

**TUNBRIDGE WELLS BOROUGH COUNCIL**

**CABINET**

**Thursday, 22 October 2020**

**Present: Councillor Alan McDermott (Chairman)  
Councillors March (Vice-Chairman), Bailey, Dawlings and Mackonochie**

**Officers in Attendance:** William Benson (Chief Executive), Lee Colyer (Director of Finance, Policy and Development (Section 151 Officer)), Paul Taylor (Director of Change and Communities), Patricia Narebor (Head of Legal Partnership), Stephen Baughen (Head of Planning Services) and Caroline Britt (Democratic Services Officer)

**Other Members in Attendance:** Councillor Hamilton

**APOLOGIES**

CAB30/20 There were no apologies.

**DECLARATIONS OF INTEREST**

CAB31/20 There were no disclosable pecuniary or other significant interests declared at the meeting.

**NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK**

CAB32/20 There were no visiting Members who had registered as wishing to speak.

**MINUTES OF THE MEETING DATED 10 SEPTEMBER 2020**

CAB33/20 Members reviewed the minutes. No amendments were proposed.

**RESOLVED** – That the minutes of the meeting dated 10 September 2020 be approved as a correct record.

**QUESTIONS FROM MEMBERS OF THE COUNCIL**

CAB34/20 Pursuant to Cabinet Procedure Rule 28.3, Councillor Pound and Councillor Hamilton had submitted questions as follows:

Councillor Pound

“Will Councillor March please confirm or deny, on record, whether she received an email from the Secretary of Royal Tunbridge Wells Monsoon Swimming Club requesting an urgent meeting to discuss concerns regarding an opening date and offering to work collaboratively with Fusion, the Council or both, sent on 17 August 2020 and email to date, still not responded to?

Can she also, on record, confirm or refute the accuracy therefore of her minuted statement to Overview and Scrutiny Committee of 21 September 2020 that “Correspondence did not get through regarding community groups because of the incorrect spelling of Councillor Mackonochie’s name as the lead in the email” when there is photographic evidence, which Councillor March has seen, to confirm that it did get through to her but not to Councillor Mackonochie and the sender confirms that there was no undelivered response

to Councillor March's copy but that there was to Councillor Mackonochie.

I can also confirm that yesterday I had an email from Mid-Kent IT Services which states that the email in question was received by all parties other than Councillor Mackonochie."

Councillor March provided the following reply:

"I received an email from the Secretary of the Royal Tunbridge Wells Monsoon Swimming Club on 17 August as the second named person in the email address, not the lead. As the secondary person to the Cabinet Member with responsibility for Communities and Wellbeing I would have expected Councillor Mackonochie to reply."

" The accuracy of the minuted statement is correct. I was not the lead, as the second name I would have expected Councillor Mackonochie to reply. There was no misleading of the O&S as implied in the question. "

Councillor Pound asked a supplementary question:

"Councillor March has seen evidence that on the email it says 'to Councillor Mackonochie and to Councillor March' and therefore as Portfolio Holder with responsibility for economic development and leisure why is it that on this occasion she either didn't see the email and it went to either her trash or her junk or somewhere else or she chose not to reply to it. But just saying that 'I assumed that Councillor Mackonochie would be replying' is not an adequate response to the fact that since August 17 I have had private correspondence with Councillor March about this matter and she has not deemed to respond to it."

Councillor March provided the following reply:

"I have responded to Councillor Pound about the negotiations and he obviously doesn't like the response. But as far as Community Groups are concerned, that in fact Councillor Mackonochie is the Cabinet Member, Portfolio for Communities and Wellbeing and this in fact is a Community Group and would have been responded by her in the first instance. It is unfortunate that it didn't get through but I would not have responded. I don't think a sender would have expected two different people to respond, it's usually the first person that they would expect the response to have come from."

Councillor Hamilton

"On 1 September the Overview and Scrutiny Committee discussed what financial assistance the Council should give Fusion to enable the reopening of the three leisure centres in the Borough.

During the debate the Labour Party representative recommended that the Council should restrict the financial assistance to the waiving of the annual management fee paid to us by Fusion. Can I ask the Leader whether the Putlands Leisure Centre in Paddock Wood, a valuable facility for our local residents would have reopened had the Council adopted the position as suggested by the Labour Member?

The Leader provided the following reply:

“During the talks with Fusion, the Council negotiated what we believe is the minimum level of financial support to enable the reopening of all three leisure centres in the Borough. This financial package included waiving one year’s management fee but also additional support to cover certain operating losses up to March of next year.

In the absence of this funding it is Cabinet’s firm view that the three leisure centres in the Borough would not currently be open. While some level of service would have been restored, it would have centred around the relatively large St Johns sport centre in Tunbridge Wells.

So we do not believe the Putlands centre in Paddock Wood or the Weald Centre in Cranbrook would have reopened had the level of financial support been restricted to the waiving of the management fee.”

### **QUESTIONS FROM MEMBERS OF THE PUBLIC**

CAB35/20 There were no questions from members of the public.

### **CONSIDERATION OF THE FORWARD PLAN AS AT 29 SEPTEMBER 2020**

CAB36/20 Members considered the plan. No amendments were proposed.

**RESOLVED** – That the Forward Plan as at 29 September 2020 be noted.

### **REVISED STATEMENT OF COMMUNITY INVOLVEMENT 2020**

CAB37/20

Stephen Baughen, Head of Planning introduced the report that sought approval to adopt the updated Statement of community Involvement (SCI).

Discussion and responses to Members questions included the following:

- The Statement of Community Involvement (SCI) set out how the Council would involve the community in the preparation and review of planning policy for the Borough and the decision making on planning applications.
- It was a statutory requirement for Council’s to have an SCI.
- The first SCI was adopted in 2006 and revised in 2016. Recent regulations had introduced a requirement for the SCI’s to be reviewed within 5 years.
- The report included a number of reasons as to why the SCI required a review and further revision.
- Section 3 of the report detailed the main changes. In particular there would be an increased ability to engage through the use of digital technology. Given the restrictions and social distancing requirements that were necessary due to the current pandemic this addition to the SCI was particularly pertinent.
- In relation to new planning applications residents, businesses etc. would now be able to sign up to email alerts. This reflected changes to process introduced in 2017.
- Since the report had been sent to Cabinet, there had been two

updates, both of which had been reported to Overview and Scrutiny at their meeting on 12 October 2020. A third update was as a result of feedback from that meeting.

- Given the present circumstances that included the difficulties of operating at times of social distancing, further clarification had now been included in relation to publicity and consultation.
- The penultimate sentence of paragraph 2.29 would be made into a fresh paragraph and be amended to state that the 'the commitments set out in paragraphs 2.28 and 2.29 will be subject to the availability of resources, accommodation and to any restrictions that may be in force (see paragraph 3.22 for further details).'
- It was further proposed to amend paragraph 3.22 to state 'There may be consultations where it is not possible to meet face-to-face or to publicise consultations by usual means, due to circumstances beyond the Council's control, such as the Covid-19 Coronavirus pandemic, by which the Government has imposed restrictions on movement in its effort to combat the virus (see Government guidance). In light of any restrictions, the Council will endeavour to use appropriate temporary methods for consultation on its own and neighbourhood planning documents, such as digital and site notice publications, virtual exhibitions, digital consultation, video conferencing, social media and providing documents for inspection on its website, to ensure that it remains committed to effective community engagement, in line with the most up to date Government guidance.'
- Further commentary and advice from the Council's Corporate Governance team stressed the importance of being mindful that any increase in the use of digital technology did not exclude anyone who was unable to access information in this format. In response to this it was confirmed that all documents would be accessible and able to suit specific needs. It was therefore proposed to amend paragraph 3.14 to include a reference that if there were particular groups where communication would be difficult, questions could be taken away from the exhibition and provided back to that group.
- Corporate Governance also asked about participation of under represented groups e.g. young people. Paragraph 3.2 reflected that Planning Services were working progressively towards creative partnership working with existing bodies to increase that participation. This included Town and Parish Councils, Town Forum and local schools and colleges. Examples were given as to the engagement with secondary schools which had been undertaken in 2019 and 2020.
- A key concern raised at Overview and Scrutiny was related to site notices and information on how to sign up to email alerts of planning applications. In direct response to this, it was proposed to amend paragraph 4.14 to include the following 'This includes a document which explains clearly, step-by-step, how one can sign up to register for these emails, and how site notices are now and will be displayed based on site configurations. The document is publicised periodically by the Council, including by social media.'
- It was noted that liaison between the Planning Department and the Parish Councils had increased which was very welcome.
- It was further noted the importance that all groups were considered and included in the process.

**RESOLVED** – That the Statement of Community Involvement as set out in the report and including the amendments as detailed below be adopted.

1. That the penultimate sentence of paragraph 2.29 be made into a fresh paragraph, and be amended to state that the ‘the commitments set out in paras 2.28 and 2.29 will be subject to the availability of resources, accommodation and to any restrictions that may be in force (see paragraph 3.22 for further details)’
2. That paragraph 3.22 be amended to state ‘ There may be consultations where it is not possible to meet face-to-face or to publicise consultations by usual means, due to circumstances beyond the Council’s control, such as the Covid-19/Coronavirus pandemic, by which the Government has imposed restrictions on movement in its efforts to combat the virus (see Government Guidance). In light of any restrictions, the Council will endeavour to use appropriate temporary methods for consultation on its own and neighbourhood planning documents, such as digital and site notice publications, virtual exhibitions, digital consultations, video conferencing, social media and providing documents for inspection on its website, to ensure that it remains committed to effective community engagement, in line with the most up to date Government Guidance.’
3. That paragraph 3.14 be amended to state ‘Proposed to amend so that will include reference to the fact that if there any particular groups where communication will be difficult, then questions can be taken away from the exhibition and provided back to that group.’
4. That paragraph 4.14 be amended to state ‘All members of the public are highly recommended to register their interest, and to regularly review the registered email account. Registration can be undertaken by clicking here; <http://www.tunbridgewells.gov.uk/notify> . This includes a document which explains clearly, step-by-step, how one can sign up to register for these emails, and how site notices are and will be displayed based on site configurations. The document is publicised periodically by the Council, including by social media.

**REASON FOR DECISION:** Approval of the revisions would ensure the changes in both national planning guidance and the ways in which the Council engaged with the Community were endorsed.

**URGENT BUSINESS**

CAB38/20 There was no urgent business.

**DATE OF NEXT MEETING**

CAB39/20 The next meeting would be held on Thursday 19 November 2020 commencing at 12pm.

**NOTES:**

The meeting concluded at 11.00 am.

An audio recording of this meeting is available on the Tunbridge Wells Borough Council website.