

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT COMMITTEE**

**MINUTES**

**Wednesday, 19th October, 2022**

**Present:** Cllr S A Hudson (Chair), Cllr Miss G E Thomas (Vice-Chair), Cllr Mrs P A Bates, Cllr A Cope, Cllr M A J Hood, Cllr W E Palmer, Cllr M R Rhodes, Cllr Mrs M Tatton, Cllr T Bishop, Cllr D J Cooper, Cllr H S Rogers and Cllr F G Tombolis were in attendance as substitute Members.

**Virtual:** Councillors D Keers, D Lettington, K B Tanner, R P Betts, V M C Branson, G C Bridge, P J Montague and T B Shaw participated via MS Teams and joined the discussion when invited to do so by the Chair in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs J A Anderson, Mrs S Bell, N Foyle, F A Hoskins and J R S Lark

**PART 1 - PUBLIC**

**CE 22/7 NOTIFICATION OF SUBSTITUTE MEMBERS**

Notification of substitute members were recorded as set out below:

Cllr T Bishop substitute for Cllr F Hoskins  
Cllr D Cooper substitute for Cllr N Foyle  
Cllr H Rogers substitute for Cllr Mrs J Anderson  
Cllr F Tombolis substitute for Cllr J Lark

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

**CE 22/8 MINUTES**

**RESOLVED:** That the notes of the meeting of the Communities and Environment Scrutiny Select Committee held on 20 July 2022 be approved as a correct record and signed by the Chair.

**MATTERS FOR RECOMMENDATION TO THE CABINET**

**CE 22/9 TONBRIDGE CASTLE - OUTCOME OF PUBLIC CONSULTATION AND OPTIONS FOR FUTURE COMMERCIAL ACTIVITIES.**

The report of the Director of Central Services and Deputy Chief Executive provided an update on the outcome of the public consultation

in respect of Tonbridge Castle. In addition, a number of high-level options were set out for consideration.

Members were reminded that the Gateway agreement with Kent County Council would expire on 6 July 2024. Given the expected loss of income from this date the current commercial operations at Tonbridge Castle and grounds were being evaluated to identify opportunities to generate sustained long term revenue savings and income.

Careful consideration was given to the options detailed in 1.4 of the report and a number of points were raised and discussed. Members noted the public interest in having toilet facilities at the Castle, expressed interest in providing a 'changing place' space, expressed interest in working collaboratively with local independent businesses, recognised the value of exploring in depth commercial opportunities to generate income and welcomed the Borough Councils intention to consult with organisations and local authorities with experience of managing historic attractions. There was interest expressed in exploring the opportunity of establishing a charitable trust to manage the Castle on behalf of the Borough Council.

Finally, Members were pleased that the public consultation had received such a positive response with many local residents expressing interest in participating in focus groups.

**RECOMMENDED:** That

- (1) the outcome of the public consultation exercise be noted and the positive response welcomed;
- (2) Options A to E (Café/Bistro restaurant; events and activities; educational tours; shop and other concepts) be commended to Cabinet for further investigation and evaluation.

**\*Referred to Cabinet**

**CE 22/10 WORKING WITH HOUSING ASSOCIATIONS TO TACKLE ANTI-SOCIAL BEHAVIOUR**

The report of the Director of Central Services and Deputy Chief Executive considered how the Borough Council and its housing association partners worked together to address anti-social behaviour. In addition, the actions that could be taken against residents who caused anti-social behaviour were identified. Members also considered whether any improvements to the service were required.

Reference was made to Community Protection Notices issued by local authorities and the police to individuals (over 16) or businesses to address a wide range of problems such as littering and noise nuisance.

Breaches of these Notices was a criminal offence and a Fixed Penalty Notice could be issued. At present, housing associations were not designated by the Borough Council as being authorised to issue Community Protection Notices.

Members expressed concern about the ability of housing associations to address anti-social behaviour, the perception of tenants that housing associations were unsympathetic to victims of anti-social behaviour, the requirement for victims of anti-social behaviour to provide evidence without the support of housing associations and whether housing associations would issue Community Protection Orders in a timely manner if they were authorised to do so. However, it was noted that the use of Community Protection Orders had the potential to assist housing associations and there would be further discussion with relevant organisations on the usefulness of this tool.

The value of CCTV in securing evidence of anti-social behaviour was recognised and Members hoped that opportunities for mobile cameras would continue to be explored.

Members supported the greater sharing of information between the Borough Council and housing associations and welcomed the continuation of monthly meetings to achieve this.

Finally, further information was provided on the Community Trigger which was an additional tool designed to give victims of anti-social behaviour the right to request a review of their case and bring agencies together to take a joined up problem solving approach.

**RECOMMENDED:** That

- (1) the Borough Council's Anti-Social Behaviour Officer set up monthly meetings with housing associations to discuss cases and agree actions;
- (2) in consultation with Housing Associations, consideration be given as to whether Housing Associations should be authorised by the Borough Council to issue Community Protection Notices and a further report providing an update presented to a future meeting of the Communities and Environment Scrutiny Select Committee.

**\*Decision taken by Cabinet Member**

## **CE 22/11 USE OF THE COUNCIL'S PUBLIC OPEN SPACES**

Members reviewed the new policy and fees and charges for the use of Borough Council owned space which was introduced in January 2022.

The Policy setting out criteria against which each request for an event was assessed together with the approved fees and charges was attached at Annex 1. Information on the number and type of events held during 2022 was set out in Annex 2.

There had been no obvious or evidenced detrimental impact on the number of events taking place. In fact, there had been a 32% increase since 2021. The existing charges, included in Section 6 of the Policy, had not had a negative impact on the number of events taking place and in line with corporate guidance it was suggested that the prices be increased in line with inflation.

Members discussed the principle of whether bands or organisations should be charged if they were providing entertainment. In response, it was noted that bands and organisations had already been invited to participate in events during 2023/24. Details of the charging policy had been provided at the same time and it was confirmed that all dates were filled. This demonstrated that bands and organisations were willing to pay the charges as set out. It was also noted that the current £25 charge did not fully cover the costs incurred by the Council when administering, authorising and supporting such events.

**RECOMMENDED:** That

- (1) the outcome of the review be noted;
- (2) the Policy (attached at Annex 1) be approved with no changes identified; and
- (3) an inflationary increase of 10% in charges for 2023/24 be commended to Cabinet.

**\*Referred to Cabinet**

### **MATTERS SUBMITTED FOR INFORMATION**

#### **CE 22/12 WASTE SERVICES - KEY PERFORMANCE INDICATORS**

Members reviewed the performance of the Waste Contract against a suite of Key Performance Indicators (KPIs) for the period April to August 2022 and welcomed the increased percentages of waste collected for recycling or composting, the reduction in food waste and refuse bin tonnages.

Particular reference was made to dog waste bins not being emptied regularly. It was explained that there was no standard frequency of emptying throughout the borough as bins in different locations had varying amounts of use. However, if there were particular issues in certain areas, Members should alert Waste Services who would arrange

for the dog waste bin to be emptied and who would review whether the frequency of emptying should be amended.

**CE 22/13 WORK PROGRAMME 2022/23**

The Work Programme setting out matters to be scrutinised during 2022/23 was attached for information. Members were invited to suggest future matters by liaising with the Chair of the Committee. It was requested that the following matters be considered for inclusion in the Work Programme, subject to liaison with relevant Services:

- Representatives of Clarion Housing Association to be invited to discuss anti-social behaviour issues;
- Planning Services to advise how climate change issues were being incorporated into planning issues;
- Review best practice in respect of Warm Spaces initiative

The Chair advised that representatives of the Post Office, who had been invited to address Members, were unable to attend the Finance, Regeneration and Property Scrutiny Select Committee on 14 March 2023. However, they had offered to attend the Communities and Environment Scrutiny Select Committee on 8 February 2023 if that was acceptable. Upon reflection, Members felt that this matter was of more relevance to Tonbridge and the Post Office should be invited to attend the meeting of Tonbridge Community Forum on 27 February 2023.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**CE 22/14 EXCLUSION OF PRESS AND PUBLIC**

There were no matters considered in private.

**CE 22/15 DECLARATIONS OF INTEREST**

There were no declarations of interest made in accordance with the Code of Conduct.

The meeting ended at 9.50 pm