

TUNBRIDGE WELLS BOROUGH COUNCIL

MINUTES of a meeting of the Tunbridge Wells Borough Council, duly convened and held at the Council Chamber, Royal Tunbridge Wells, Kent TN1 1RS, at 6.30 pm on Wednesday, 7 July 2021

PRESENT:

The Mayor Councillor Chris Woodward (Chairman)
Councillors Allen, Atkins, Atwood, Backhouse, Barrington-King, Bland (Vice-Chairman), Britcher, Chapelard, Dawlings, Ellis, Fairweather, Fitzsimmons, Funnell, Goodship, Hall, Dr Hall, Hamilton, Hayward, Hickey, Hill, Hills, Knight, Lewis, Lidstone, March, McDermott, Morton, Ms Palmer, Patterson, Poile, Pope, Pound, Rands, Roberts, Rutland, Scholes, Scott, Simmons, Thomson, Warne, White and Wormington

IN ATTENDANCE: William Benson (Chief Executive), Patricia Narebor (Head of Legal Partnership) and Mark O'Callaghan (Scrutiny and Engagement Officer)

APOLOGIES FOR ABSENCE

FC13/21 Apologies for absence were received from Councillors Bailey, Everitt, Holden, Stanyer and Willis.

MINUTES OF THE MEETING DATED 21 APRIL 2021

FC14/21 No amendments were proposed.

RESOLVED – That the minutes of the meeting dated 21 April 2021 be approved as a correct record.

MINUTES OF THE ANNUAL MEETING DATED 26 MAY 2021

FC15/21 No amendments were proposed.

RESOLVED – That the minutes of the annual meeting dated 26 May 2021 be approved as a correct record.

DECLARATIONS OF INTEREST

FC16/21 No declarations of pecuniary or other significant interest were made.

ANNOUNCEMENTS

FC17/21 The Mayor announced:

- The Council hosted a thank you event on 5 July 2021 and was flying a special flag for NHS, care home and other key workers involved in the effort against Covid-19. The Council further recorded its appreciation.

The Portfolio Holder for Planning and Transportation announced:

- Further to a statement made at the Overview and Scrutiny Committee meeting on 21 June 2021 relating to the Council's bid, via KCC, to South East Local Enterprise Partnership (SELEP) for the retention of £623k left over from A26 improvements. SELEP had agreed at its Accountability Board meeting on 2 July 2021 that the money would be held until September 2021. This provided the Council with the

opportunity to submit an updated business case for updated proposals for improvements to the A26 between Southborough Common and Mabeldon. Funding was not guaranteed and there would be challenges to overcome, however, recent changes to national transport policy on decarbonisation of the transport network had significantly shifted the approach. Engagement would start shortly on the potential scheme to facilitate road improvements and access to Tunbridge Wells seeking to reduce congestion for all road users.

- Complementary to the SELEP scheme, the Council submitted its priorities to KCC for tranche 3 of the DFT Active Travel Fund which included further improvements to cycle facilities on A26 between Grosvenor Road and Speldhurst Road, a low traffic neighbourhood in Tunbridge Wells and infrastructure in Paddock Wood.

QUESTIONS FROM MEMBERS OF THE PUBLIC

FC18/21 The Mayor advised that one question from members of the public had been received under Council Procedure Rule 8.

1. Question from Dr Robert Chris

“After the May election, the Conservative Party has exactly half of the 48 seats on the Council. In the wards contested in this election, the Conservatives received 37% of the votes cast across the borough. Including the previous two elections, all the Conservative councillors now in post received only 35% of the votes cast. Moreover, only 9 of the current 24 Conservative councillors received a majority of the votes cast in their wards, the remaining 15 all being elected courtesy of vote splitting among the opposition parties, and one on the toss of a coin. By any reasonable measure, Tunbridge Wells Conservatives are a long way from being the majority, or even representative of the majority, of the borough’s residents and taxpayers.

No one disputes that our first past the post electoral system legally entitles the winner to take all. Tunbridge Wells Conservatives have done precisely that. After using the device of the mayoral casting vote to elect the new Mayor and then again to elect the new Council Leader, they have appointed only Conservatives to the Cabinet, and every council committee has a Conservative chairman.

In short, councillors representing little more than one third of the electorate have excluded councillors representing the other two thirds from all key positions in the Council.

Would the Council Leader explain how assembling such an unrepresentative Council Executive and set of committee chairmanships will engender confidence and respect among the majority of borough residents and taxpayers that their concerns and interests are finally being listened to and heeded?

Answer from Councillor Dawlings

“I am fully aware of the outcome of the last election but the implication that I determined not to work with the opposition parties could not be further from the truth. Since the Calverley Square project was abandoned two years ago we have had a cross-party group looking into the matters that project was

intended to address. I've been involved with this group since it was formed, and a report was presented to Full Council in December 2019. Covid stopped the work of the group for some months after March 2020 but we have had constructive discussions in the last few months addressing how to make the best use of the surplus office space, likely to arise in the Town Hall, to the benefit of both the Council and the town.

After the May election, which left the Council evenly divided, all the opposition groups announced they would not work with the Conservatives. Having worked constructively with opposition members for two years, the first thing I did after being elected leader of the Conservative group was to contact the opposition group leaders and asked to meet to consider how to run an evenly divided Council – beginning with the annual council meeting, the appointment of a mayor and committee positions. In subsequent email exchanges I proposed that opposition members should chair or vice-chair several committees. We had arranged to meet on the Saturday morning [before the annual meeting] but on the Friday evening the opposition met and then contacted me to cancel our planned meeting because they saw no point in meeting. I telephoned to register my disappointment, but it was apparent the decision not to work with me at that stage was final.

Since then, I have offered the opposition group leaders the opportunity to be involved in giving direction to officers by reorganising the leadership group of portfolio holders and officers to include the opposition group leaders. That offer was also declined.

I have outlined the priorities that I see as Leader of the Council. The opposition groups have advised they will not oppose matters if they agree with them and they have done this in the last year, notably in supporting the Council's budget and Local Plan. We are also continuing in holding group leader meetings, that is opposition group leaders and me with the Chief Executive, in which the Chief Executive and senior officers brief on major matters which the Council needs to address. These meetings were first set up by Alan McDermott, the former Leader of the Council, to keep opposition councillors fully advised of what was happening at the height of the Covid emergency.

So, it was the opposition group leaders' choice not to be involved in the formation of the Council's committees which were agreed at the annual meeting, but I have made arrangements in agreement with them to keep them fully informed about the issues the Council is addressing.

In the six weeks I have been Leader, I have spoken to the Town Forum and Parish Chairs and local press about my priorities and plans and I will continue to do this to ensure residents' concerns and interests are heeded and addressed."

QUESTIONS FROM MEMBERS OF THE COUNCIL

FC19/21 The Mayor advised that two questions from members of the Council had been received under Council Procedure Rule 10.

1. Question from Councillor Atkins

"Could you please respond, as I have received no reply from my emails of 11th February and 3rd April and social media post where a member of the

public asked the same question, if there are any dual waste/recycle bins, like those used by other local authorities such as Gravesham, anywhere in the borough?"

Answer from Councillor Dawlings on behalf of Councillor Bailey

"Councillor Bailey sends his apologies for not being here tonight. A member of his household has tested positive for Covid-19 so he is currently self-isolating.

To answer your question, there are currently no dual waste and recycling bins in the borough. This is mainly due to concerns that the quality of the recycling material will be low, and it will need to be treated as residual waste. This has been an issue with similar bins in other areas."

Supplementary question from Councillor Atkins

"Gravesham [Council] actually reported that only 10 per cent was foreign waste, or not recyclable, which they were able to cater to. I wonder if it could be looked at again as to whether or not dual bins could be provided and what the timeline would be?"

Answer from Councillor Dawlings on behalf of Councillor Bailey

"I will have that looked in to by the Head of Service."

2. Question from Councillor Pound on behalf of Councillor Everitt

"At Full Council 16 December 2020 a motion I moved regarding an increase in on-street electric vehicle charge points was referred to Cabinet for consideration and report, can Cabinet advise why they have not considered this report and when they are planning to do so?"

Answer from Councillor Dawlings

"A survey was undertaken to establish resident and visitor views on the potential provision and use of further elective vehicle charging facilities in our car parks. The survey ran for six weeks, closed on 4 July 2021, and had 766 responses.

There was no reference within the survey to on-street provision although some respondents have commented on this in the free-text section. Kent County Council, as the highways authority, have indicated that their preference is for publicly available electric vehicle charging facilities to be provided off-street, hence our decision to take this approach with public engagement."

Supplementary question from Councillor Pound on behalf of Councillor Everitt

"When Council refers a matter to Cabinet, as it did, does Cabinet have a right to choose when and whether to respond – because the decision to refer to Cabinet was made in December 2020? If it does not, then why has Councillor Everitt neither been advised of a date for the consideration of a report nor, as he was advised at Overview and Scrutiny [Committee] on 14 June 2021, has he not received a written reply to his question at that committee? Essentially, he has had, near enough, radio silence for six months."

Answer from Councillor Dawlings

“I don’t know what sort of timetables there are. Sufficed to say, this is a complicated matter. Some Councils have used their lamppost infrastructure but in Kent this would require considerable adaptations to enable their use. Also, policy is to situate their posts at the back of the footway rather than the kerbside and running power cables across footpaths is illegal so new and costly power infrastructure would need to be installed. It may be possible to identify a limited number of on-street locations, but this is a very complicated matter, and it is being very seriously looked into.”

3. Question from Councillor Goodship

“On 24 June, the Cabinet was advised of a significant change in the outturn for the year ended 31 March 2021 against the estimate made at the end of Quarter 3. Would you please explain the main reasons for this change?”

Answer from Councillor Dawlings

“The national lockdown severely reduced the level of income the Council expected to receive whilst also incurring additional expenditure as the Council focused on continuing to deliver services and support residents and local businesses through the pandemic. There was a Government scheme to compensate councils for loss of income with the council bearing the first five per cent of the loss with the government share the remainder at the ratio of 75:25 per cent.

In quarter 3 it was forecast that £1.585m would be needed from reserves to fund the operational budget deficit at year-end. However, after the year-end the Government published their methodology for calculating the compensation for Business Rates and Council Tax losses. We are expected to now receive £1.3m that we previously couldn’t include in the forecast outturn.

Another amount that was not forecast was the receipt of £300k of Government grant to pay for administration and IT support for the business grant scheme, under which the Council has distributed over £51m of Government money to businesses in the borough. Many Councils outsourced this work but we undertook this work in-house so thanks to the work of our Economic Development and Finance staff this £300k was a further amount which did not need to be drawn from reserves.

So, the unexpected government support received after the year-end, together with a small recovery in the Council’s income in the final quarter of the year enabled the Council to turn around the projected end of year deficit and show a small budget surplus at the end of one of the most challenging of years.”

Supplementary question from Councillor Goodship

“What will be the impact of this improvement on the Council’s finances in the current financial year?”

Answer from Councillor Dawlings

“The current year’s budget set by Full Council approved the use of £1.935 million from reserves as the impact of the pandemic will continue to reduce the Council’s income for which there will be no further government

compensation after 30 June 2021. By not needing to draw down on reserves, as had been planned last year, the Council has strengthened its balance sheet and is better placed to meet the challenges ahead.

The financial strategy put in place at the beginning of the pandemic has been shown to be effective and I have confidence that throughout this financial year the finances will be tightly managed whilst supporting residents and local businesses.”

4. Question from Councillor Hamilton

“Affordable Accommodation and Social Housing are a great concern to many of our residents. Could the Cabinet Member advise what the Borough Council has done or is doing about this?”

Answer from Councillor Fairweather

“In the last month we have released nearly £300k of Section 106 funding which is held in lieu of affordable housing provision. This grant will deliver five, two bedroomed social rented houses in Southborough. We also have got further ring-fenced [Section] 106 funds available and we’ll be looking at further schemes in the near future.

On top of this we have now completed six accommodation units in Crescent Road, and these will be allocated to local people with housing needs.”

Supplementary question from Councillor Hamilton

“What is the timescale for Crescent Road to be occupied by people?”

Answer from Councillor Fairweather

“They will be ready for occupancy later this summer, probably August.”

5. Question from Councillor Atwood

“Given that the Amelia Scott project has sadly been delayed due to the current restrictions, can you give an approximate date for completion and what we can look forward to?”

Answer from Councillor March

“Despite the challenges of Covid, the impact upon the supply chain and the availability of materials and also the challenges of a complex site the contractor Willmott Dixon Interiors has worked extremely hard to complete the base build which we believe will be substantially complete by 5 August and that any residual works should be manageable to allow the Fit-out contract to commence from 16 August achieving a completion of the capital works by the end of this year.

Following the completion of the Capital Works, there is a three-month window to complete the collections and library redisplay together with all the other tasks required to get the Amelia ready for public use. Whilst there are clearly still some risks ahead and we do have in programme delays we remain on track for the Amelia being open to the general public in April 2022 which as originally planned will align with Adult Education term time.

The Amelia is a unique project and a significant undertaking that has happened during one of the most challenging times the Country has faced in recent years. The Amelia Scott building will preserve and enhance the listed buildings whilst providing new iconic spaces and galleries for all our residents and visitors to enjoy. The new education suite will help deliver quality learning outcomes alongside schools and colleges. The café space and courtyard will be a meeting place in the heart of the town. There will be new kilns and silver smithing facilities and new galleries to display the standing collection and a new exhibition space for visiting exhibitions. I am hugely proud and excited and for me the icing on the cake will be seven new artist commissions that will integrate with the fabric of the building and be attractions in their own right.

Despite all the challenges I am confident that the new Amelia Scott building will be an exemplar of excellence and will herald the recovery of the Town and the Borough. I would like to thank all members for their support which has ensured we will be able to deliver something special and protect our heritage for future generations.”

Supplementary question from Councillor Atwood

“Considering the construction methods, what efforts was made during the constructions and the out-fitting of the Amelia to achieve carbon neutrality?”

Answer from Councillor March

(At the Mayor’s request the answer was truncated with the full response being provided in writing.)

“Sustainability is central to the Tunbridge Wells Borough Council and Kent County Council project which is repurposing two Grade II listed buildings with very poor energy performance ratings and no Building Research Establishment Environmental Assessment Method (BREEAM) rating to create a unique sustainable integration of services for the community and culture in the heart of Royal Tunbridge Wells.

We have 90 solar panels being installed which will reduce the carbon footprint of the building by 12 tons of carbon annually during their 30-year life span – this is an equivalent saving of 1,584 diesel car return journeys across the borough between Royal Tunbridge Wells and Cranbrook. The panels will generate enough power to meet The Amelia’s daily needs and also export additional power to the grid, and the LED lighting throughout the building will make best use of the power both day and night and contribute to lowering costs and the carbon footprint of the building.

Many of us are used to checking the weather forecast on our mobile devices and the same technology is being used to manage the rainwater harvesting tank – this is the one some of you may have heard me talk about, what I call Thomas the Tank Engine – which is buried beneath the buildings. It holds 15,000l (enough for 100 baths!) and the water collected will be used within the buildings to reduce mains water consumption including using recycled water in the toilets. When heavy rainfall is forecast, water will be pumped out of the tank to make room for the expected downpour and help balance the load on nearby surface water drains.

Biodiversity, including bird boxes and bat boxes, and environmental sustainability will ensure The Amelia is able to exhibit top green credentials

alongside its fascinating collection of books, objects, documents, photographs, and visual art when it opens in 2022. A net gain in biodiversity will be achieved through the inclusion of the bird and bat boxes and an insect hotel.

The new facility will meet BREEAM 'Very Good' standards whilst also protecting the listed elements for future generations. Much of this has been achieved via enhanced insulation and secondary glazing to maximise u-values and minimise loss of heat in the building particularly given the environmental controls required to store and display the museum collection.

The project is receiving additional funding from The National Lottery Heritage Fund and Arts Council England."

6. Question from Councillor Lidstone

"The Council has just finished consulting with local residents on demand for electric vehicle charging points and has had a significant level of response. Can the Portfolio Holder confirm please whether potential provision for on-street electric vehicle charging is within the scope of this consultation?"

Answer from Councillor McDermott

"The survey was undertaken to establish resident and visitor views, on the potential provision and use of further electric vehicle charging facilities in our car parks. The survey ran for 6 weeks, closed on Sunday 4 July and had 766 respondents.

There was no reference within the survey to on-street provision, although some respondents have commented on this in the free text section. Kent County Council, as the highways authority, have indicated that their preference is for publicly available electric vehicle charging facilities to be provided off-street, hence our decision to take this approach with public engagement."

Supplementary question from Councillor Lidstone

"Dover Council recently secured funding for 49 electric vehicle points which included on-street charging. They, presumably, sit under the same highways authority that we do – Kent County Council – so if they are able to do this and we are not, will the Council accept there is no political will to provide on-street electric vehicle charging in Tunbridge Wells?"

Answer from Councillor McDermott

"It may be possible to identify a very limited number of on-street locations – Dover has found eight, for example – but it would not be widespread infrastructure. As mentioned earlier, we have not got the facilities, a lot of areas have got, of using the lampposts. Kent [County Council] do not use the lampposts for various reasons, so it would be difficult to get them on the streets."

7. Question from Councillor Chapelard

"At the Overview and Scrutiny Committee on 14 June 2021, the Portfolio Holder for Planning and Transportation, Councillor McDermott, said that Kent

County Council had rejected plans for a segregated cycle path on the St John's Road section of the A26. What specific proposals were rejected by Kent County Council? Why were these specific proposals rejected?"

Answer from Councillor McDermott

"I would be grateful if Councillor Chapelard could highlight in the webcast of the meeting where I made this statement. My recollection of the committee was that I responded to a question that the section [of cycle path] in question had been completed. An officer indicated that in seeking to secure the South East Local Enterprise Partnership (SELEP) money the advice from Kent County Council was that we could not focus on a section of the A26 that had already been implemented by Kent County Council."

Supplementary question from Councillor Chapelard

"My question about what was about rejected by Kent County Council predates any SELEP bid. What we didn't hear from you on 14 June was whether you thought the role of the Conservative Kent County Councillor for Tunbridge Wells North in stopping the removal of parking bays between Beltring Road and Southfield Road was constructive in delivery a segregated cycle path?"

Answer from Councillor McDermott

"That should be asked of the County Councillor."

8. Question from Councillor Pound on behalf of Councillor Everitt

"In March 2020 it was announced that Tunbridge Wells Borough Council would contribute to the £785k awarded by the Department of Transport to improve access at High Brooms train station, can he and the Cabinet confirm how much this contribution will be and within what time scale it will be made?"

Answer from Councillor McDermott

"Indeed it was, and Network Rail have undertaken some investigation since this date on the potential to deliver improved accessibility at High Brooms train station. The Council have agreed to provide £40k through Section 106 contributions. At this point, I am unable to confirm a timescale as an agreed scheme has not been signed off. However, when we have details of a timescale I will of course communicate this to members."

Supplementary question from Councillor Pound on behalf of Councillor Everitt

"From which Section 106 funding that contribution is going to be made?"

Answer from Councillor McDermott

"Off hand, no. But I'm sure we can find details for you and send them."

[Answer provided after the meeting –

"The financial contribution is linked to Land East of Kingstanding Way, Royal Tunbridge Wells (19/02267/OUT)."]

9. Question from Councillor Chapelard

“At the Overview and Scrutiny Committee meeting on 14 June 2021, the Portfolio Holder for Planning and Transportation, Councillor McDermott, said that, contrary to what he had written in his report, the remaining £623k for the A26 cycle route has been lost by Tunbridge Wells Borough Council and returned to Kent County Council. I appreciate things have move on since the question was submitted but which public body currently holds this £623k? Will this original £632k be returned to Tunbridge Wells Borough Council?”

Answer from Councillor McDermott

“As stated in my report (Agenda Item 9 on the Overview and Scrutiny [Committee] Agenda) the remaining £623k is held by Kent County Council. This Council has never had the money and it has always been held by Kent County Council for delivery. It was quite clearly outlined at the meeting that the Council was in discussion as to whether this money could be released to the Borough to enable a scheme to progress. However the decision is not Kent County Council’s to take as the money is from South East Local Enterprise Partnership (SELEP). I highlighted my personal view that it was already lost though I am delighted to say with the support of Kent County Council we now have some detailed work to undertake as SELEP have agreed to Tunbridge Wells Brough Council taking on the scheme. We will need to provide additional evidence to a SELEP meeting in September and start some proper engagement along the potential route.”

10. Question from Councillor Chapelard

“At the Overview and Scrutiny Committee meeting on 14 June 2021, the Portfolio Holder for Planning and Transportation, Councillor McDermott, said that a bid for Southborough to Mabledon cycle route had been submitted to the South East Local Enterprise Partnership (SELEP). At a subsequent meeting of the Town Forum on 17 June 2021 members were told that this bid had not been submitted to SELEP. Had the bid been submitted to SELEP on 14 June 2021? If not, has this bid been submitted since 14 June 2021?”

Answer from Councillor McDermott

“As outlined at the Overview and Scrutiny [Committee] meeting on 14 June 2021 the bid had been submitted to Kent County Council on 10 June 2021 and was being discussed with them to enable consideration by SELEP on 2 July 2021. This was also outlined to the Town Forum a few days later. And my answer to your previous question should confirm that we did indeed have our proposal considered.”

11. Question from Councillor Chapelard

“At the Overview and Scrutiny Committee meeting on 14 June 2021, the Portfolio Holder for Planning and Transportation, Councillor McDermott, said it was not possible to put in a cycle route along A26 from Southborough towards Tonbridge because the road was too narrow. The bid to South East Local Enterprise Partnership for funding an A26 cycle route runs along part of this section. How confident is the Portfolio Holder that a cycle route can be built along that section of the A26?”

Answer from Councillor McDermott

“I think if Councillor Chapelard checks my answer to him at the Overview and Scrutiny Committee I stated that I had been told by Kent County Council officers it could not be delivered. However, as you pointed out, we have been working to deliver a cycle route along the A26 for a number of years. The recently published national, regional and local transport policy relating to decarbonisation of the transport network, which facilitates active travel has significantly shifted the approach. The A26 cycle route project, and revisions we have proposed, respond to the aims set out in these documents. I do not pretend that there are not some significant challenges along this route including the timetable to deliver the scheme properly. But I am sure Councillor Chapelard will welcome the fact that Kent County Council officers, instead of stating it is impossible, are seeking to work with us and undertake some initial assessment of the issues along this stretch. Going forward, we need to ensure we engage fully if we are to be in a position to deliver a scheme by September 2022.”

Supplementary question from Councillor Chapelard

“That is good news because back on 14 June you said, ‘it was impossible to put in a cycle route without killing people’. How significant do you think the support from the Kent County Council member for Tunbridge Wells North will be in making sure the cycle route is delivered?”

Answer from Councillor McDermott

“Once again, you’ll need to ask him that. I can’t answer for him.”

OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2019-20 AND 2020-21

FC20/21 Councillor Thomson moved, and Councillor Hills seconded, the recommendation set out in the associated report.

Debate on the motion included consideration of the following points:

- The report had been approved by the Overview and Scrutiny Committee and was presented for noting.
- The committee was not fully meeting its duty to scrutinise, examination of several key issues had been denied and certain reports had lacked detail.
- The committee had not acted impartially, the chair and vice-chair should not be from the majority party.

Mayor took a vote on the motion by affirmation.

RESOLVED – That the Overview and Scrutiny Committee Annual Report for 2019-20 and 2020-21 be noted.

MOTION ON NOTICE FROM COUNCILLOR RANDS

FC21/21 Councillor Rands sought consent to alter the motion of which notice had been given. Consent was granted by affirmation.

Councillor Rands moved, and Councillor Atwood seconded, the motion set out in the notice tabled at the meeting and to be published as a supplement to the agenda.

Debate on the motion included consideration of the following points:

- The importance of sport and active lifestyles was self-evident.
- Local policy backed up national policy that sports facilities should not be lost unless there was an assessed lack of need, re-provision elsewhere or the benefit to the community outweighed the harm.
- Motion is not about a particular site.
- Understand financial pressure to sell valuable land.
- If sites were closed the Council needed to ensure no gaps in provision, temporary closure often lead to migration to other clubs and decline.
- Re-provision before closure would also avoid costly replacement facilities in future.
- The motion was seeking to address an issue through the Planning system and would more appropriately be dealt with through, initially, the Planning Policy Working Group where existing policies (particularly OSSR2) could be reviewed.
- The ability to re-provision sites would come from Section 106 funding which was only payable after development started.

Councillor Hayward moved, and Councillor Pope seconded, a procedural motion under Council Procedure Rule 11.4 to refer the matter to the Planning Policy Working Group.

Councillor Rands replied to the procedural motion:

- The motion sought to put an obligation on Cabinet when it considered the disposal of sites, not to amend planning policy.

The Mayor took a vote on the procedural motion by show of hands. Votes cast were 7 for, 33 against with 3 abstentions.

PROCEDURAL MOTION NOT CARRIED

Debate proceeded on the original motion.

Debate on the motion included consideration of the following points:

- The motion highlighted a problem with the planning system in that Section 106 moneys were only payable when development started. Provision of social infrastructure prior to developments were at the Council's risk.
- Facilities should be retained within communities.
- Centralisation of sports facilities and the need to travel would dissuade casual activity.
- Phrases such as 'all reasonable efforts' were insufficient to protect important services.
- Open spaces would be even more important post-Covid. Anything to increase protection should be welcomed.
- Being 'reasonable' allowed flexibility which could be to the benefit of residents in certain circumstances.
- Centralisation of sports facilities would lead to increased journeys through town.
- A duty to re-provision lost facilities was not incompatible with retaining facilities locally.
- The motion deliberately referred to sports and open spaces and would not apply to all community services.

- Sports clubs, some with long histories, should be given fair chance to continue in the event a particular site was to close.
- The motion sought to strengthen the Council's commitment to both the letter and spirit of national planning policy.
- National policy referred to provision of 'suitable' alternative sites which should give comfort to those concerned about centralisation of sports services.

The Mayor took a vote on the motion by show of hands. Votes cast were 33 for, 0 against with 10 abstentions.

RESOLVED – Mindful of the potential for changes in the allocation and use of sports facilities within the Borough, we recognise our commitments under the National Planning Policy Framework in general and paragraphs 96-101 in particular. This Council welcomes the policies in the Pre-Submission Local Plan (in particular Policy OSSR1) on the retention of open spaces and the requirement that losses should be made good by alternative equivalent or better provision. At the same time, we urge Cabinet to commit to always seek to ensure that alternative provision is available before any site is withdrawn for use or, if there are exceptional reasons why this cannot happen, all reasonable efforts are made to ensure that temporary facilities are made available to bridge the gap.

MOTION ON NOTICE FROM COUNCILLOR MORTON

FC22/21 Councillor Morton sought consent to alter the motion of which notice had been given. Consent was granted by affirmation.

Councillor Morton moved, and Councillor Patterson seconded, the motion set out in the notice tabled at the meeting and to be published as a supplement to the agenda.

Debate on the motion included consideration of the following points:

- The motion was intended to make roads safer.
- Kent County Council would adopt a Road Action Plan for the next five years and Tunbridge Wells Borough Council should support Vision Zero.
- The Council should support 20mph on built up roads, particularly outside schools.
- Safer roads would encourage children to walk or cycle to school.
- Some country lanes within the limits to built development had national speed limits allowing up to 60mph in built up areas.
- One such road, Reynolds Lane, was very narrow and had a school and playing fields but the speed limit could not be reduced 20mph as it was designated a national speed limit.
- The matters addressed in the motion were the responsibility of Kent County Council therefore the Joint Transportation Board would be the most appropriate body to consider the motion.
- The concept of 20mph near schools and generally making roads safer was widely supported.

Councillor Hayward moved, and Councillor Pope seconded, a procedural motion under Council Procedure Rule 11.4 to refer the matter to the Joint Transportation Board.

Councillor Morton replied to the procedural motion:

- The motion sought to establish Tunbridge Wells Borough Council's position on the matter which could then be transmitted directly to Kent County Council.
- If members were supportive of the motion, it should not be delayed by referring it elsewhere.

Councillor Pound raised a point of order that the procedural motions moved by Councillor Hayward on this and the previous item (FC21/21) should have been decided without discussion. The Mayor, on the advice of the Monitoring Officer, ruled that a procedural motion should be voted on without debate.

Councillor March requested a recorded vote on the procedural motion.

Members who voted for the motion: Councillors Allen, Atkins, Atwood, Backhouse, Barrington-King, Britcher-Allan, Dawlings, Fairweather, Goodship, Hamilton, Hayward, D. Hill, B. Hills, Knight, Lewis, March, McDermott, Morton, Ms Palmer, Pope, Pound, Roberts, Scholes, Scott, Simmons, Thomson, Warne, White, and Woodward. (29)

Members who voted against the motion: Councillors Chapelard, Ellis, Fitzsimmons, Funnell, C. Hall, Lidstone, Patterson, Poile, Rands, Rutland and Wormington. (11)

Members who abstained from voting: Councillors Bland, Dr L. Hall and Hickey. (3)

RESOLVED – That the motion be referred to the Joint Transportation Board.

URGENT BUSINESS

FC23/21 There was no urgent business.

COMMON SEAL OF THE COUNCIL

FC24/21 **RESOLVED** – That the Common Seal of the Council be affixed to any contract, minute, notice or other document arising out of the minutes or pursuant to any delegation, authority or power conferred by the Council.

DATE OF NEXT MEETING

FC25/21 The next scheduled meeting was Wednesday 6 October 2021.

NOTES:

The meeting concluded at 8.05 pm.