

## **TONBRIDGE AND MALLING BOROUGH COUNCIL**

### **OVERVIEW AND SCRUTINY COMMITTEE**

**Thursday, 18th October, 2018**

**Present:** Cllr A K Sullivan (Chairman), Cllr Mrs A S Oakley (Vice-Chairman), Cllr F G Tombolis (Vice-Chairman), Cllr Mrs J A Anderson, Cllr M C Base, Cllr P F Bolt, Cllr J L Botten, Cllr R W Dalton, Cllr D Keers, Cllr Mrs F A Kemp, Cllr Mrs S L Luck, Cllr M R Rhodes, Cllr Ms S V Spence, Cllr M Taylor, Cllr Miss G E Thomas and Cllr T C Walker and Mr P J Drury and Mr D Still (Co-opted Members).

Councillors V M C Branson, N J Heslop and D Lettington were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors S R J Jessel and Miss S O Shrubsole

#### **PART 1 - PUBLIC**

##### **OS 18/29 DECLARATIONS OF INTEREST**

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

##### **OS 18/30 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Overview and Scrutiny Committee held on 16 August 2018 be approved as a correct record and signed by the Chairman.

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

##### **OS 18/31 ROAD CLOSURES REVIEW**

The report of the Chief Executive set out further evidence from key partners regarding the procedures used to implement temporary road closures for community events.

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 district or county council and the position of Kent Police was to offer advice and guidance to assist event organisers and Safety Advisory Groups.

A statement confirming Kent County Council's support of the procedures used for road closures was attached as Annex 1 to the report. In

addition, the views of all districts on the use of the Town Police Clauses Act (TPCA) for road closures had been sought and these were summarised in Annex 2. It was reported that all the responses received indicated that districts had been using the TPCA for at least some of the road closures, which suggested that their continued use was appropriate for local events.

The financial implications for community groups of not using the TPCA to support local community events involving road closures were outlined. Members noted the potential for the Highway Authority to make a charge of up to £1000 for each event which could prove financially challenging for small organisations.

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. However, the Director of Street Scene, Leisure and Technical Services was invited to liaise with Kent Police, outside the meeting, to clarify what future events might not be covered by the TPCA.

**RECOMMENDED:** That the continued use of Town Police Clauses Act 1847 for appropriate local community event be confirmed.

## **OS 18/32 PROVISION OF PUBLIC CONVENIENCES**

The Director of Street Scene, Leisure and Technical Services reported that a detailed audit of the Borough Council's current provision of public conveniences had been undertaken. Options considered as part of the review included location and size of facility, facilities provided, opening hours, assessment of current condition and whether there was alternative provision nearby. Also considered were facility closure and retention and potential transfer to Parish/Town Councils.

Attention was drawn to a couple of corrected financial figures summarised below:

- Annual operational cost set out in paragraph 1.1.3 was £135,000
- Existing public convenience cleansing contract set out in paragraph 1.4.1 was valued at £77,500

The reporting error was as a result of misunderstanding around the budget expenditure codes.

Members were advised that a wide range of options were available which reflected that the existing service was of a discretionary nature. A proposed way forward for each existing public convenience within the Borough was attached as Annex 4 to the report and set out identified need or where no suitable alternative facilities were available. In addition, a proposal related to the extension of the current public convenience cleansing contract for 1 year up until 28 February 2020 to

enable adequate time to agree the way forward for each facility was reported.

Finally, the Director of Street Scene, Leisure and Technical Services advised that the review had emphasised the value of and genuine need for public conveniences in local communities.

Members recognised the sensible approach undertaken during the review, based on use, value and cost of the facilities; welcomed the proposals outlined in paragraph 1.5 of the report and felt that transferring costs to communities where possible was a pragmatic approach and supported the proposal to extend the public convenience cleansing contract to ensure that facilities were of a good quality in case of potential transfer of ownership. However, it was commented that if the contract was extended consideration should be given to the frequency of cleansing and increased monitoring of the performance of the contractor.

In addition, Members supported the principle of funding some facilities in Tonbridge via Special Expenses on the grounds of fairness across the Borough, subject to further detail and financial modelling of all options and consideration by the Street Scene and Environment Services Advisory Board.

**RECOMMENDED:** That

- (1) subject to agreement with the existing contractor, the existing public convenience cleansing contract be extended for 12 months in accordance with current contract conditions;
- (2) meetings be undertaken with individual Parish/Town Councils to agree the transfer of ownership of the Council's public conveniences currently located in their area;
- (3) the existing provision of public conveniences at Leybourne Lakes Country Park, Haysden Country Park, Tonbridge Racecourse Sportsground and Tonbridge Cemetery be retained;
- (4) the existing Priory Road and Castle Grounds public conveniences in Tonbridge be retained;
- (5) the existing Angel Centre public toilets be closed with the public redirected to existing alternative provision;
- (6) further investigation be undertaken into the suitability of alternative toilets in the vicinity of Tonbridge Castle to determine the future provision of Castle Grounds toilets;
- (7) the Building & Estates Manager be requested to bring forward an improvement programme for those facilities to be retained/transferred; and

- (8) future reports be submitted to the Street Scene & Environment Services Advisory Board on the outcome of the review, accompanied by an Equality Impact Assessment and financial appraisal.

### **MATTERS FOR CONSIDERATION IN PRIVATE**

#### **OS 18/33 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.40 pm