

## **TONBRIDGE AND MALLING BOROUGH COUNCIL**

### **PARISH PARTNERSHIP PANEL**

**Thursday, 16th February, 2017**

**Present:** Cllr N J Heslop (Chairman), Cllr M A Coffin (Vice-Chairman), Cllr Mrs J A Anderson, Cllr Mrs S M Barker, Cllr T I B Cannon, Cllr R W Dalton, Cllr S M Hammond, Cllr D Lettington, Cllr B J Luker, Cllr D Markham, Cllr R V Roud, Borough Green, Burham, East Malling and Larkfield, Hadlow, Kings Hill, Leybourne, Platt, Plaxtol, Shipbourne, Snodland, Trottiscliffe, Wateringbury, West Malling, West Peckham, Wouldham, Wrotham Parish Councils and County Councillor Mr P Homewood

Councillors O C Baldock, T Bishop and S C Perry were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors R P Betts, Addington, Hildenborough Parish Councils and County Councillors Mr M Balfour and Mrs S Hohler

### **PART 1 - PUBLIC**

#### **PPP 17//1 MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 17 November 2017 be approved as a correct record and signed by the Chairman.

#### **PPP 17//2 UPDATE ON ACTION IDENTIFIED IN THE LAST MINUTES**

There were no actions identified.

#### **PPP 17//3 LOCAL SEWER SYSTEM**

Representatives of Southern Water (Sarah Feasey, Stakeholder Engagement Manager and Jean-Paul Collett, County Manger) were in attendance to answer concerns raised by parish councils.

A number of issues had been raised by Borough Green and Plaxtol Parish Councils and shared in detail with Southern Water in advance of the meeting. These included concerns around a potential lack of maintenance at the Maidstone Road pumping station; localised flooding and sewerage overspill in Hillview Close, the problem of raw sewage overflowing outside the houses on the footpath alongside the River Bourne, near to the Pumping Station at the bottom of Plough Hill, Basted and the need to upgrade the old Victorian sewer which residents believed was inadequate with the ageing pumps unable to cope with the through flow.

In response, the Panel was advised that the generator fault at the Pumping Station had been rectified and the facility was now operating at full capacity. It was also indicated that the third pump was a standby for emergencies and was extremely reliable.

Significant investment had been made by Southern Water to put flood mitigation measures in place. However, before any measures were implemented the potential implications for other properties were fully assessed and would not be put in place if there was the potential for diverse impacts. With regard to Hillview Close, the installation of anti-backup valves had been the appropriate way forward for the affected properties and the gravity managed system should have no impact on houses further up the network.

The main sewer adjacent to the pumping station had been replaced several years ago and was expected to last approximately seventy-five years. Therefore, Southern Water did not anticipate any significant problems related to general wear and tear in the near future.

Southern Water recognised concerns around the potential for pollution to rivers and waterways and assured the Panel that maintenance was undertaken regularly to prevent problems.

Work on Sevenoaks Road, including a large scale sewer rehabilitation scheme, had been recently completed and the structural condition of the public sewer was reasonably sound. High pressure jetting had been undertaken to clear the pipes and it was important to educate and raise awareness around proper waste disposal on a much wider scale.

The local Member for Borough Green asked that the following actions be considered:

- A single point of contact for local parishes with a senior engineer who would listen to local concerns and have the power to implement actions in a reasonable timescale; and
- Provide an emergency number for parishes to contact rather than rely on a call centre that had no local knowledge or authority to take action when required.

It was explained that Southern Water did not operate on an area catchment basis and there was one sewerage engineer for the whole County who provided support on specific issues. In addition, a single point of contact had the potential to create delays in responding to problems if that individual was uncontactable for any reason. The advantage of a call centre was that it was manned twenty four a day, every day of the week. However, if parish councils were disappointed with the way a call was handled or the length of time it took to resolve a problem these could be raised with Sarah Feasey who would investigate the reasons for the delay. Long standing issues that had not yet been

resolved could also be forwarded on to Sarah Feasey, for further investigation.

The emergency call out number would be provided to parish councils for information.

Whilst Borough Green and Plaxtol Parish Councils appreciated Southern Water's attendance at the meeting and their technical knowledge regarding the sewer network, concern was expressed about the poor communication and customer service received.

In response, Southern Water advised that an improved communication strategy was in place and the organisation was committed to improving customer service. It was reported that written and escalated complaints had reduced by 80% since the adoption of the new strategy.

Members referred to new housing developments and asked whether Southern Water ever expressed concern about the impact of these additional properties on sewers. It was clarified that Southern Water was a statutory consultee on Local Plan proposals but not on individual applications. It was explained that Southern Water had a legal obligation to provide services to new properties if planning was approved. However, the Local Planning Authority had been asked to consult with Southern Water for developments over 20 properties, as the organisation had a duty to ensure that existing customers were not adversely impacted. Drainage Strategies were being developed in collaboration with other organisations and it was hoped that adequate planning would identify any problems going forward. The importance of having conditions related to water services applied to any planning permissions was also noted.

Southern Water was attempting to be more pro-active around development and growth and was asked to provide an update around any sites of concern. This would be circulated with the Minutes if available.

Finally, it was reiterated that Sarah Feasey, the Stakeholder Engagement Manager, was the point of contact within Southern Water to escalate outstanding issues.

Email: [Sarah.Feasey@southernwater.co.uk](mailto:Sarah.Feasey@southernwater.co.uk)

#### **PPP 17//4 KENT POLICE SERVICES UPDATE**

The Chairman referred to a question raised by the Kent Association of Local Councils (Tonbridge and Malling) in advance of the meeting asking if the 'lack of public engagement would improve if the proposed increase in the police precept was agreed'. This would be put to the Police and Crime Commissioner (Matthew Scott) and he would be

invited to attend a future meeting of the Parish Partnership Panel to address this concern.

Police Sergeant Jo Mott provided a verbal update on the achievements made in performance and the neighbourhood policing agenda. The main priorities for Kent Police remained safeguarding, human trafficking, child sex exploitation and modern day slavery.

Current and recent police initiatives included:

- Op Cactus: Offering advice and/or enforcement around dangerous parking at schools
- Op Milan: Tackling untaxed and illegal vehicles on the road
- Measures to deal with nuisance vehicles in Bellingham Way, New Hythe Lane, Larkfield
- Targeting criminal damage
- Targeting items thrown off bridges
- Successful use of dispersal orders during Summer 2016

Reference was made to the Community Policing unit, based at Kings Hill, which had four police officers, four Police Community Support Officers (PCSOs) and one sergeant who were available to implement local issues. Community policing remained an important focus for Kent Police.

Further restructuring of Kent Police was to take place although it was not envisaged that the public would see much difference. PCSOs would remain but were likely to have a greater role and responsibilities.

In response to a question about parking on pavements which forced pedestrians, pushchairs and mobility scooters into the road, it was indicated that Kent Police had insufficient resource to tackle this issue on a regular basis. Although it was recognised as a major irritant for the public it was extremely difficult to enforce and prosecute. However, specific concerns/problems could be addressed if raised as a complaint.

#### **PPP 17//5 PUBLIC SPACES PROTECTION ORDERS**

The Licensing and Community Safety Partnership Manager referred to the Cabinet report of the Director of Central Services and Monitoring Officer which gave details of the proposed Public Spaces Protection Orders (PSPOs). Details of the borough wide restrictions, as well as restrictions for particular geographical areas were included.

It was reported that PSPOs were intended to deal with a particular nuisance or problem in a particular area that was detrimental to the local communities' quality of life. They were designed to ensure that the law abiding majority could use and enjoy public spaces and reduce anti-social behaviour. PSPOs would replace dog control orders, designated

public place orders and gating orders and were being put in place to replace existing powers that were disappearing.

The definition of public space included any place to which the public or any section of the public had access, on payment or otherwise, as of right or by virtue of express or implied permission.

After consultation with Borough Council and Kent Police officers it was recommended that a PSPO containing multiple restrictions should be progressed, details of which were set out in Annex 1 to the report. Some of the restrictions were borough wide, such as deterring dog fouling and dogs on lead by direction, and some were specific to particular locations like Leybourne Lakes Country Park.

The introduction of PSPOs meant that anyone failing to comply with the restrictions could be issued with a Fixed Penalty Notice.

Cabinet of 31 January 2017 had agreed to undertake public consultation on the proposals. This consultation period would end on 15 March 2017 and all Parish Councils were encouraged to submit a response, especially to highlight any potential concerns or sites that were not included in the proposals. However, it was explained that any potential suggestions for additional orders required sufficient evidence to demonstrate a need.

Reference was made to measures in place to address traveller incursions and the Licensing and Community Safety Manager advised that the Borough Council had an effective process in operation, which meant that these were dealt with quickly and efficiently. It was important to recognise that traveller incursion was not covered by the Public Spaces Protection Orders as different legislation was in place to address these.

Finally, the Chairman reiterated the importance of Parish Councils responding to the consultation outlining any concerns and specific sites and reminded that the deadline was 15 March 2017.

## **PPP 17//6 PARISH CHARTER UPDATE**

The Chairman advised that, in his role as Leader of the Council, he had met with representatives from the Kent Association of Local Councils (KALC) to discuss the Parish Charter. A further meeting to discuss a number of options would be held in advance of the next Parish Partnership Panel, scheduled for June, where it was hoped to present a draft document for comment.

The newly appointed Chairman of KALC (Kent) advised that the next meeting of Local Councils was arranged for May and a draft document to review then would be appreciated.

It was recognised that there was confusion around the status of the current Parish Charter which had never been formally adopted. However, it had previously been agreed that this version of the Charter was no longer fit for purpose and it was recommended that both the Borough and Parish Councils would be best served by moving forward and creating a better framework to work with.

The Chairman indicated the Borough Council's willingness to take examples of best practice throughout the County into consideration and to create a new Charter for the benefit of Tonbridge and Malling and its parish councils.

### **PPP 17//7 MEMBERS' SITE INSPECTIONS - UPDATE ON LATEST POSITION**

The Panel noted the arrangements in place for Planning Committee site inspections. These had been circulated with the agenda and explained that the purpose of a site inspection was for Planning Committee Members to view the site to provide context for the application proposals.

East Malling and Larkfield Parish Council expressed deep concern that the rights of parish councils, neighbours and other third parties had been diminished and felt it was wholly unacceptable that there had been no formal consultation with parish councils. In addition, the Parish Council queried whether the Borough Council was acting in a fair and reasonable way and challenged the decision making process. Reference was made to a recent request for information which had yet to receive a reply. It was requested that this now be treated as a formal FOI.

There was serious and in-depth discussion regarding these arrangements and it was observed that site inspections were not occasions for any debate, comment or the expression of views by any party. Members felt it was important that the Planning Committee were allowed to simply view the site. Any queries arising could be put to planning officers who would answer them or note for further investigation. Members of the public or other third parties had no 'right' to attend such site inspections as they had an appropriate right to make written representations and speak at a Planning Committee meeting when decisions were made.

It was emphasised that the new procedure made provision for a relevant Parish Council representative to attend as an observer and their position as a statutory consultee was not affected nor was their right to speak at Planning Committees removed.

Finally, it was reported that the changes were ones of clarity for the benefit of Planning Committee Members, the proper conduct of site inspections and to ensure the robustness of decisions ultimately made by the Planning Committees. It was not a change that affected how the

Borough Council would look at planning applications and engagement with members of the public would continue through appropriate consultation.

Many Members welcomed the clarification of the protocols around site inspections and felt they represented a sensible approach with a fair compromise reached. Previous arrangements had created the potential for undue influence to be exerted in an uncontrolled environment.

The Kent Association of Local Councils (Tonbridge and Malling) believed that an appropriate position had been reached regarding the attendance of parish councils at site inspections, with their position protected. Other organisations had the ability to make representations and speak at planning committees in the normal way.

The value in the public attending site inspections, although thought beneficial by some in highlighting concerns about impact to neighbouring properties, was not appropriate as these views could be expressed by speaking at a Planning Committee. It was also observed that local Members had a detailed knowledge of their wards and an understanding of potential impacts on residents.

In summing up the discussions, the Chairman, as Leader of the Council, was not persuaded to change position as extensive research had been undertaken by Officers, the comments raised by KALC regarding parish council attendance had been taken into account and the arrangements were sound and took account of best practice and guidance.

#### **PPP 17//8 KENT COUNTY COUNCIL SERVICES UPDATE**

The Kent County Council Community Liaison Officer (Anne Charman) reported on a number of County initiatives and consultations. Further detail was set out in the Kent County Council Services update report attached to the agenda.

Particular reference was made to the key points made by the Leader of Kent County Council (Paul Carter) to Full Council on 8 December 2016 regarding the budget pressures being faced and the impacts of providing adult social care. Further to this, the County Council had set the budget on Tuesday 9 February and a Council Tax increase of 3.99% had been agreed, 2% of which was the social care levy.

Current consultation(s) included the Freight Action Plan for Kent (16 January – 12 March 2017) and the recently announced Mental Health Services. All Kent County Council consultations could be viewed online at:

<http://consultations.kent.gov.uk/consult.ti>

The Apprenticeships for All was an ongoing campaign offering the opportunity to find rewarding jobs and careers through apprenticeships. An apprenticeship levy would be introduced from 6 April 2017.

As a result of the successful pilot it was planned to offer a full Volunteer Support Warden Scheme to all councils from April 2017, with costs shared between participating councils and KCC. The Chairman of the Kent Association of Local Councils (Kent) indicated that 26 councils within Kent had already applied. A recruitment date was arranged for 7 March 2017 in Tenterden.

Members welcomed the news that multi-million pound funding had been given to the Leigh Flood Storage Area and Hildenborough and East Peckham flood defences. The award was as a result of extensive work been Kent County Council, the Environment Agency and Tonbridge and Malling Borough Council.

It was reported that the County Council had received an award for Britain's most improved road for the A227 between Tonbridge High Street and Borough Green.

Finally, the Community Engagement Manager reminded the Panel that she was happy to assist in addressing any issues and liaising with County Members.

#### **PPP 17//9 TONBRIDGE AND MALLING BOROUGH COUNCIL SERVICES UPDATE**

The Chief Executive provided an update on key points relevant to Tonbridge and Malling. The headline messages included:

- Setting the Budget and Council Tax 2017/18:

Full Council at its meeting on Tuesday 14 February 2017 had approved the budget and council tax for 2017/18. The Chairman reminded the Panel that the 'special expenses' levy would be introduced to replace the financial arrangements with parish councils and this would be in place by April 2017.

Press statements around the budget, council tax and e-billing had been circulated to all parish councils and these contained further detail.

The meeting ended at 9.40 pm