

**TONBRIDGE AND MALLING BOROUGH COUNCIL**  
**COMMUNITIES AND ENVIRONMENT SCRUTINY SELECT**  
**COMMITTEE**

**MINUTES**

**Wednesday, 8th February, 2023**

**Present:** Cllr S A Hudson (Chair), Cllr Miss G E Thomas (Vice-Chair), Cllr Mrs P A Bates, Cllr C Brown, Cllr A Cope, Cllr N Foyle, Cllr F A Hoskins, Cllr M A J Hood, Cllr J R S Lark, Cllr D Lettington, Cllr M R Rhodes, Cllr Mrs M Tatton and Cllr R W Dalton (substitute member).

**In attendance:** Councillors R P Betts, T Bishop, Mrs A S Oakley and R V Roud were also present pursuant to Council Procedure Rule 15.21.

**Virtual:** Councillors Mrs J A Anderson, M C Base, M D Boughton, V M C Branson, M A Coffin, D Keers, P J Montague and K B Tanner participated via MS Teams and joined the discussion when invited to do so by the Chairman in accordance Council Procedure Rule No 15.21.

An apology for absence was received from Councillor S Bell.

(Note: As Councillor S Bell was unable to attend in person and participated via MS Teams, they were unable to vote on any matters).

**CE 23/1 NOTIFICATION OF SUBSTITUTE MEMBERS**

Notification of substitute members was recorded as set out below:

Councillor R Dalton substituted for Councillor S Bell

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

**CE 23/2 DECLARATIONS OF INTEREST**

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

**CE 23/3 MINUTES**

**RESOLVED:** That the notes of the meeting of the Communities and Environment Scrutiny Select Committee held on 19 October 2022 be approved as a correct record and signed by the Chair.

## **CE 23/4 REPRESENTATIVE OF SOUTH EAST WATER**

Members received a presentation from Mr S Andrews, Head of Central Operations, South East Water, in respect of water shortages and leaks. Members were provided an explanation of the challenges of water supply, which included the changes in the way in which customers were using water since the pandemic and extreme weather. As a result of the water shortages, South East Water were looking at accelerating schemes in the impacted areas to make them more resilient to future climate change challenges and an independent review was to be undertaken. During discussion, Members raised the possible use of eco generators and noted that consideration was being given to eco-friendly initiatives, including solar energy.

Members raised concern regarding insufficient bottled water stock during recent water shortages and supported a social media campaign to encourage vulnerable residents to register for the priority resident scheme.

### **MATTERS FOR RECOMMENDATION TO THE CABINET**

## **CE 23/5 HOUSEHOLD RECYCLING AND WASTE SERVICE**

The report of the Director of Street Scene, Leisure and Technical Services and Cabinet Member for Technical and Waste Services outlined opportunities to maintain and improve service provision in relation to the Council's Waste Services Collection Contract, which was provided in partnership with Tunbridge Wells Borough Council, that would be reported to Cabinet on the 14 February 2023. The report advised on a proposed extension to previously agreed support for a further 5 month period in relation to the recent and ongoing impacts of HGV market conditions and support for a proposed Phase 2 of re-rounding. Members were invited to review the content of the report in advance of the Cabinet meeting and make any recommendations or observations to Cabinet.

The Committee asked that the contractor be encouraged to be open and transparent about their financial arrangements and any potential implications for the Borough Council.

### **RECOMMENDED: That**

- (1) Council gives authority to the Director of Street Scene, Leisure and Technical Services to extend, for the period November 2022 to March 2023, the provision of limited financial assistance to Ubaser Ltd and Ubaser SA in respect of the contract originally procured and that the value of this (£77,000) be reflected in the Revised Estimates for 2022/23 and funded from the Budget Stabilisation Reserve;

- (2) Council approves a one-off contribution to Urbaser Ltd of up to £150,000 towards the costs of terminating a number of existing collection vehicle leases to facilitate the provision of a new fleet of collection vehicles in 2023/24 and that the value of this be reflected in the Estimates for 2023/24 and be funded from the Budget Stabilisation Reserve;
- (3) Council gives authority to the Director of Street Scene, Leisure and Technical Services in consultation with Director of Finance and Transformation and Director of Central Services to complete all necessary negotiations, legal processes and legal documentation to enter into an agreement with Urbaser Ltd to allow for the transfer of the new vehicle lease(s) to the Council in conjunction with Tunbridge Wells Borough Council or to the organisation(s) contracted to provide the two councils' household waste collection service on the expiry of the current joint recycling and waste collection and street cleansing contract;
- (4) Council gives authority to the Director of Street Scene, Leisure and Technical Services in consultation with the Director of Finance and Transformation and the Director of Central Services to complete all necessary negotiations, legal processes and legal documentation and enter into an agreement with Tunbridge Wells Borough Council to share the liability for the new vehicle fleet from the end of the current joint recycling and waste collection and street cleansing contract; and
- (5) Council notes that a Voluntary Ex-Ante Transparency Notice will be published containing details of the proposed changes set out in recommendation 1, 2 and 3 to cover the items highlighted above.

**\*Referred to Cabinet**

## **CE 23/6 CLIMATE AND BIODIVERSITY ACTION**

The report of the Chief Executive provided an update on current climate change and biodiversity measures being undertaken by the Borough Council and considered future options as detailed in the report.

A briefing note in respect of the progress being made on climate change and biodiversity actions was attached at Annex 1.

During discussion, it was recognised that Leisure Trust activities were a significant source of emissions within the Council's estate and operations and suggested that solar panels be installed at Larkfield Leisure Centre.

**RECOMMENDED:** That

- (1) the growing priority of decarbonising heat and transport emissions from the Borough Council's estate and operations, alongside existing Climate Change Action Plan measures, be endorsed; and
- (2) the options summarised below be explored further:
  - (i) scoping and commissioning the feasibility of heat pump systems at Larkfield Leisure Centre and Tonbridge Swimming Pool and an options report presented to a future meeting of the Overview and Scrutiny Committee; and
  - (ii) investigating potential options to reduce scope 1 and scope 3 transport emissions (as detailed in 1.2 of the report).

**\*Decision taken by Cabinet Member**

**CE 23/7 PUBLIC SPACE PROTECTION ORDERS - CONSULTATION  
FEEDBACK**

The report of the Director of Central Services and Deputy Chief Executive provided feedback on the responses received on the Public Space Protection Order (PSPO) consultation and agree the terms of the PSPO.

The proposed new restrictions included vehicles on public open spaces across the whole borough, nuisance associated with car/motorcycle meetings across the whole borough, anti-social behaviour associated with fishing at Town Lock/Tonbridge Moorings and no unauthorised swimming/bathing/boating at Holborough Lakes. A summary of the responses received to the consultation were set out at Annex 2 to the report and a letter received from the Police and Crime Commissioner was set out at Annex 3. The majority of the respondents were in support of the continuation of the current restrictions.

During discussion, clarification was sought on the designated mooring areas in Tonbridge. It was explained that enforcement was currently the responsibility of the Council and there would be discussions with the Police Authority to determine whether they could enforce on behalf of the Local Authority. Consideration was not currently being given to signage, although there was potential for signage to be displayed in certain hot spot areas. In respect of nuisance associated with car/motorcycle meetings, Members highlighted that not all meets had a detrimental impact on residents.

**RECOMMENDED:** That the proposed Public Space Protection Order, as presented at Annex 5, be approved.

**\*Referred to Cabinet**

### **MATTERS SUBMITTED FOR INFORMATION**

#### **CE 23/8 KEY PERFORMANCE INDICATORS - WASTE CONTRACT**

Members reviewed the performance of the Waste Contract against a suite of Key Performance Indicators (KPIs) for the period September to November 2022, with comparative data for September to November 2021, together with percentage variance when compared with the 2021 performance.

Particular reference was made to the increase in scheduled collection rates, reduction in missed collections, reduction in formal complaints and a decrease in fly tipping. The KPIs were showing a sustained improvement in the contract at the current time. During discussion, a number of concerns were raised, including the disposal of food waste in black recycling bins and noted that there was a general reduction in the purchase of surplus food. Members would receive an update on the outcome of the recent audit on black bin waste undertaken by Kent County Council and actions that would be taken to address any issues identified. Members were requested to notify officers if they wished for any specific KPIs to be presented.

#### **CE 23/9 KEY PERFORMANCE INDICATORS - COMMUNITY AND ENVIRONMENT**

Members received a list of Key Performance Indicators (KPIs) that were relevant to the committee. A baseline covering April to June 2022 had been used, with the data for October to December 2022 representing the most up-to-date available statistics. The KPIs would be monitored on a quarterly-annual basis and would be made available on an ongoing basis.

Members were requested to submit any questions regarding the KPIs to the relevant Director/Chief Executive at least two days in advance of the meeting in order to ensure that a suitable response could be provided at the meeting.

#### **CE 23/10 WORK PROGRAMME 2023**

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 agreed that the following matters be considered for inclusion in the Work Programme:

- Review of CCTV and Kent Police to be invited to address the Committee.
- Scheme to improve drainage at Tonbridge Racecourse Sportsground.
- Capacity of Borough Council's sportsgrounds and facilities and how well used they are.
- Representatives of Clarion Housing Association to be invited to discuss anti-social behaviour issues.
- Review best practice in respect of Warm Spaces initiative.
- Street cleansing to be included in Key Performance Indicator report.

**MATTERS FOR CONSIDERATION IN PRIVATE**

**CE 23/11 EXCLUSION OF PRESS AND PUBLIC**

There were no matters considered in private.

The meeting ended at 10.10pm