

# Public Document Pack

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### PARISH PARTNERSHIP PANEL

Thursday, 15th November, 2018

**Present:** Cllr N J Heslop (Chairman), Cllr M A Coffin (Vice-Chairman), Cllr Mrs J A Anderson, Cllr R P Betts, Cllr B J Luker and Cllr T B Shaw.

Together with representatives of Addington, Aylesford, Birling, Borough Green, Burham, East Malling and Larkfield, Hadlow, Ightham, Platt, Plaxtol, Shipbourne, Trottiscliffe and Wouldham Parish Councils and County Councillor Mrs S Hohler.

Councillor H S Rogers was also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs S M Barker, T I B Cannon, R W Dalton, D Lettington and R V Roud and from Ditton and Wateringbury Parish Councils.

### PART 1 - PUBLIC

#### **PPP 18/22 MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 6 September 2018 be approved as a correct record and signed by the Chairman.

#### **PPP 18/23 UPDATE ON ACTION IDENTIFIED IN THE LAST MINUTES**

There were no items identified in the last Minutes which required an update.

#### **PPP 18/24 POLLING DISTRICT REVIEW**

The Elections Manager, Daune Ashdown, gave a brief update on the Polling District Review which had commenced on 1 October and would end on 21 December 2018. She advised that details of the review had been circulated to all the Parish/Town Clerks and asked that any responses and comments be submitted as soon as possible.

#### **PPP 18/25 NEW WASTE CONTRACT**

The Waste Contract Officer, Alison Sollis, advised that the Waste Services Contract had been awarded to Urbaser Ltd and that it would come into effect from 1 March 2019, with the collection service starting on 30 September 2019. Particular reference was made to the new weekly food waste collections, new fortnightly mixed recycling

collections, the 'opt in' fortnightly garden waste collections and the additional collections for batteries, textiles and waste electrical and electronic equipment (WEEE). Details of the communications/publicity campaign for the new contract were provided and the assistance of the parish/town councils sought to publicise this as widely as possible across the Borough. It was noted that a copy of the presentation would be attached to the Minutes.

#### **PPP 18/26 UPDATE ON M20 SMART MOTORWAY WORKS**

Ms P Black (Stakeholder Manager, Kent Highways), Mr K Kampanila (Project Manager, Highways England), Mr G Woods (Project Manager, Jacobs) and Mr S Mack (Project Director, Kier) provided a joint presentation on the M20 Smart Motorway works. It was noted that a copy of the presentation would be attached to the Minutes.

#### **PPP 18/27 AIR QUALITY MANAGEMENT AREAS**

A detailed response to the questions raised by the Kent Association of Local Councils regarding Air Quality Management Areas had been circulated prior to the meeting. It was noted that a copy of the response would be attached to the Minutes.

#### **PPP 18/28 KENT POLICE SERVICES UPDATE**

In the absence of a representative of Kent Police the report of Inspector Kerry Rothwell, circulated at the meeting, was noted. It was also noted that a copy of the report would be attached to the Minutes.

#### **PPP 18/29 KENT COUNTY COUNCIL SERVICES UPDATE**

In the absence of the Kent County Council Community Liaison Officer, County Councillor Mrs Sarah Hohler provided updates on a number of County initiatives and consultations.

#### **PPP 18/30 TONBRIDGE AND MALLING BOROUGH COUNCIL SERVICES UPDATE**

The Chairman, in his role as Leader of the Council, presented an update on the review of provision of public conveniences, the condition of Wouldham River Wall, future management of Leybourne Lakes Country Park, Christmas Bin Collections and the approach adopted in respect of road closures for events.

The meeting ended at 9.26 pm

# Tonbridge & Malling Borough Council

## Waste Services Contract - Update

Presentation to the Parish Partnership Panel

15<sup>th</sup> November 2018

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**Alison Sollis**

Waste Contract Officer



# Tonbridge & Malling Borough Council

## Waste Services Contract

- Current Contract (refuse & recycling collections & street cleansing) - ends February 2019 – Veolia
- South West Kent Waste Partners Group:
  - Tonbridge & Malling and Tunbridge Wells Borough Councils
  - Kent County Council
- New Contract awarded to Urbaser Ltd - from 1<sup>st</sup> March 2019
- New Collections start 30<sup>th</sup> September 2019

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# Tonbridge & Malling Borough Council

- **New Weekly Food Waste Collections**

- 30% of waste in black rubbish bins is food
- 23 litre External Food Waste Bin
- 5 litre kitchen caddy
- All cooked and uncooked food waste



# Tonbridge & Malling Borough Council

- **New Fortnightly Recycling Collections Paper & Card - Existing Green Box**

**Paper** – Newspaper & magazines, brochures, directories, white paper, leaflets, flyers & envelopes

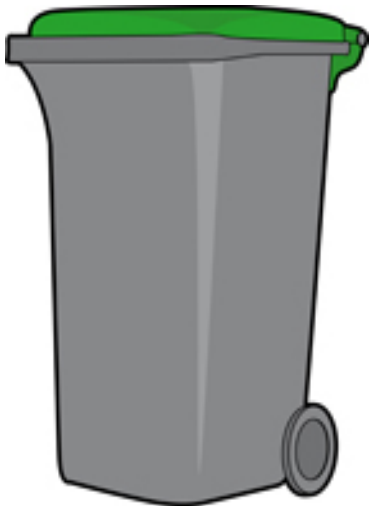
**Card/cardboard**, cereal boxes, shoe boxes, cardboard packaging, corrugated cardboard, paper roll centres, egg boxes, greetings cards without glitter, brown paper.



# Tonbridge & Malling Borough Council

- **New Fortnightly Mixed Recycling Collections**  
Existing Green Lidded Bin

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Glass bottles & jars

Plastic bottles, pots, tubs & trays

Tins, cans, kitchen foil, aerosols

Food and drink cartons

# Tonbridge & Malling Borough Council

- **Fortnightly Refuse Collection**

## **Existing Black Bin – Energy from Waste**

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Toothpaste tubes

Plastic film/bags/black trays

Nappies/Sanitary waste

Broken crockery/ornaments

Pet waste

Used kitchen towel/tissues



# Tonbridge & Malling Borough Council

- **Opt In Fortnightly Garden Waste Collections**
- **New Brown 240 Litre Bin**

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£40 per year

£35 'Early Bird' Discount

£25 per additional bin

# Additional collections

- Batteries - small bag on top of recycling bin)
- Textiles - small bag next to recycling bin)
- WEEE (Waste Electrical & Electronic Equipment) - small bag next to refuse bin



Batteries



# Tonbridge & Malling Borough Council

- **Properties unable to store wheeled bins:**
- Weekly food waste collection
- Fortnightly mixed recycling collection – Re-usable bag with lid
- Fortnightly paper & card collection – green box
- Alternate weekly collections of Textiles, WEEE & batteries

# Tonbridge & Malling Borough Council

- **Recycling in Flats**



Recycling bins will be provided for glass, plastics, cans, kitchen foil, aerosols and cartons

Separate containers for paper & cardboard

# Tonbridge & Malling Borough Council

## Communications 2019

- February –Introductory leaflet from Urbaser
- February onwards – Attend Parish meetings, supply information for Parish websites/publications, present to other interest groups
- March - Press Release – Start of new Contract
- Social media posts on garden waste sign up
- April – September - Roadshows across Borough
- August/September – Booklets/new calendars posted to every home
- Autumn/Winter school term – visit schools in borough

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# Tonbridge & Malling Borough Council

## How can the Parish Councils Help?

- Provide details of any Parish publications
- Update Parish Websites
- Parish Meetings
- Thank You!



# Tonbridge & Malling Borough Council

## Waste Services Contract



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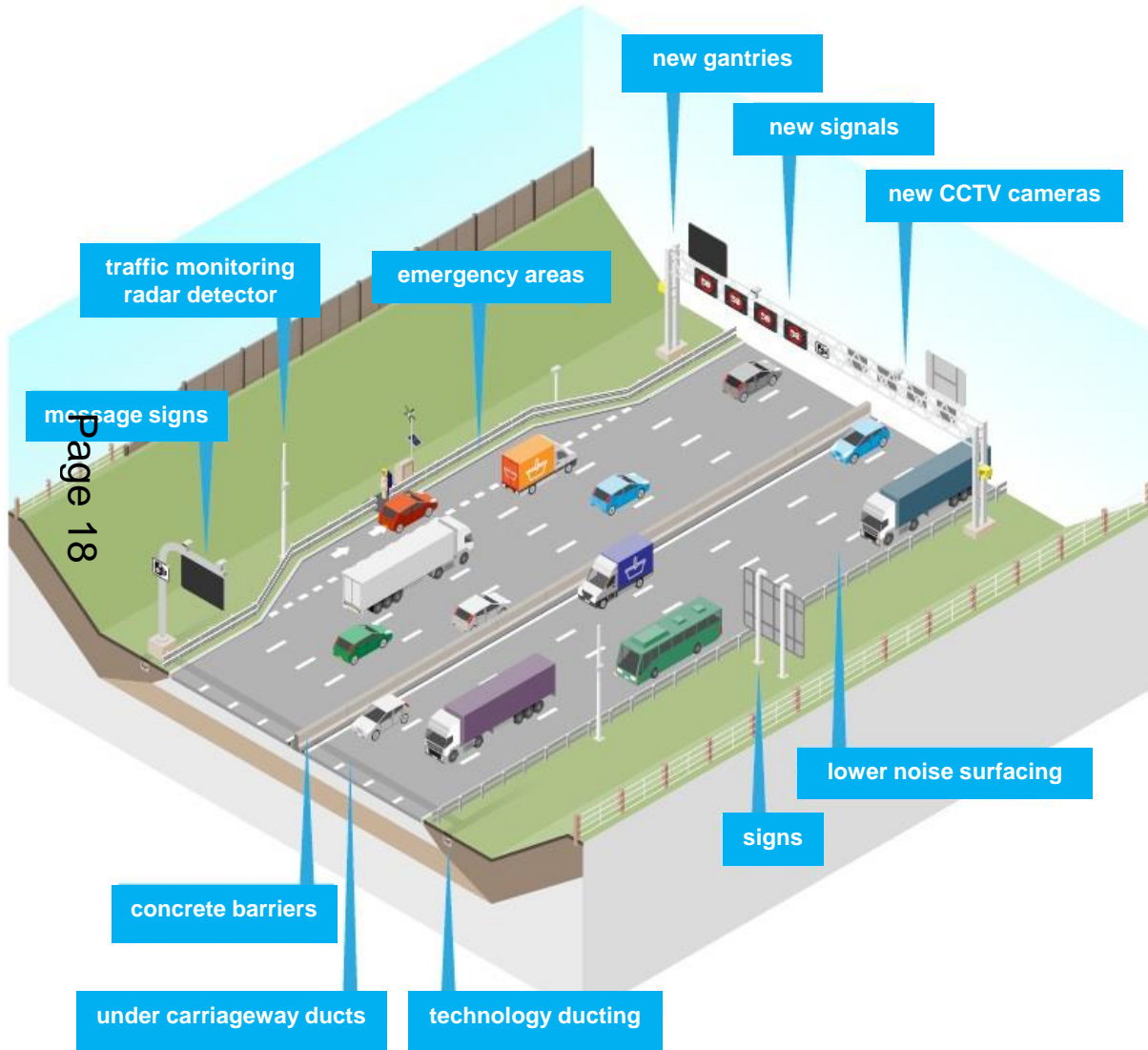
# Tonbridge & Malling Borough Council



# M20 J3-5 Smart Motorway

Parish Partnership Panel  
15 November 2018

# What is a Smart Motorway?



Technology driven approach to improve capacity and relieve congestion.

Convert hard shoulder into a permanent traffic lane, widening the motorway.

27 New gantries and electronic road signs to give information about road conditions and speed limits to help smooth the flow of traffic.

5 New high visibility yellow paved emergency areas to provide an area of safety in event of breakdown.

# Smart Motorway benefits

- 33% additional capacity to ease congestion.
- Technology creates more reliable journey times.
- Facilitates economic growth.
- Improved customer experience through provision of journey information.
- Significantly less cost, disruption and environmental impact than traditional widening scheme.
- At least as safe as existing motorways, which are some of the safest in the world.

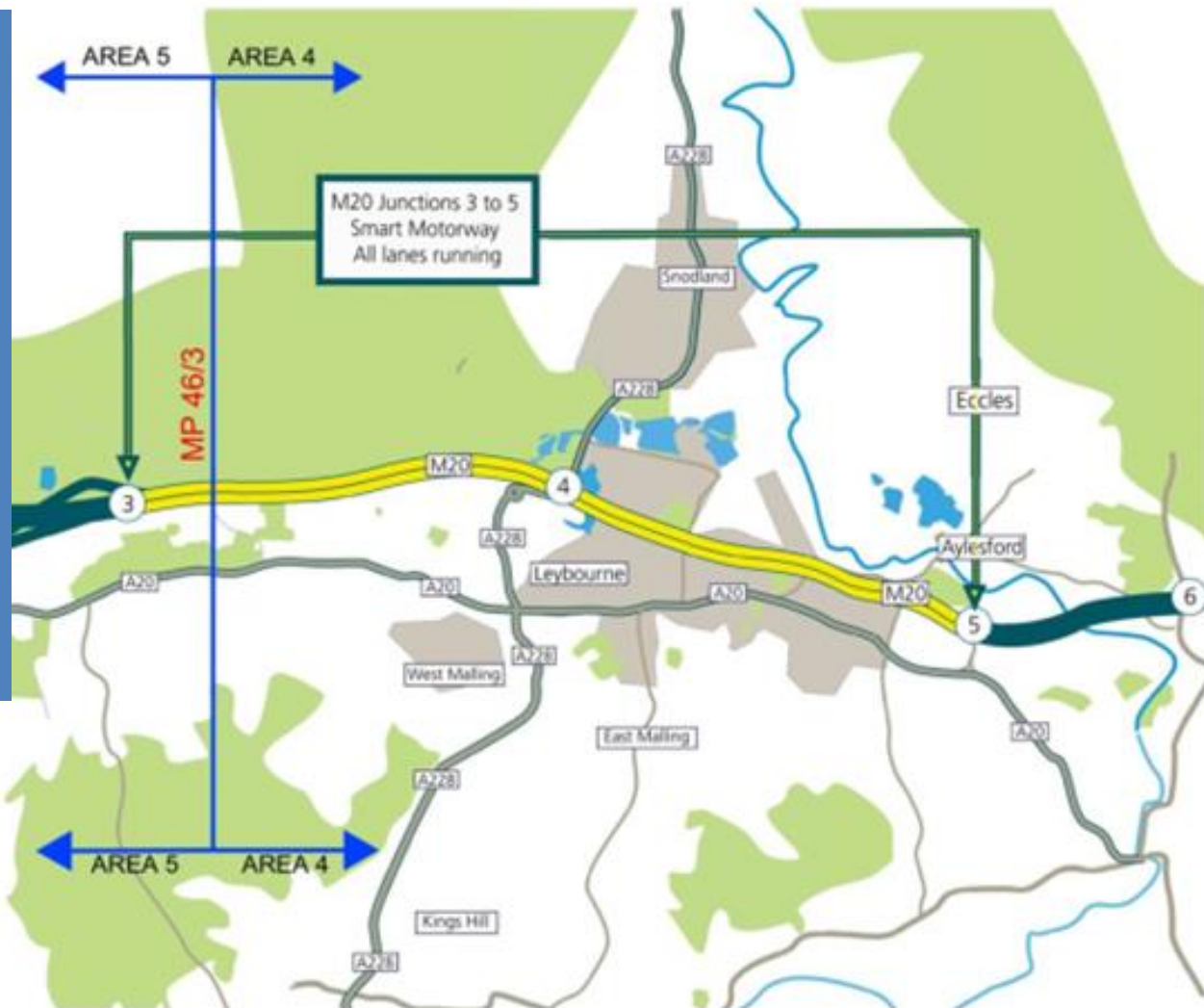
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# M20 J3-5: Why build a smart motorway?

Travel between J2 and J3 has the lowest journey time reliability measurement on the M20 of 65.9%.

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# Kent Corridor Coordination Group

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# M20 Smart Motorway

## Progress to date

- Installation of narrow lanes & 50mph limit
- Demolition of Teapot Lane Footbridge
- Preparing installation of Teapot Lane Footbridge: Nov 16-19
- Grubbing out tree roots and top soil removal
- Drainage and ground investigation surveys

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# Progress to date

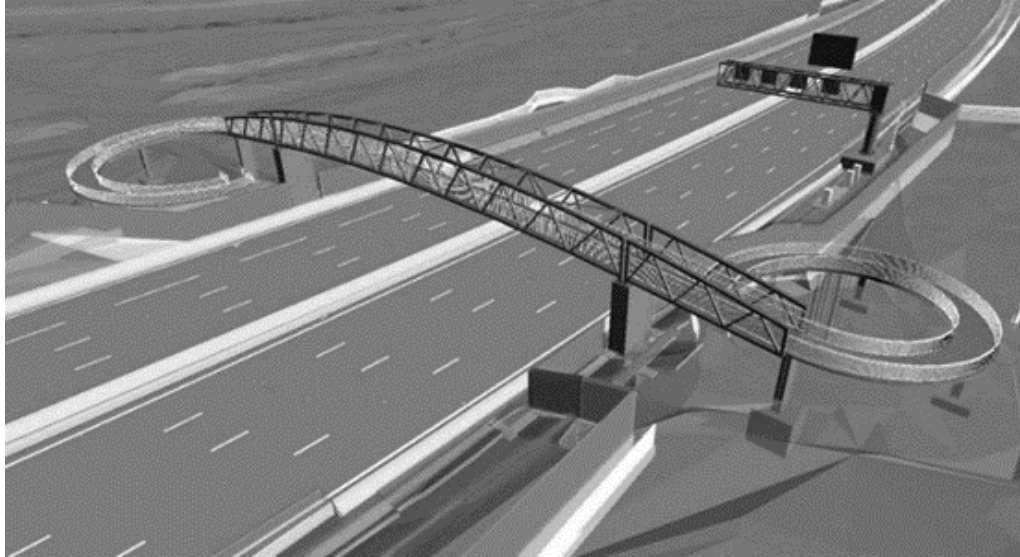
- Removal of 7 gantries November 5-12
- Removal of vehicle restraint system
- Temporary removal of noise barriers in some locations e.g. Teapot Lane Footbridge





# What's next: Closures/Diversion

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- Weekend closure M20 J4-6: November Friday 16 10pm – Monday 19 November 6am
- Installation of Teapot Lane Footbridge
- Communication via Variable Message Signs, media, email updates, posters, letters to neighbours



# Letter to Teapot Lane Neighbours



0300 123 5000  
www.highways.gov.uk

November 2 2018

Dear Resident

## CONSTRUCTION ACTIVITY ON THE M20 AROUND TEAPOT LANE FOOTBRIDGE: Fri 16 November – Mon 19 November 2018

On the evening of Friday 16 November we will be closing the M20 between junction 4 at Leybourne and junction 6 for Maidstone to allow us to install the new Teapot Lane Footbridge.

To enable us to re-open the motorway before the Monday morning rush hour, **construction activity will be taking place day and night** and it is likely that you will hear and see our work. We wanted to warn you in advance and tell you what measures we are taking to reduce the impact we have on people living nearby.

### What construction activity is taking place?

On this weekend we will be installing the new, steel footbridge deck, which has been manufactured in Hythe, Kent.

The motorway closure will begin at 10pm on Friday 16 November. The crane to lift the three bridge sections into place will be set up in the early hours of Saturday morning.



Figure 1 Computer generated image of new footbridge

Lifting the sections into place is due to take place as soon as the crane is ready on Saturday morning. Each section will be bolted into place. Both this and the movement of the crane and large vehicles carrying the bridge sections will generate noise. We have briefed the construction teams to be mindful that they are working in a highly residential area and to keep noise to a minimum whenever possible. Overall, the work should be less intrusive than the demolition in September. Please note that all times are subject to change in case of poor weather or other incidents.

### Why are we doing this work?

The bridge deck is being replaced to increase the height of the bridge. We are doing this work because we are converting the hard shoulder of the M20 into a traffic lane and need to allow space for vehicles on this lane. This is part of the work we are doing to upgrade the M20 junctions 3 at West Malling to 5 at Aylesford to a smart motorway to increase the capacity of the motorway and improve the flow of traffic.

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0300 123 5000  
www.highways.gov.uk

### When will the footbridge re-open?

We will remove the barriers around the footbridge and open access to the bridge as soon as all safety checks have been carried out. This is likely to be during the week of November 19.

We hope this information is useful and again we apologise for any disturbance we cause you during our work. If you have any questions please email them to: [M20.J3-5Smart@highwaysengland.co.uk](mailto:M20.J3-5Smart@highwaysengland.co.uk) or contact Highways England Customer Contact Centre on 0300 123 5000.

You can also sign up for updates on the scheme website here: <https://highwaysengland.co.uk/projects/m20-junctions-3-to-5-smart-motorway/>

Yours sincerely,

**Steve Mack,**

Project Director,  
Kier (working for Highways England)



# Diversion Route: M20 J4-6 Closure



# What's next: construction activity: November - December



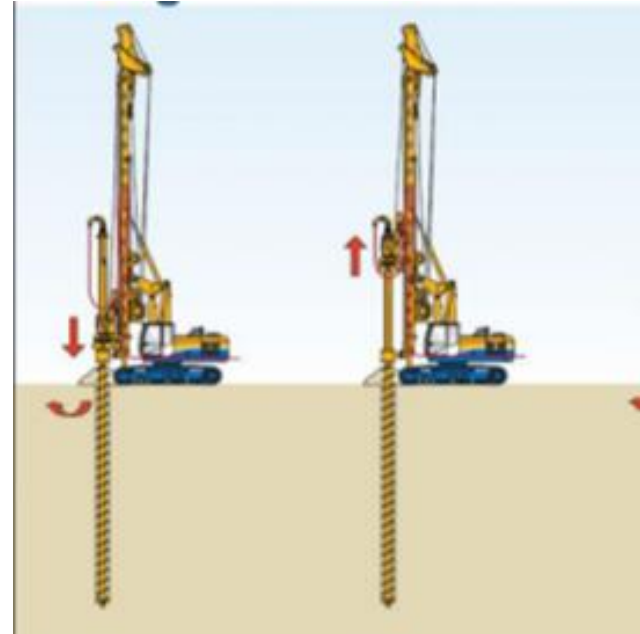
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*Figure 3: Sodium compared to new LED lighting*

- Existing lighting
- Installing Teapot Lane Footbridge
- Replacing permanent road signs with temporary

# What's next: construction activity: November - December

- Starting piling to prepare foundations for new gantries
- Extended working hours: 6am-11pm for some activities
- Drainage replacement work



# What's next: construction activity: 2019 January onwards

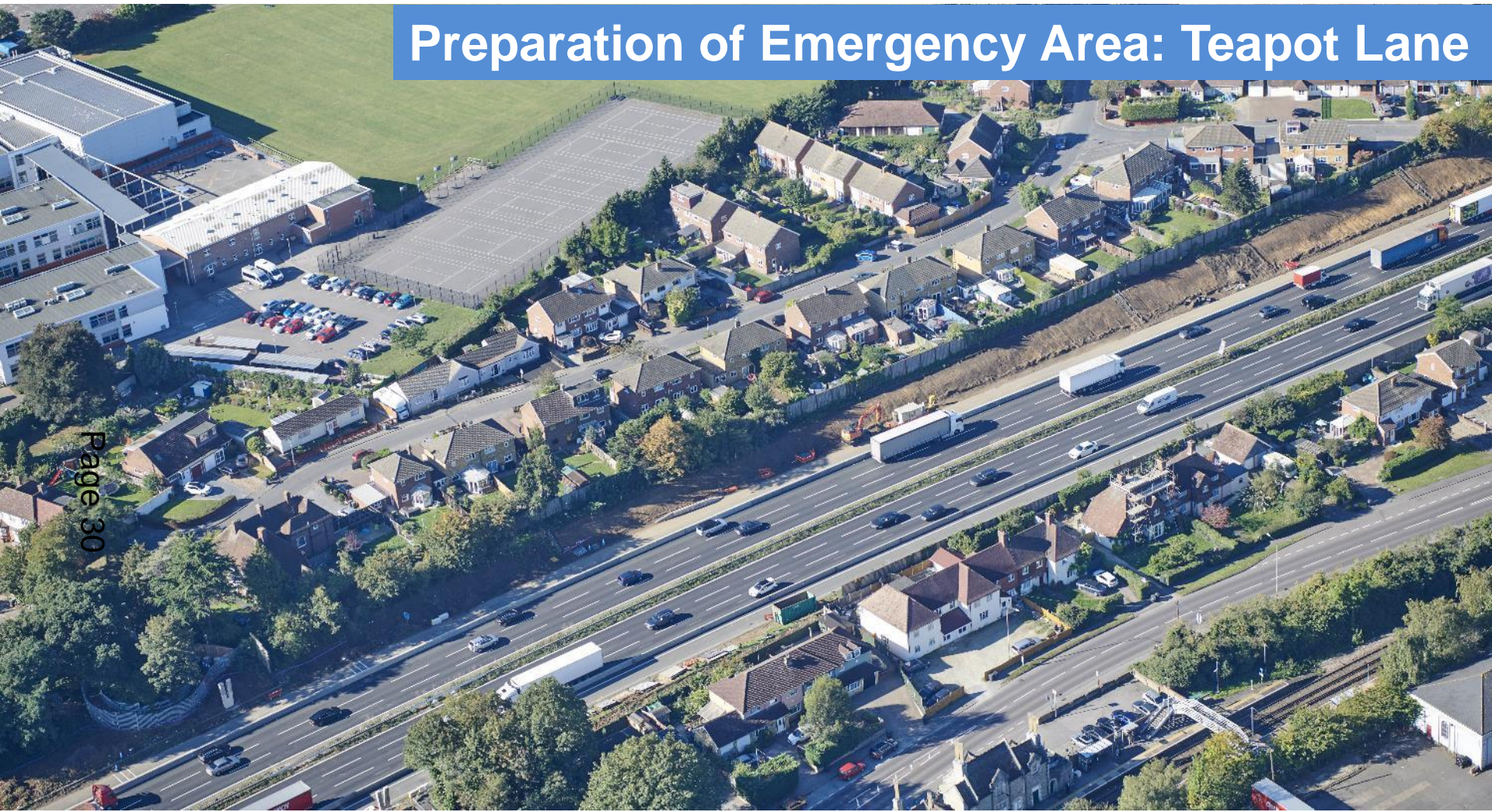
- Prepare to install 27 new gantries
- Continuing to build 5 emergency refuge areas
- Drainage improvements
- Lane resurfacing
- Closure dates for 2019 to be announced in December

## Central reserve works begin in Spring 2019

- Removal of metal barrier, replaced with concrete
- Lane resurfacing



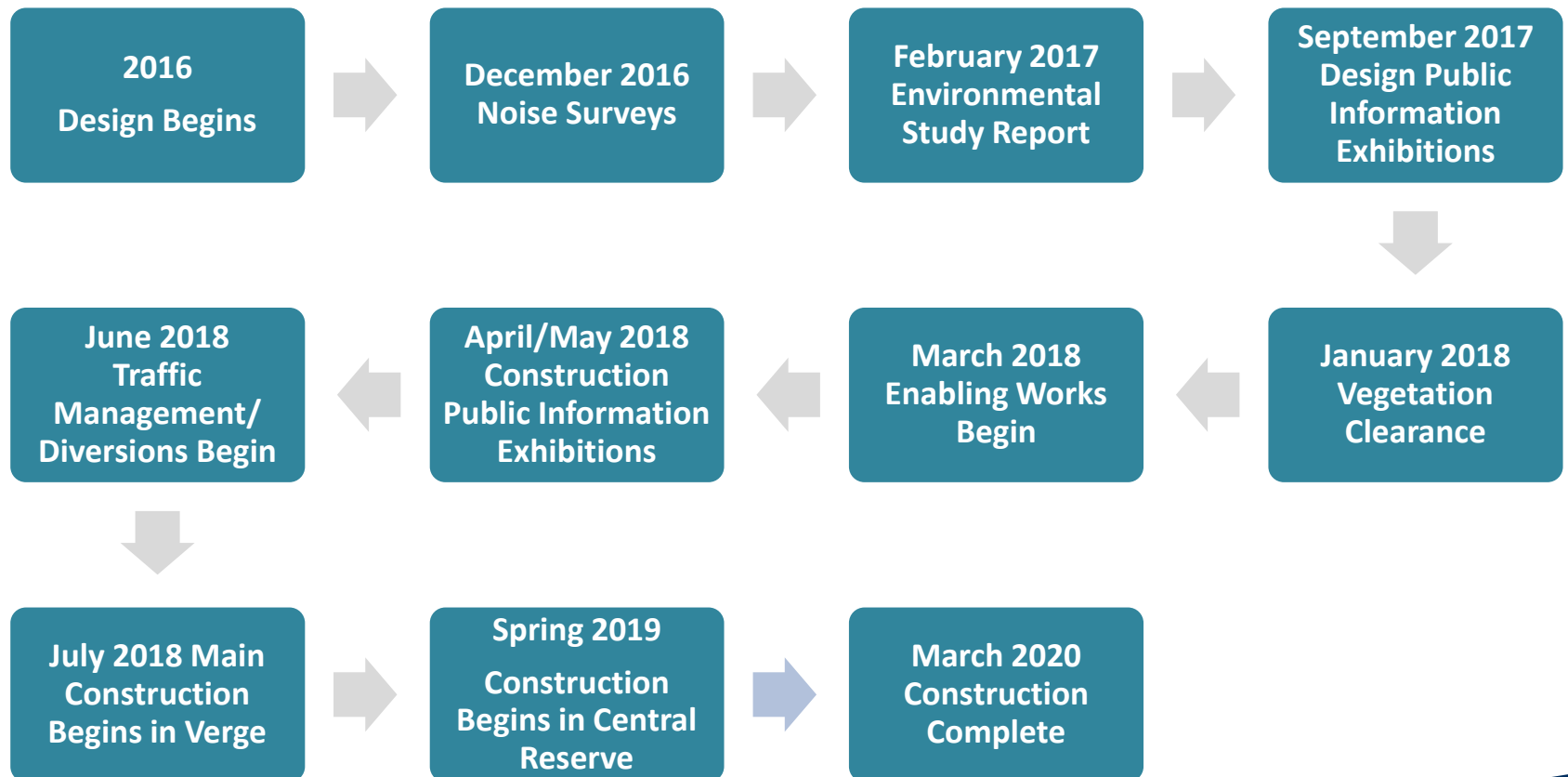
# Preparation of Emergency Area: Teapot Lane



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# M20 J3-5 timeline

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# Public concerns & mitigations

- Significant journey delays caused by closures and multiple roadworks on M20, M2, M26 → Kent Corridor Co-ordination Group: co-ordinating closures to minimise disruption and prevent clashes
- Replacement planting of vegetation → Meetings with scheme neighbours
- Replacement of noise barriers → Noise barriers replaced in spring 2019 – screening erected where possible



# Public concerns & mitigations

- Diverted not using signed diversion e.g. issues around Sandling Lane → Additional signage: e.g. **No Access for Diverted Traffic**

# QUESTIONS/THOUGHTS

“Can you confirm whether you can develop on a site that is within an AQMA?”

The short answer to this question is yes. There are no grounds for automatic refusal of a planning application on the basis that the application site is in or near an AQMA, irrespective of the development size. This is explicitly stated in some guidance documents such as Environmental Protection UK (EPUK) Land Use Planning & Development Control: Planning For Air Quality, which in Section 8.3 states *‘The presence of an AQMA should not halt all development, but where development is permitted, the planning system should ensure that any impacts are minimised as far as is practicable’*.

Indeed some Authorities have declared their entire areas as AQMAs and locally this includes the entire urban area of Thanet and up until May of this year the entire urban area of Maidstone Town. Although the latter has now been reduced to encompass only major roads, these AQMAs have not prevented the continued development in those areas.

Notwithstanding the above, there are now judgements which have gone against the developers at the High Court where there is an identified adverse effect on an AQMA. Cases such as Gladman Developments Ltd v SCLG & CPRE, where the High Court rejected a claim by Gladman which sought to quash an Inspectors decision to refuse planning permission for 140 homes in Newington. This development was identified as likely to adversely affect the Newington and Rainham AQMAs. In that Inspectors original decision he found there to be no evidence of the likely effectiveness of the indicative mitigation measures to reduce NO<sub>2</sub> emissions.

This leads on to your second query as to what, if any, ‘evidenced, specific, detailed measures’ developers might be able to put forward to mitigate potential impacts, how TMBC will go about assessing them and how we then monitor the results.

When considering applications, officers have reference to a number of guidance documents which indicate when an applicant should submit and Air Quality Assessment in support of their application. Applications in or near an existing AQMA would be required to submit an assessment, as would large scale developments which may possibly lead to the creation of a new AQMA.

Whilst the outcome for each site will be unique and some will be more detailed than others, all AQ assessments follow a similar pattern as the contents and methodology are dictated by a number of documents including but not exclusively the Design Manual for Roads and Bridges (Vol 11, Environmental Assessment) produced by Highways England and Local Air quality Management Technical Guidance (LAQM.TG16) produced by DEFRA. Updated Nitrogen Oxides (NO<sub>x</sub>) emission factors and vehicle fleet information are also provided by DEFRA in the form of an emission factor toolkit. This is then integrated into approved modelling software to undertake an assessment of the AQ at specified receptors, often in three scenarios. 1) Current, 2) Future without development; and 3) Future with development. The third scenario will dictate whether there are any grounds for refusal due to identified impact, or whether mitigation can be implemented to reduce the impacts.

If the applicant has taken their responsibilities seriously they will have already adopted good design principals to reduce emissions and contribute to better air quality as outlined in the EPUK document Chapter 5, ‘Better by Design’, which will carry in to the modelling. If further mitigation is required it will vary significantly for each development, but In assessing all measures/mitigation put forward by developers, officers will have regard to all the aforementioned guidance to draw suitable conclusions about the development proposals and the effects on Air quality.

In monitoring these outcomes, we can require verification reports for the installation of physical works such as ventilation systems and EV charging points etc before signing off planning conditions. We would also continue to carry out our own monitoring of Air Quality across the Borough. However, it is not technically possible to attribute the air quality impact of a development once in situ as any increases (or decreases) in pollutant levels may also be linked to many other factors, including developments outside of the borough, or even adverse weather events. In essence the key is ensuring the submitted Air Quality assessment is suitable and sufficient at the planning stage, and that the correct modelling inputs have been made. For larger developments where assessments are much more complex the Council have employed the services of external consultants to assess the AQ reports we receive to ensure all factors have been covered by the applicant.

## **Tonbridge and Malling Parish Partnership Panel Update – November 2018**

### **Last 30 days**

- Halloween was Policed by Operation Alchemy put together by the CSU. The highlights were a poster campaign by PCSO's in local shops around sale of eggs and flour together with ensuring the vulnerable on their wards had the 'No' Trick or treat posters for their doors. Youth Engagement Officer contacted all schools Tonbridge and Malling with the message about appropriate Trick or Treat. On the day all of our Ward PCSO's changed their shift to be on duty, Special Constables were requested and together with the Community Policing Team provided 20 staff across the Borough to deal with Halloween ASB. Seven Dispersal orders were put in place at known ASB locations identified by Ward PCSO's. Feedback so far has been positive including support for the Slade Halloween Display and a review will ensure best practice and improvement for 2019
- Fireworks celebrations have spanned from 28/10/18 to 10/11/18 this year. Ward PCSO's attended High Profile events at their discretion and were briefed on the legislation and offences. Retailers were visited to reinforce the legislation and assist compliance. No specific incidents of note or patterns of misuse identified for follow up during this period.
- The Specialist Domestic Abuse PCSO had recent success with safeguarding a vulnerable victim with colleagues CID and local Policing. It was a challenging issue due to the mental health problems of the victim but a team approach ensure that the suspect was arrested twice for breach of a Domestic Violence Protection Notice. The victim was then supported in a temporary move to Spain with family. The situation is ongoing but the cycle of domestic abuse has been broken by the support provided, this is a key aspect of this role within the CSU
- PCSO's McElligott and Stanley have responded to two males attempting suicide in the same area only a week after Yazmina Howards tragic death from the M20 Bridge. This prevented further deaths and is a credit to going above and beyond their Policing role.
- The Community Policing Team carried out a drugs warrant in the Hadlow area recovering over £50000 of drugs in the supply chain to Hadlow College. Full update after the conclusion of the investigation
- A Community Policing Team arrest of a suspected drug dealer in Tonbridge Park resulted in over £13000 of MDMA being recovered and the suspect remanded. Again this is an ongoing investigation but impacts on the supply of drugs to young people in the town.

### **Next 30 days**

- CSU are planning and working towards Christmas and New Year seasonal issues. These include Burglary, licensing checks, retail crime, purse dipping and domestic abuse.
- Pedal cycles on the pavement and dangerous riding is increasing and CSU are looking at opportunities to intervene and use appropriate legislation to prosecute where there is sufficient evidence.
- Op Phoenix continues to focus on drug supply and use in schools and has been broadened to include ASB around the Tonbridge railway station and High St where 1000's of school children pass through each day.
- Op Catcus continues to focus on parking and driving issues around local schools

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**TONBRIDGE & MALLING BOROUGH COUNCIL**

**PARISH PARTNERSHIP PANEL**

**15 November 2018**

**Borough Council Services Update**

**1. PROVISION OF PUBLIC CONVENIENCES**

The Borough Council's Overview & Scrutiny Committee recently undertook a review of the Council's existing provision of 15 public conveniences across the Borough. The review was assisted by a detailed audit of each public convenience and feedback from the Parish/Town Councils.

The Committee has made a number of recommendations to the Council's Cabinet which took into account the feedback received, recognised the value of public conveniences to the community and sought to identify the most appropriate and fairest provider of public conveniences for the future. In summary the Committee's recommendations are as follows:-

- to transfer the ownership and management of the Council's public conveniences in their area to the local Parish/Town Council;
- for the Borough Council to retain the ownership and management of public conveniences located in its strategically located areas of public open space, for example Leybourne Lakes and Haysden Country Parks,
- the existing Priory Road and Castle Grounds public conveniences in Tonbridge be retained and funded via special expenses;
- the existing Angel Centre, Tonbridge public toilets be closed with public redirected to existing alternative provision.

For Parish/Town Councils with an existing public convenience in their area, Borough Council Officers will, subject to Cabinet approval, be arranging meetings to discuss the transfer arrangements. The transfers will not be progressed until the Council's cleansing contract expires on 28<sup>th</sup> February 2020, giving Parish/Town Councils adequate time to plan for the change, and for the Borough Council to ensure the existing facilities are suitably refurbished.

## **2. WOULDHAM RIVER WALL**

The Council has been working in close liaison with Wouldham Parish Council over potential reinstatement works to a length of river wall adjacent to an area of public open space owned by the Borough Council in the village. Levels of movement in the river wall have been monitored by external specialist surveyors which have highlighted little movement in the wall, with no recordings showing any need for concern. It has therefore been agreed to continue to monitor the wall over the next 5 years prior to determining the way forward in the longer term. Funding for the project will be retained in the Council's Capital Plan.

In the meantime works have recently been completed to reinstate the public path through the open space which was in a poor state of repair following localised subsidence. The works were progressed in close liaison with the Parish Council and have been well received by local residents.

## **3. LEYBOURNE LAKES COUNTRY PARK**

The Borough Council's Cabinet has agreed to 'test the market' with regard to the future management of the County Park, with a tender opportunity being advertised prior to Christmas. Local Parish Councils have been involved in the development of a future Management Agreement, with tenderers required to deliver services at the site which are compatible with its nature conservation features, ensuring the integrity of the site is maintained for the benefit of the local community. It is envisaged that any future partnership with a third party operator will include the provision of a lakeside visitor centre to cater for the needs of visitors to the Park. The outcome of the tender exercise will be considered by Members of the Council in spring 2019.

In the meantime the Council has invested in an extension to the existing car park to help meet demand for parking at peak times and will shortly be undertaking some improvements to the paths following feedback from users and local Parish/Town Councils.

## **4. CHRISTMAS BIN COLLECTIONS**

Tuesday collection households will have their green waste service suspended over Christmas and the New Year. Monday collections will be as normal in both weeks, Wednesday to Friday bin collections will be a day later than normal, week commencing 24<sup>th</sup> December and Tuesday to Friday, a day later than normal in week commencing 31<sup>st</sup> December.

## **5. ROAD CLOSURES FOR EVENTS**

Following a report to the Borough Council Overview and Scrutiny Committee, views were sought from partners regarding the powers available to allow temporary road closures. Kent Police provided an overview of the road closure powers available and advised that all events they were notified of would be



assessed, including any requirements for traffic management or road closures. It was explained that the decision to issue any traffic order remained with the respective local or county council and the position of Kent Police was to offer advice and guidance to assist event organisers and Safety Advisory Groups.

Members reviewed all the evidence submitted and on balance felt that the approach adopted by the Borough Council in using the Town Police Clauses Act was appropriate.

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