

COMMUNITIES CABINET ADVISORY BOARD

Wednesday, 21 March 2018

**Present: Councillor Jane March (Chairman)
Councillors Weatherly (Vice-Chairman), Elliott, Hill, Huggett, Lidstone, Nuttall,
Ms Palmer and Scholes**

Officers in Attendance: Terry Hughes (Community Safety Manager), Beth Parsons (Economic Development Officer), Hilary Smith (Economic Development Manager), Gary Stevenson (Head of Environment and Street Scene), Paul Taylor (Director of Change and Communities) and Mike McGeary (Democratic Services Officer)

Other Member in Attendance: Councillor Basu

Member of the Public in Attendance: Mr P Taylor

APOLOGIES

COM45/17 Apologies for absence were reported from Councillor Stewart.

DECLARATIONS OF INTERESTS

COM46/17 There were no declarations of interest made, within the provisions of the Code of Conduct for Members.

NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK

COM47/17 There were no other members of the Council who had registered their wish to address the Board, within the provisions of Council Meetings Procedure Rule 18.

MINUTES OF THE MEETING DATED 10 JANUARY 2018

COM48/17 The minutes of the meeting dated 10 January 2018 were submitted.

RESOLVED – That the minutes of the meeting of the Board dated 10 January 2018 be agreed.

WORK PROGRAMME AS AT 13 MARCH 2018

COM49/17 The Board received its work programme for the period up to 31 May 2018, which was based on the issues set out in the Council's Forward Plan.

RESOLVED – That the work programme be noted.

ECONOMIC DEVELOPMENT STRATEGY 2018 - 2021

COM50/17 Hilary Smith, the Economic Development Manager, presented the Borough Economic Development Strategy for 2018-2021, which the Cabinet was being asked to adopt.

Mrs Smith advised that the previous Strategy, which had been prepared in 2011, was now out of date. She added that, while the former Strategy had been used as the basis of the updated document, the 2018 version had been significantly enhanced through extensive research and discussion, not just

with teams across the authority but with the Council's partner organisations.

Mrs Smith drew attention to the aim of the new Strategy, namely: to seek to create the best possible conditions for business investment and sustainable growth in the Borough. Mrs Smith added that the new Strategy included a detailed action plan, set out in section 3, which listed a number of deliverable outcomes, based on the following themes: place-shaping and promotion; accessibility and connectivity; skills and employability; the rural economy; and supporting enterprise.

Mrs Smith said that each outcome had a clearly-specified timescale, as well as setting out the Council's delivery partners in each case and a means of how success would be measured. She added that the action plan would be reviewed regularly and would guide the work of the Council's Economic Development team.

Members of the Board considered the report and Strategy document and raised the following issues:

- Councillor Elliott drew attention to the foot of page 31 in the agenda and asked whether the wording should be: "... providing parking that *discourages* short journeys by car ...", instead of "... *encourages* ...". Mrs Smith said that she would look at that section again, to ensure that the wording reflected the intention that people who *could* use sustainable transport were encouraged to do so.
- Councillor Elliott added that, in respect of the reference on page 32 to the commissioning of a park and ride study, he had found the scheme in operation in Canterbury to work very well, with buses running every ten minutes.

Mrs Smith said that the Borough and the County Councils had jointly commissioned a park and ride study as part of the evidence base to support the review of the Local Plan. She added that, while the scheme might operate successfully in one town, there was no guarantee that it might in Tunbridge Wells. Mrs Smith advised that the results of that study would come before members in due course.

Councillor Scholes advised that, when he had been a county councillor in the early 1990s, there had been a plan to look at the feasibility of a park and ride scheme for Tunbridge Wells, which was to follow on from the Canterbury scheme. However, he said the funding had been diverted elsewhere at that point.

Councillor Scholes felt that the difficulty for Tunbridge Wells might be finding the necessary sites along the key routes into the town, which would be hampered on its southern edge because of the county border.

RESOLVED – That the recommendation to adopt the Strategy be supported.

PUBLIC REALM PHASE 2

COM51/17 Councillor Basu, the Cabinet Portfolio-holder for Sustainability, introduced this report, the purpose of which was to seek endorsement of the outline design for phase 2 of the public realm scheme. He added that approval was also

being sought to transfer funding and the responsibility for the commissioning of the detailed design and construction phases to the County Council.

Councillor Basu said that it was the intention of the Borough Council to ensure that there were appropriate project controls in place in respect of the design and the quality of the works – by means of a ‘clerk of works’ role – as well as ensuring proper budgetary management.

Gary Stevenson, the Head of Environment and Street Scene, illustrated the key aspects of the outline design of the project, explained how it was to be funded and described the planned timetable for its construction. He advised that the key features of the project would be to create a pedestrian-focused ‘town square’, which would provide greater emphasis and prominence to both the war memorial and the proposed cultural and learning hub entrance. He added that traffic would not be allowed along the length of the new stretch of highway during the restricted hours of 9am to 6pm, except for buses, cycles and vehicles needing access.

Mr Stevenson added that the Council’s Economic Development team had consulted with the bus operators over the design of the scheme. As a result of this, he said that there had been an adjustment made to the width of the proposed carriageway, to allow buses to pass others which might be stationary; this was to ensure there were no delays caused by poor design considerations.

Mr Stevenson said that £1m of the scheme costs were being met through the Local Enterprise Partnership’s Local Sustainable (LEP) Transport Fund Scheme, via KCC, with the remainder funded by the Borough Council. He emphasised that the LEP required a substantial part of their funding to have been spent or committed within the 2018/19 financial year.

Members of the Advisory Board considered the report and its recommendations and raised the following issues:

- Councillor Huggett asked what controls were being put in place in order to avoid some of the design and construction problems that occurred in the first phase of this project. Mr Stevenson said that the Leader of the Council had stipulated that a ‘clerk of works’ would be employed to oversee this phase, which should ensure that the design and the quality of the work were both of the required standard.
- Councillor Lidstone asked whether taxis would be allowed to drive through this section of the highway during the restricted hours. Mr Stevenson said that he would support such a proposal, if members were in agreement. The Advisory Board members confirmed that they would support this and Mr Stevenson undertook to add this to the plan.
- Councillor Lidstone also asked whether the scheme, upon completion, would still provide an area for the Farmers’ Market to operate. Mr Stevenson said that there was certainly no intention to exclude its continuation from a design perspective, although a temporary re-location was likely during the construction phase. Mrs Smith added that, if the proposed cultural and learning hub were to proceed, her team would look at what space remained in front of the building and determine whether it was still practical to continue the Farmers’

Market in that specific space.

Alternative locations were suggested at this point but it was agreed that the issue would be considered at a later stage, once the full impact on the Farmers' Market was understood. What was unanimously agreed, however, was that the Market was an important activity and its continued operation and success should be guaranteed.

- Councillor Lidstone felt that the preferred option of transferring responsibility for commissioning the detailed design and construction phases of the scheme to KCC had been decided quite late in the process. He wondered what the financial consequences were and how this would affect the Borough Council's ability to effect remedial works (if necessary). Mr Stevenson summarised the advantages of the preferred option: he said it would help to deliver the scheme more quickly and provide a better project governance arrangement, which would enable the Borough Council to have the desired control over the design and the quality of the work.
- Councillor Hill asked what the impact might be on the Co-wheels Car Club parking bays and whether there were plans to expand the number of spaces across the town. She also asked whether the parking bays for disabled drivers would be lost. Mr Stevenson said that the Car Club scheme, which was working very well in the town, would not be adversely affected by the proposals. He added that additional spaces were being sought elsewhere, for example as part of the Union House redevelopment. With the current spaces for disabled drivers – located outside the Library/Museum – Mr Stevenson said the intention was to relocate them within that stretch of highway but not to reduce their number.
- Councillor Hill also asked whether the illustrative drawing showed that York Road would be blocked off for vehicles exiting into Mount Pleasant Road, due to the creation of a ramp. Mr Stevenson said that the installation of a ramp was to provide a traffic calming measure, to reinforce that the area vehicles were entering at that point was 'pedestrian friendly'.
- Councillor Scholes asked when the work might start and how long the construction phase would take. Mr Stevenson advised that it was hoped that work would start early in 2019, with an estimated nine-month construction contract and some preparation work likely to take place in this calendar year.

Councillor Scholes expressed some concern about the impact of a number of town centre developments likely to take place at a similar time. Paul Taylor, the Director of Change and Communities, advised that the Borough Council was maintaining a close watch on the timings of major redevelopment schemes in the town centre – both Council and private sector ones. He said the intention was to try and ensure the level of disruption was minimised or at least plenty of advance notice would be provided if an unavoidable clash were likely.

- The Chairman, Councillor March, asked if it were intended to provide any taxi ranks within the proposals. Mr Stevenson advised that it was

not, adding that taxis would still be allowed to drop passengers off within the phase 2 area.

- The Chairman also asked whether there was a risk of losing the LEP funding, if the scheme were not completed within a specific timescale. Mr Stevenson said that there was always a risk of this happening, which was why a realistic project plan was in place.
- The Chairman sought clarification on the significance of the crosses marked on the drawing, to the rear of the war memorial. Mr Stevenson said that there would probably be some form of movable bollard, to prevent any traffic from using the area in front of the hub building, adding that this would be made clearer at the detailed design stage.
- Councillor Lidstone asked why there was a ramp shown which appeared to cut into part of the community garden at the junction between Mount Pleasant Road and Monson Road. Mr Stevenson said that this was to create a better crossing point for pedestrians, adding that he would look at the detailed design stage to try and protect too much incursion into the community garden.

The Chairman, in summing up the debate, sought the Advisory Board consensus view on the additional elements which they wished the Cabinet to take into account. There were three such points: (i) it was agreed that taxis should be allowed to drive through phase 2 during the restricted hours; (ii) that confirmation be provided that the number of spaces for disabled drivers would be the same as at present; and (iii) that a Clerk of Works – or similar role – be appointed by the Borough Council, to oversee phase 2, which should ensure that the design and the quality of the work were both of the required standard.

RESOLVED – That, subject to the inclusion of the above three aspects, the recommendations set out in the report be supported.

COMMUNITY SAFETY PARTNERSHIP PLAN 2018/19

COM52/17 Councillor Weatherly, the Cabinet Portfolio-holder for Communities and Wellbeing, introduced this report, then asked Terry Hughes, the Community Safety Manager, to summarise the key aspects of the Community Safety Partnership Plan for 2018/19.

Mr Hughes explained that the Community Safety Partnership consisted of: the Borough Council; the County Council; Kent Police; the Kent Fire & Rescue Service; the National Probation Service; the Kent, Surrey and Sussex Community Rehabilitation Company; and the NHS West Kent Clinical Commissioning Group. He added that it also included many non-statutory partners such as housing associations and voluntary and community sector organisations.

Mr Hughes summarised progress made with the previous year's priorities, namely: domestic abuse; road safety; drugs and alcohol; and vulnerable victims.

Mr Hughes next explained that the Community Safety Partnership Plan for 2018/19 set out how the above partner agencies would address local priorities to reduce crime and disorder across the Borough. He advised that

the priorities had been identified as a result of a 'strategic assessment', an analytical process which was based around a review of the levels and patterns of crime and disorder in the area.

Mr Hughes said that the key purpose of the Partnership Plan was to set out the framework through which the partners would determine how best to address the priorities agreed.

Members of the Advisory Board considered the Partnership Plan and raised the following matters:

- Councillor Nuttall asked what the Partnership's approach was to combating the problem of drug dealers coming into the Borough. Mr Hughes said that a number of co-ordinated actions were being taken to address this problem and to disrupt the activity of drug traffickers. He praised the work undertaken by the community police team and the assistance provided by the South London police, and also acknowledged the value of the use of automatic number plate recognition cameras.
- Councillor Lidstone drew attention to the positive effect that CCTV was having on reducing the incidence of crime and disorder. He referred to the previous year's proposal to remove some of the monitoring that took place and asked what the current situation was. Mr Stevenson, the Head of Environment and Street Scene, said that options were still being considered, which would come before the Cabinet, via this Advisory Board, at a later stage.
- Councillor Scholes thanked Mr Hughes for the clarity of his report. He added that it was worth noting as encouragement to people about possible crime activity that any discussions with the police were strictly confidential.
- The Chairman, Councillor March, said that she had been very impressed with the schools education programme on road safety which had been delivered to school children at both the Assembly Hall and at Cranbrook Primary School. It was noted that this had been organised by the Community Safety Unit, with funding through the Kent Fire and Rescue Service.
- Councillor Hill welcomed the report but said that she remained concerned about the level of crime reporting, particularly hate and race crime. She added that, from anecdotal evidence, much more needed to be done to address the problems caused by domestic abuse.

Mr Hughes acknowledged the point in respect of domestic abuse. He added that the focus of the work was to reduce the 'repeat victimisation' rate. He added that, across the county, Tunbridge Wells had promoted 66% of Kent's domestic abuse programme.

Although not listed as a key priority for the year ahead, Mr Hughes reassured Councillor Hill that hate crime was very much viewed as a serious issue, which would draw a robust response.

RESOLVED – That the recommendation to approve the Community Safety

Partnership Plan be supported.

PUBLIC SPACES PROTECTION ORDER IMPLEMENTATION

COM53/17 Councillor Weatherly, the Cabinet Portfolio-holder for Communities and Wellbeing, introduced this issue, which she emphasised had been the subject of full public consultation.

Terry Hughes, the Community Safety Manager, reported on the proposal to create a Public Space Protection Order in the Borough, to cover a number of specific anti-social or 'quality of life' issues.

Mr Stevenson advised that, based upon the results of a thorough public consultation process – a summary of which had been set out in the report – there was a good level of support for the Borough Council to take enforcement action to tackle the following issues: (i) dog fouling; (ii) dog exclusion; (iii) dog control; (iv) alcohol control; (v) the use of new psychoactive substances; (vi) begging; (vii) rough sleeping; and (viii) amplified music.

Mr Stevenson said that, once the proposed Protection Order had been introduced, the enforcement process would be undertaken by either police officers, police community support officers, special constables, street scene enforcement officers, contract enforcement staff or authorised Council officers, depending on the type of activity involved.

Members of the Advisory Board considered the report and its recommendation and raised the following issues:

- Councillor Scholes referred to the percentage responses set out on page 114 of the agenda. He asked how many responses had been received and whether all respondents had answered all of the questions. Mr Hughes said that there had been 160 in total, adding that not all questions had been answered in all cases.
- Councillor Lidstone noted that 66% of respondents supported measures to address anti-social behaviour associated with begging. He referred to the pie charts set out on pages 136 and 137 and asked if these showed the results of a different question on this issue. Mr Hughes confirmed that the questions had been different.
- Councillor Hill was concerned about addressing the issue of dog fouling and asked how this was being monitored in order to change the behaviour of some dog owners. Mr Stevenson, the Head of Environment and Street Scene, said that the street scene team could undertake targeted monitoring action, based on local information. He added that, while there were no additional resources available, the authority was planning to launch a campaign to encourage more responsible dog ownership.

Councillor Scholes urged greater use of the monitoring team where it was known that a particular issue of dog fouling was causing concern. Mr Stevenson said that members of the public could use the on-line reporting facility or could also report to Crimestoppers. He said that any reporting submitted would be used to create targeted action by his relevant team. He added that it was also possible to provide local

communities with the equipment to run further 'bag and flag' events, in attempts to change the behaviour of guilty dog owners.

Councillor Elliott said that it had been an Overview and Scrutiny Committee initiative some years ago to encourage local communities to run 'bag and flag' events. He added that dog fouling had been raised as an issue of real concern during the recent 'Spruce up Southborough' campaign.

Councillor Hill asked how many enforcement staff the Environment and Street Team service had. Mr Stevenson said that the Borough Council had three full-time members of enforcement staff, with two to three contract staff adding additional support, focusing on litter enforcement as well as addressing issues of dog fouling.

Mr Hughes said that, where bags for dog owners were supplied in parks – and bins provided – these were well-used, but he emphasised the need to address the issue of dog fouling by means of effective enforcement. Mr Stevenson added that, to date, the Borough Council had not considered the provision of bags and bins beyond public parks, due to the significant costs involved.

- Councillor Lidstone raised two key concerns. First, he expressed his unease that the Borough Council was, in some cases, allowing third party contractors to manage the issue of rough sleepers; he considered that this might fail to take account of the sensitivity that might be needed. Secondly, he questioned the logic of applying a fine to rough sleepers or for those begging; genuinely homeless people was one issue, he said, but for others any form of fine would be unrealistic to enforce.

On the basis of his concerns, Councillor Lidstone said he could not support the recommendation to implement a PSPO in respect of "1.7.6 – begging" or "1.7.7 – rough sleeping", as set out in the report.

Mr Hughes said that these concerns had been raised as part of the consultation process. He stated that the authority's intention was to encourage rough sleepers and those begging to engage with the relevant support services. He emphasised that, only in those cases where there was no such engagement and the activity amounted to anti-social behaviour, would a penalty notice be considered.

Mr Hughes also stressed that the role of third party contractors was to help achieve a reasonable form of behaviour from rough sleepers or those begging.

- Councillor Weatherly addressed the concerns raised by Councillor Lidstone. She emphasised the importance the Council attached to effective engagement with rough sleepers and with those begging, citing the collaborative work undertaken with the local churches and their winter shelter. Councillor Weatherly stressed that she would not want to see any insensitive management of the rough sleeper/begging situation by any third party; she also reiterated the officer's comments that any consideration of a penalty notice being issued was likely to apply in a very few cases.

- Councillor Scholes said that the Borough Council worked collaboratively with a number of voluntary bodies in trying to address the issues of rough sleepers and begging. Councillor Weatherly confirmed this was the case, with regular meetings taking place with relevant agencies.

Paul Taylor, the Director of Change and Communities, referred to Appendix C of the report, which set out guidance notes for applying a discretionary approach to the issue of rough sleepers and those begging. This emphasised that it was not the intention of the Council to penalise people who were begging or sleeping rough, but to use the PSPO process to address associated persistent anti-social behaviour and non-engagement with support services.

Councillor Lidstone said that unreasonable behaviour related to a many social areas, adding that it was important not to 'demonise' rough sleepers and those begging. Mr Taylor completely endorsed that view, adding that, if the PSPO process were found not to be functioning as intended, there remained the option to review its operation.

The Chairman asked the Advisory Board members to indicate whether they supported the recommendation set out in the report. While the majority of members supported the recommendation, Councillors Lidstone and Hill said that, despite the reassurances given, they were still not prepared to support the recommendation in respect of begging and rough sleepers.

Mr Hughes said that he would look again at the 'authorised officer guidance for a discretionary approach' (Appendix C of the report), to see how the wording might be tightened even further, to address the concerns of Councillors Lidstone and Hill.

RESOLVED – That the recommendation set out in the report be supported, subject to the officer's commitment to tighten the wording of the 'authorised officer guidance for a discretionary approach', to address the concerns raised by Councillors Lidstone and Hill.

NB – Despite that majority view, Councillors Lidstone and Hill still wished to record their opposition, in relation to begging and rough sleepers.

URGENT BUSINESS

COM54/17 The Democratic Services Officer advised that there were no additional items for the Board's consideration which had arisen since publication of the agenda.

DATE OF THE NEXT MEETING AND SCHEDULED ITEMS

COM55/17 It was noted that the next meeting of the Board was scheduled to take place on Wednesday 30 May 2018.

NOTE: The meeting concluded at 8.10 pm.