formal, legal action to be taken there needs to be a substantial and consistent breach of the lease terms.
- 1.4 The current lease arrangements make it clear that the tenants have a duty of care to ensure that waste is disposed of responsibly.

2.0 Monitoring Report

- 2.1 No monitoring report has been submitted, however, both Property Services and Resort Services will monitor tenant compliance as best they can.
- 2.2 As mentioned above, compliance with waste water disposal requirements is difficult to police, as it only takes a matter of seconds for someone to pour waste water into a surface water drain, and this cannot be practically monitored.

3.0 Corporate Priorities

- 3.1 As set out within previous reports

4.0 Financial Implications

- 4.1 Not applicable

5.0 Any other Implications/Risks

- 5.1 Not applicable

6.0 Equal Opportunity Considerations

- 6.1 Not applicable

7.0 Environmental Considerations

- 7.1 Tenant compliance requirements are set out within the lease contract documents made between the Borough Council of King's Lynn & West Norfolk and the kiosk operators, as detailed within the report to Corporate Performance Panel at its meeting on 8th November 2021.

8.0 Consultation

- 8.1 Not applicable

9.0 Conclusion

- 9.1 Situation to monitored between Property Services and Resort Services.

10.0 Background Papers

- 10.1 Waste Issues Hunstanton Promenade [Corporate Performance Panel 8th November 2021

Matthew Henry MRICS

Assistant Director Property & Projects