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Reference:
Date: Friday 03 September 2021

Dear All

COMMUNITIES AND ECONOMIC DEVELOPMENT CABINET ADVISORY BOARD - WEDNESDAY 8 SEPTEMBER 2021

I enclose, for consideration at the next meeting of the Communities and Economic Development Cabinet Advisory Board on Wednesday 8 September 2021, the following items that were unavailable when the agenda was published.

Agenda No Item

4 Minutes of the meeting dated 14 July 2021 (Pages 3 - 6)

To approve the minutes of a previous meeting as a correct record. The only issue relating to the minutes that can be discussed is their accuracy.

9 PSPO 2021 - Three month extension of two 2018 measures - The Nevill Ground and roads in Southborough (Pages 7 - 10)

Additional Item – To consider and provide a recommendation to Cabinet on the proposals set out in the attached report.

Kind regards,

Mark O'Callaghan
Scrutiny and Engagement Officer

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COMMUNITIES AND ECONOMIC DEVELOPMENT CABINET ADVISORY BOARD

Wednesday, 14 July 2021

Present: Councillor David Scott (Chairman)
Councillors Fairweather (Vice-Chairman), March, Ms Palmer, Ellis, Rutland, Hill, Pope, Allen, Patterson and Britcher

Officers in Attendance: Gary Stevenson (Head of Housing, Health and Environment), Paul Taylor (Director of Change and Communities) and Mark O'Callaghan (Scrutiny and Engagement Officer)

Other Members in Attendance: None

APOLOGIES FOR ABSENCE

COM10/21 There were no absent members.

DECLARATIONS OF INTERESTS

COM11/21 There were no declarations of disclosable pecuniary or other significant interest made at the meeting.

NOTIFICATION OF PERSONS REGISTERED TO SPEAK

COM12/21 There were no Visiting Members or members of the public registered to speak.

MINUTES OF THE MEETING DATED 9 JUNE 2021

COM13/21 No amendments were proposed.

RESOLVED – That the minutes of the meeting dated 9 June 2021 be approved as a correct record.

FORWARD PLAN AS AT 29 JUNE 2021

COM14/21 The Forward Plan was taken as read.

RESOLVED – That the Forward Plan as at 29 June 2021 be noted.

SPORTS CENTRE MANAGEMENT CONTRACT

COM15/21 Cllr March and Gary Stevenson, Head of Housing, Health and Environment introduced the report set out in the agenda. Paul Taylor, Director of Change and Communities answered questions.

Discussion on the report included consideration of the following points:

- The sports centres provided an important service to the community both through promoting health for well people and recovery for people with medical needs.
- The conditions to be attached to any extension of the contract would improve the service.
- Complaints about Fusion predated the pandemic.
- Fusion had taken action to improve including bringing in a new management structure.

- Recommendation 2 within the report, if approved, would enable officers to apply further quality standards and performance indicators to the contract.
- A long extension would allow promised improvements to be delayed.
- Short term contracts or early break clauses in the contract would discourage long term investment.
- Operating the centres was a financial risk, particularly at the moment, any operator would need a long term commitment to underwrite the risk.
- The options set out in the report reflected the negotiations to date but other time-frames could be discussed.
- The longer-term options would provide the Council with the time to assess the long term needs of the service and put in place the right solution at the end of the extension period.
- Satisfaction with the current service was mixed. Problems were recognised and being addresses. Customer feedback was approximately 50/50.
- Some complaints were related to a lack of facilities at the centres which was not the responsibility of Fusion.
- The centres were tired and in need of capital investment, if the service was internalised that responsibility would fall on the Council.
- The centres operated in a competitive market and customers were returning as Covid restrictions eased indicating some satisfaction with the service.
- Examples of the evolving leisure market included integration of related health and welling being services. Such restructuring would take time to implement.
- Fusion would consult on the immediate needs of their customers but consultation on the strategic future of the service would be the responsibility of the Council.
- Fusion had failed and should not be trusted with an extension.
- The contract only allowed one extension so the Council needed to be sure it would be ready by the expiration of the contract.
- Bringing the service in-house, either directly or through a trust, would be actively investigated during the extension period and may be an option at the end.
- The market was sufficiently active that tenders would be expected if the contract was put to market now. However, the terms of those tenders was not expected to be as favourable.
- Short term extension would not provide any investment over the extension period.
- A short extension would protect the service and provide sufficient time to consider alternatives.
- Sports clubs and local providers could be brought in to take over parts of the service.
- A longer term extension would allow the terms of the contract to be revisited to improve standards.
- Complaints about the centres was on a downward trend.
- Fusion was working with sports clubs to address long term aspirations and use of the facilities to increase utilisation.
- Breaking the service into small components would loose economies of scale and fragment the service for customers.

The committee decided the matter taking the exempt information as read.

The Chairman reminded members of the options available to the committee and took a vote on the first option to support the recommendations.

Councillor Ellis requested a recorded vote.

Members who voted for the motion: Councillors Allen, Fairweather, March, Ms Palmer and Scott. (5)

Members who voted against the motion: None.

Members who abstained from voting: Councillors Britcher-Allan, Ellis, Hill, Patterson, Pope and Rutland. (6)

RESOLVED – That the recommendations set out in the report be supported.

URGENT BUSINESS

COM16/21 There was no urgent business.

DATE OF THE NEXT MEETING

COM17/21 The next meeting was scheduled for 8 September 2021.

EXEMPT APPENDIX TO SPORTS CENTRE MANAGEMENT CONTRACT

COM18/21 The item was considered in public taking the exempt information as read.

NOTES:

The meeting concluded at 7.35 pm.

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PSPO 2021 – Three-month extension of two 2018 measures – The Nevill Ground and roads in Southborough

For Cabinet on Thursday, 24 September 2021

Summary

Lead Member: TBC

Lead Director: Paul Taylor

Head of Service: Denise Haylett

Report Author: Terry Hughes, Community Safety Manager

Classification: Public document (non-exempt)

Wards Affected: Southborough & High Brooms, Southborough North, Pantiles and St Marks

Approval Timetable	Date
Portfolio Holder	03/09/2021
Management Board	08/09/2021
Communities CAB	08/09/2021
Cabinet	24/09/2021

Recommendations

That the dogs on leads measure at The Nevill Ground and the alcohol control measure for roads in Southborough be extended for a period of three months while the results of the most recent consultation are assessed and brought back to Cabinet for decision.

1. Introduction and Background

- 1.1 Current Public Spaces Protection Orders (PSPOs) in Tunbridge Wells were introduced in 2018 and are set to expire on 24 September 2021.
- 1.2 While most of the 2018 measures will be retained, as agreed at Cabinet on 24 June 2021, others are open to public consultation.
- 1.3 The Nevill Ground is included in the consultation as the Council considers whether to retain the *dogs on leads* requirement or replace it with an outright ban.
- 1.4 Various roads in Southborough (London Road, Meadow Road, Holden Park Road and Springfield Road) are also included in the consultation as the Council considers whether to retain or remove the alcohol control measure that applies here.
- 1.5 The original timetable for the public consultation and subsequent implementation of 2021 measures (to be agreed at a future meeting of Cabinet) would have seen the next iteration of Orders enacted on the day the 2018 Orders expired.
- 1.6 However, due to competing community safety priorities it has not been possible to adhere to the original timetable and so two of the current measures will expire before we can present the results of the recently concluded consultation to Cabinet.
- 1.7 We therefore request that the Orders covering the Nevill and the four Southborough roads are extended for a period of three months to allow time for the consultation results to be assessed and presented to Cabinet in October (or November at the latest).
- 1.8 In line with legislation and guidance relevant stakeholders will have been informed of our intentions prior to implementation of the extension.

2. Options Considered

- 2.1 The do-nothing option would allow the Orders on The Nevill Ground and various roads in Southborough to expire until the results of the 2021 consultation have been assessed and brought back to Cabinet.

3. Preferred Option and Reason

- 3.1 That the dogs on leads measure at The Nevill Ground and the alcohol control measure for roads in Southborough be extended for a period of three months while the results of the most recent consultation are assessed and brought back to Cabinet.
- 3.2 While the Orders could be allowed to expire we must then notify the public, including installing notices within the areas affected, of the expiry of the Orders, which would not be helpful, particularly for The Nevill Ground.

4. Consultation on Options

- 4.1 In line with legislation and guidance relevant stakeholders will have been informed of our intentions prior to implementation of the extension.

5. Implementation

- 5.1 Notices on the Council's website and various online platforms, including those used for local engagement, will inform the public of our intention to extend the measures for a period of three months and our reasons for doing so.

6. Appendices and Background Documents

Appendices:

- None

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