

A G E N D A

OVERVIEW AND SCRUTINY COMMITTEE

Monday 12 February 2018 at 6.30 pm
Committee Room A, Town Hall, Royal Tunbridge Wells, TN1 1RS

Members: Councillor Dawlings (Chair), Councillors Hills (Vice-Chairman), Chapelard, Gray, Hannam, Hill, Huggett, Mackonochie, Ms Palmer, Stewart, Uddin and Woodward

Quorum 3 Members

- 1 Apologies for Absence**
Apologies for absence as reported at the meeting.
- 2 Declarations of Interest**
To receive any declarations of interest by Members in items on the agenda. For any advice on declarations of interest, please contact the Monitoring Officer.
- 3 Minutes of Previous Meetings** (Pages 3 - 16)
Minutes of the Overview and Scrutiny Committee meeting dated 11 December 2017. The Chairman will move that the minutes of the previous meeting be signed as a correct record. The only issue relating to the minutes that can be discussed is their accuracy. **Procedure rules applicable to all meetings Part 4, section 6.**
- 4 Items Called in under Overview and Scrutiny Procedure Rule 13**
If there are any 'Call-in' items, details will have been circulated to Members under separate cover.
- 5 Chairman's Introduction**
- 6 Portfolio Plans and Progress - Tourism, Leisure and Economic Development** (Pages 17 - 24)
- 7 Civic Development - verbal update**
- 8 Task and Finish Group(s) Update - verbal update**

Issued on Friday, 2 February 2018

Contact Officer: Nick Peeters, Scrutiny & Performance Officer,
Tunbridge Wells Borough Council, Town Hall, Royal Tunbridge Wells, Kent TN1 1RS
Telephone: 01892 554204 nick.peeters@tunbridgewells.gov.uk

9 Overview and Scrutiny Committee work programme 2017-18 (Pages 25 - 26)

10 Urgent Business

To consider any other items which the Chairman decides are urgent, for the reasons to be stated, in accordance with Section 100B(4) of the Local Government Act 1972.

11 Date of the next meeting

The next meeting of the Overview and Scrutiny Committee will take place on Monday 9 April, 2018.

William Benson

Chief Executive

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Notes on Procedure

- (1) Members seeking factual information about agenda items are requested to contact the appropriate Service Manager prior to the meeting.
- (2) Please note that this meeting may be recorded or filmed by the Council for administrative purposes. Any other third party may also record or film meetings, unless exempt or confidential information is being considered, but are requested as a courtesy to others to give notice of this to the Committee Administrator before the meeting. The Council is not liable for any third party recordings.
- (3) Members of the public and other stakeholders are required to register with the Council's Scrutiny and Performance officer (nick.peeters@tunbridgewells.gov.uk) if they wish to speak on an agenda item at this meeting. Places are limited to a maximum of four speakers per item. The deadline for registering to speak is 4.00 pm the last working day before the meeting. Each speaker will be given a maximum of 3 minutes to address the Committee.

OVERVIEW AND SCRUTINY COMMITTEE

Monday, 11 December 2017

Present: Councillor Tom Dawlings (Chair)

Councillors Hills (Vice-Chairman), Chapelard, Hill, Huggett, Mackonochie, Ms Palmer, Stewart, Uddin and Woodward

Officers in Attendance: Lee Colyer (Director of Finance, Policy and Development (Section 151 Officer)) and Gary Stevenson (Head of Environment and Street Scene)

Other Members in Attendance: None

APOLOGIES FOR ABSENCE

OSC38/15 Apologies for absence were received from Councillors Gray and Stewart.

DECLARATIONS OF INTEREST

OSC39/15 There were no declarations of interest made, within the provisions of the Code of Conduct for Members.

MINUTES OF PREVIOUS MEETINGS

OSC40/15 The minutes of the meetings dated 23 October 2017 were submitted.

RESOLVED – That the minutes of the Committee meeting dated 23 October 2017 be agreed.

ITEMS CALLED IN UNDER OVERVIEW AND SCRUTINY PROCEDURE RULE 13

OSC41/15 There were no items which had been called-in under Overview and Scrutiny Procedure Rule 13.

CHAIRMAN'S INTRODUCTION

OSC42/15 The Chair confirmed the order of the agenda.

DRAFT BUDGET AND MEDIUM TERM FINANCIAL STRATEGY (MTFS) 2018-19

OSC43/15 The Director of Finance, Policy and Development, Lee Colyer, updated Members on the 2018-19 Draft Budget and Medium Term Financial Strategy (MTFS). Mr Colyer highlighted the following points:

The report presented was the third in the process of setting the budget. There remained a gap in the budget of £149,000, which was an improvement of £120,000 since Mr Colyer's presentation at the Committee's October meeting

- The government's autumn Budget statement had been delivered, which included a scheme to bring long-term empty properties back into use. However, the government was only allowing a 50 percent premium on council tax for those properties, resulting in an additional charge of £750 per annum. There were 67 properties in the borough which had been empty for two years; the annual increase in property value in Tunbridge Wells was an average £25,000 per annum and there was little financial

incentive for owners of empty properties to bring them back into use. As a result, it was unlikely to bring about the behavioural change needed and it would have been more beneficial for the percentage premium to have remained in local control. The policy also needed primary legislation and this had not been timetabled by Parliament until implementation in April 2019.

- The pilot for the 100 percent localisation of business rates was progressing and Tunbridge Wells Borough Council was included in a Kent wide bid for a competitive process. All the authorities in Kent had reached an agreement and a strong bid had been submitted, with a response expected the following week. If the Kent bid was successful it could generate a £600,000 share of the business rates, which currently went into the HM Treasury. Any success from the scheme would be treated as a windfall and not included in any budget plans. It would be for Councillors to determine how the revenue would be used.
- The latest budget projections set out on page 23 of the agenda showed that the revenue support grant would be withdrawn entirely in 2018 (a £202,000 reduction for the Council). The Council received one of the steepest reductions in the grant and a transitional, two year grant, had been provided to mitigate this.
- Local land charges income was being centralised which meant the Council would continue with the work but the income would be held by the Land Registry.
- An increase in inflation would mean a £250,000 pressure on the Council, particularly when dealing with contracts and the running of services.
- The Homelessness Reduction Act would result in an additional financial burden for the Council as additional staff would be needed to administer the process in accordance with legislation. This also applied to the Data protection regulations, which would need additional staff to ensure compliance.
- European Union legislation meant the Council would not be able to pass on credit card charges, although it would still have to pay credit card companies.
- The Council had reduced its insurance contract costs with a saving of £80,000. Improvements at the Crematorium and an improved service had produced income of £150,000.
- The strategy was predicated on a council tax increase of just under £5.00 per household, per annum, which would generate £300,000. Additionally, there were general efficiency savings of £120,000.
- There was a projected funding shortfall of £149,000, which was significant. However, the Council had a good track record of balancing the budget and there was confidence that the gap would be closed over the following months.
- The report had been approved by the Finance and Governance Cabinet Advisory Board and the Cabinet. Additionally, it had been presented to the

Tunbridge Wells Town Forum (with presentation to the Parish Chairmen's Forum the following evening).

The Draft Budget was on the Council's consultation portal and would be available for comment for a six week period, following which all comments would be brought back to the Council's decision makers for consideration.

Members expressed the following views:

Councillor Woodward asked if, looking at 2019/20, whether the negative revenue support grant meant vulnerability for the Council. Mr Colyer advised that the Council had signed up to a four year agreement and the final year would involve a negative support grant. Mr Colyer advised that, whereas it was the government's intention for 100 percent localisation of business rates to replace the revenue support grant, the advent of the general election had affected the government's timetable. Mr Colyer said that, as a result, the Council would still be in line for the negative revenue support, however, he had allowed for this within the budget calculations. Mr Colyer added that it was not yet known what the impact on local government funding would be after 2019/20, but that the government would be undertaking a comprehensive spending review.

Councillor Woodward went on to ask whether the success of the Kent bid for the business rates retention pilot scheme could be gauged. Mr Colyer said it was known that the scheme would be particularly complicated in two-tier areas and the Kent bid met some of the government's concerns over how such a scheme could be arranged and implemented. Mr Colyer added that, if an area as financially complex in terms of funding, as Kent, could come to an agreement, it provided a good model for government and there would be disappointment if the work into the pilot scheme did not provide benefits to Kent residents.

Councillor Woodward asked whether the current year-end projection was due to be balanced. Mr Colyer advised that the Council's current projection was for a £200,000 underspend.

Councillor Hills asked whether the government's next comprehensive spending review would be produced in time for the following year's government budget. Mr Colyer said this was for the government to determine and he was not aware of the timetable, but advised that the current review only dealt with funding until 2019/20. He added that it was central and local government funding that would be subject to the review.

Councillor Palmer asked what would happen to the underspend from the current year. Mr Colyer said that it would be placed into the general fund and would be available to fund the capital programme. He added, however, that it would be for Members to decide how this would be used within the capital programme.

Councillor Dawlings asked for an update on the Council's position on Royal Victoria Place (RVP). Mr Colyer advised that agents had been appointed by the Council to look at the Council's interest and this piece of work was drawing to a conclusion, and the results of the work would be provided to Members. Mr Colyer added that it was not appropriate for the Council to comment on speculative commercial decisions reported in the press. He

further added that, to his knowledge, RVP had not been sold.

Councillor Chapelard said he would like to see an overview of the liabilities attached to the significant projects the Council was undertaking including RVP, the civic development and the cultural and learning hub. Mr Colyer said no decision had been made on RVP and therefore he could not comment on it. Mr Colyer added that the civic development and the cultural learning hub were both funded. He further added that the funding for the civic development would not be required for 2018/19 and the £7 million funding for the cultural and learning hub had been provided through the capital receipt from the sale of land at Hawkenbury. Mr Colyer went on to say that when he produced the final budget, he would set out the Council's reserve position over the following five years, for those items where a Council decision had been taken to fund a scheme, or for the those where a capital receipt had been received.

Councillor Chapelard asked for clarification on future budget projections and the added deficit of £606,000. Mr Colyer advised that the £606,000 was due to be replaced by 100 percent localisation of business rates. He added, however, that the improvements would be the increase in the share of business rates growth and other income, which would grow at a faster rate than the Council's cost base. Mr Colyer further advised that the current deficit of £149,000, which was expected to reduce to zero by year end, would be offset against future years.

Councillor Chapelard asked how the £149,000 deficit would be reduced over the following months. Mr Colyer reiterated that the Council had a good track record of consultation and it was anticipated that this would provide some good ideas. Mr Colyer reminded Members that further efficiencies had not been factored in and the 'fees and charges' budget had been slightly above target. He said that, with a better idea of the third quarter's data, a more detailed understanding of income streams would be available. Mr Colyer went on to say that the figures were projections and heads of service and budget holders were charged with providing efficiencies and savings from cost bases. He said that partnership working, such as the transferring of revenues and benefits staff to Maidstone, was a key area for providing savings.

PORTFOLIO HOLDER PLANS AND PROGRESS - SUSTAINABILITY

OSC44/15 Councillor Ronen Basu, portfolio Holder for Sustainability, highlighted his achievements in 2016-2017 as detailed in appendix A to the report and his ambitions for 2017-18. Councillor Basu referred in particular to the following areas of his portfolio:

- Design work for the Phase 2 Public Realm Project Phase was ongoing, including engagement with the bus operators. The Council's Joint Transportation Board recently considered a paper for phase 2 of the scheme including the proposal to introduce the increased traffic movement restrictions in Mount Pleasant Road.
- A total of 165 tonnes of carbon dioxide emissions had been saved since October 2014 as a result of the photo voltaic panels being installed at the Tunbridge Wells Sports Centre. As of October 2017, the PV panels had produced energy savings of £57,100 (up to October 2017) - which had gone back into the Council's general fund.

- The Collective Switching Scheme had been running since June 2013 and with auctions taking place each year. To date average savings on energy bills had been approximately £200, and from June 2013 to May 2017 overall savings to residents had been £77,500. A new auction was taking place and residents could sign up at www.energydealswitch.com.
- The Car club was successful - data up to October 2017 showed a total of 187 users, with a growth rate of 37.5% over the previous twelve months. An average utilisation rate across all cars of 22.1% which continued to grow. The scheme was self-financing and the car club operator indicated that the Tunbridge Wells car club location was regularly ranked in the top 5 locations on a monthly basis.

Section 106 funding for £10K had been secured to support the expansion of the car club into the St John's area.

There were 6 car club vehicles in the fleet including the electric vehicle in Crescent Rd and a small 1L petrol engine hybrid - both of which had lower emissions. There were also electric points available for charging.

Survey feedback received from TW car club members through an online survey in April 2015 confirmed that a decrease in average car mileage after joining the car club; with respondents using more public transport, sharing lifts and walking more.

- The Tunbridge Wells Air Quality Management Area (AQMA) based along the A26 from Southborough to Tunbridge Wells had seen levels at the kerbside reduce and were currently steady at around $44\mu\text{g}/\text{m}^3$. However, they continued to exceed the national annual air quality objective for nitrogen dioxide of $40\mu\text{g}/\text{m}^3$.
- Defra's recent review of the monitoring data for 2016 indicated that, after distance correction, there were no exceedances of the of the annual air quality objective within the existing AQMA. Based on the latest monitoring data, Defra advised this suggested the authority is moving towards compliance with the annual mean objective for nitrogen dioxide.
- To progress further improvements to local air quality a joint proposal between Tunbridge Wells and Maidstone Borough Councils, and supported by Tonbridge and Malling Borough Council had been submitted to DEFRA to bid for the Clean Bus Technology Grant Fund 2017-2019. The bid involved Arriva Kent and Surrey, the main bus operator serving the area. The project would have a significant impact on air quality across a wide geographic area. The £1 million funding sought from Clean Bus Technology Fund would attract approximately £800,000 additional investment from Arriva. The proposed project was to retrofit 50 Euro IV and Euro V Arriva buses, with pollutant reducing technology, to achieve an accredited Euro VI standard, using Selective Catalytic Reduction Technology (SCRT) - achieving a significant reduction in nitrogen dioxide (NO₂) emissions. The Council expects to hear the results of the bid in the New Year.
- In June 2017 Tunbridge Wells become the single employer for Mid Kent Environmental Health and officers have settled in with their new employer.

Human Resources and Finance had a central role in making sure the Swale and Maidstone employees made the transition as painless as possible.

- The Mid Kent Environmental Health was shortlisted for the Chartered Institution of Environmental Health Excellence Award for Outstanding Environmental Health Team in November reflecting the achievements the shared service made since it was formed in 2013.
- The Food Safety Team continued to assist local businesses to help them achieve a high level of hygiene standards. Where standards fell short or advice was ignored the team used formal action. A case against one Kent food business resulted in fines and costs totalling £160,000 and attracted publicity that other food businesses and the public took note of. Significant hygiene system changes had been addressed by the company to ensure that the same issues were avoided in the future. In another case, a caution was issued to a local butcher for hygiene failings, with the costs recovered for the legal and officer time spent preparing the case for prosecution.
- Work was undertaken with Dartford, Tonbridge and Malling and KCC on the procurement of the Household Waste/Recycling Contract, including identification of the most cost effective service for collection and disposal costs. The new service was due to be rolled out in March 2019 and would provide glass collection together with plastics and cans, and a separate weekly collection of food waste. There would also be an opt in chargeable garden waste collection service.
- Civic Amenity Vehicle – the service was modified July 2016: For the year 2016/17 collected residual waste was 955 tonnes and compostable waste was 85 tonnes. (704 tonnes being collected in April – July 2016 and 251 tonnes between August 2016 and April 2017). In the year 2015/16 1, 827 tonnes of mixed waste was sent to landfill.
- Fly-tipping – 1,048 cases of fly-tipping were reported, a third of which gave cause for investigation. Action taken included:

Operation Discard – An operation to stop and educate waste carriers in having the correct licencing and waste documentation; such as waste carriers licences, waste transfer documents and scrap metal collectors licences. Over 20 vehicles were checked and the drivers spoken to and documentation checked.

Waste carriers vehicle seizures – 4 vehicles were seized because the driver didn't have the appropriate licence available - 2 were returned after the driver produced records and two retained until court judgement. 7 fixed penalty notices totalling £2,100 were issued for either not having a waste carrier licence or not having waste documents.

- 230 Abandoned vehicles were clamped and removed. Operation Tax-replaced Operation Cubit and involved the Street Scene Enforcement team and the DVLA's contractors, and was set up in Tunbridge Wells free of charge. The operation removed untaxed and abandoned vehicles and those that may have been used for crime.

- 1610 Fixed Penalty Notices were issued for littering. The Council carried out a further Operation Dog Watch – 23 dog walkers were spoken to about picking up after their dog or the dogs not having tags or collars.
- The London Borough of Bexley's licensing functions were successfully incorporated in the Licensing Partnership's operation. Sharon Bamborough recently joined from Lambeth Borough Council as the new Partnership Manager.
- The team continued to vet licence applications and carry out compliance checks and joint operations with the Police to ensure that public safety was protected.

Members expressed the following views:

Councillor Woodward asked how many penalty notices were issues as a result of dog fouling. Councillor Basu said that approximately 27 were issued.

Councillor Woodward asked what the aims of the Food Service Plan were and whether it had been published. Councillor Basu said that part of the Plan was to encourage high safety standards amongst food suppliers in the borough and to encourage suppliers to undertake the level 2 Food Safety course. The Head of Environment and Street Scene, Gary Stevenson, explained that the Plan was operation in its nature and as a result had not come before members and did not require approval by the Cabinet. He added that the Plan set out the inspection frequency for premises based on their risk-ratings and also included food sampling in line with national guidance.

Councillor Uddin asked when the DEFRA grant for the upgrading of emissions on busses would produce tangible results and if it was successful, would those vehicles that provided a service on the A26 be included in the project. Councillor Basu advised that it was hoped that results would be seen in January 2018 and that 65 buses would be upgraded, including vehicles that used the A26.

Councillor Dawlings asked if one of the recommendations of the Recycling/Household Waste Contract Task and Finish Group - that a site for a recycling centre for the eastern parts of the borough be looked at, had been progressed. Councillor Basu advised that this particular issue had been discussed at several meetings and the funding of a centre by KCC was an issue. He added that the Councillor Jukes, as Leader, had written to the relevant Cabinet members at KCC to encourage further debate and ask what the current position was on the issue, as it was still considered to be relevant. Councillor Dawlings considered that provision of a site remained important as it would dramatically increase recycling rates and reduce landfill. He asked what the Council was doing to encourage KCC's participation. Mr Stevenson advised that KCC had undertaken consultation as part of its Waste Strategy (which had now been adopted) and one of the strands was around waste facilities – including household recycling sites, and there was more consultation due on the current network of sites but there had been a delay on this part of the work.

Councillor Mackonochie asked how plastics were currently being processed. Mr Stevenson advised that, if it was included in the recycling bins, it was

sorted at the material recycling centre in Crayford, where, after sorting, it was sold to the highest bidder in the market. Mr Stevenson said the materials collected in the borough were tracked and details of the destinations could be provided to Members.

Councillor Hill referred to dog fouling and asked if bags were still provided for public use as she had noticed their unavailability in High Brooms. Mr Stevenson said they were only provided in Parks and that Southborough Town Council had moved to the 'any bin will do' scheme. Councillor Hill went on to ask whether the North Fram depot had successfully reopened. Mr Stevenson advised that the site was operated by KCC and he had not heard that there were any disruptions to the Council's services.

Councillor Palmer said there had been reports of issues in Hawkhurst with the provision of new bins which the collection vehicles were unable to lift. Mr Stevenson said the issue had not been reported to him directly but advised that he would look into the matter.

Councillor Chapelard referred to his request for the charging of residents for parking permits, based on vehicle emissions and whether this was a topic that Councillor Basu could look at within his portfolio. Councillor Basu advised that this was a proposal that came within the Planning and Transportation Portfolio Holder's remit. Councillor Basu added that one of the key issues was the changing of the culture of car ownership and households generally had a number of cars.

Councillor Chapelard went on to express concern about the proposal to include discretionary charging for garden-waste collection and the impact it would have on fly-tipping levels, and the increase in bonfires and air-pollution. Councillor Basu advised that fly-tipping was being managed and if hotspots were identified, cameras were installed and prosecutions carried out. Councillor Basu added that it was too early to identify the impact on fly-tipping and air pollution. Councillor Chapelard went on to ask whether funding for the civic development was a factor when the decision on the garden waste charge was made. Councillor Basu said it was not a factor and the decision was part of an overall process that was intended to improve the service and any savings were put into the Council's general fund. He added that, those in smaller, urban properties would not be subject to the charge and it also raised awareness of the need to compost.

Councillor Uddin asked what the Council was doing to get the message across to residents that the savings identified as part of the Household Waste/Recycling Contract were not connected to the funding of the civic development. Councillor Basu advised that ten out of the twelve local authorities in Kent already charged for garden waste and it was part of a wider government initiative. Councillor Basu added that glass would be collected and this would be included in the overall cost. He further added that the price for garden waste collection had not yet been fixed but that it would be at the lower end of the scale. Councillor Basu went on to say that the procurement of the contract happened to coincide with the civic development.

Councillor Dawlings said the principle of 'user pays' was generally understood, but as this was a service that was currently already included as part of the overall household waste service, it would be difficult for residents to accept it – particularly in rural areas of the borough and it would need

Careful explanation. Councillor Basu said that many of the other authorities in Kent had experienced similar difficulties but the Council was trying to provide the best service it could for residents.

Councillor Woodward said that offering a discretionary service at a cost seemed like a sensible option.

Councillor Mackonochie said that composting some materials such as oak leaves and asked if garden waste could be put in the green waste bin and whether it could be burnt as an energy source. Mr Stevenson advised that the waste sent to the Allington facility for incineration was the most expensive to dispose of at £110.00 per tonne. Mr Stevenson further added that national guidelines determined what could and could not be collected and what could be charged for.

Councillor Huggett commented that residents were not just losing a service but getting a different service which would include glass bottle collection and food waste collection.

RESOLVED to note the portfolio holder's update.

DOG FOULING/PUBLIC SPACE PROTECTION ORDERS - VERBAL UPDATE

OSC45/15 The Head of Environment and Street Scene, Gary Stevenson, provided an update to Members on the Council's use of public space protection orders (PSPOs). Mr Stevenson advised that the item also covered the Communities and Wellbeing portfolio but noted that Overview and Scrutiny's interest was the ability to impose fines for dog fouling through the PSPOs. Mr Stevenson advised Members that the current fixed penalty notices (FPN) for dog fouling was fixed at £50 - lower than for littering, but that through PSPOs, dog fouling could be classed as anti-social behaviour and the legislation for PSPOs would allow a high FPN to be determined. Mr Stevenson went on to say that the actual value for a future FPN had not yet been agreed and this would be a decision for the Cabinet following public consultation. Mr Stevenson added that there were signals from government that there could be an increase in fines for littering.

Members expressed the following views:

Councillor Woodward asked whether the scope of the PSPOs would be extended throughout the borough or remain focused in Tunbridge Wells, and if it did become borough wide, whether there would be one broad PSPO, or different levels according to need. Mr Stevenson advised that, for dog fouling, the intention was to initiate the scheme borough wide and he added that this would include a penalty for dog owners not having a means to pick up after their dogs. Mr Stevenson went on to confirm that further work was needed to determine the legal implications of which type of PSPO to use and whether they needed to vary dependant on the circumstances.

Councillor Huggett said that this was an important initiative as education on its own did not work and on-the-spot fines would be more effective.

Councillor Basu said there were targeted, proven educational initiatives such as 'flag and bag' that were available if specific areas were identified. He said the use of a PSPO to issue FPNs was not intended to penalise dog owners

but as a last resort.

Councillor Hill said that if enforcement officers were not available in the problem areas and at the time of day when incidents occurred. Mr Stevenson said that enforcement officers did target hotspots when they were identified.

Mr Stevenson said the consultation was already open and would close on 7 January, with approximately 90 responses received to date. Mr Stevenson urged Members to provide responses and to let others know that they could respond also.

RESOLVED to note the update.

REPORT OF THE TACKLING EXCESSIVE SPEEDS IN RURAL AREAS TASK AND FINISH GROUP - TO FOLLOW

OSC46/15 The Chairman of the Tackling Excessive Speeds in Rural Areas Task and Finish Group, Councillor Hills, presented the final report of the Group. Councillor Hills reminded Members that there had been some changes since the previous version of the report had been circulated to Members. Councillor Hills referred to a comments received from Members and in particular a suggestion that Kent County Council (KCC) provide a guide to the cost of the various types of engineering that was available to provide road safety measures and vehicle speed. Councillor Hills questioned the practicalities involved as the affordability of each scheme would vary and include a number of factors.

Councillor Mackonochie referred to the use of solar powered speed devices and expressed concern at the cost and the battery life. Councillor Mackonochie then commented on her suggestion that there be a clearer indication on the KCC website as to what measures were available and which ones KCC now subscribed to. She added that it would be useful for KCC to provide an explanation as to why a particular measure was no longer subscribed to as it provide a more realistic picture for those communities that were looking for assistance.

Councillor Hill expressed concern that the recommendation for more powers to be given to police community safety officers (PCSOs) would necessitate a need for more PCSOs, which she currently felt was insufficient. Councillor Hills advised that the report would be presented to Greg Clark MP and that the stakeholders involved would be invited at a later date to comment.

RESOLVED to note the report and endorse the recommendations.

TASK AND FINISH GROUP(S) UPDATE - VERBAL UPDATE

OSC47/15 The Chairman of the Planning Application Process Task and Finish Group, Councillor Woodward, advised Members that representatives from the Tunbridge Wells Civic Society, and four local councils over two separate meetings; had been met. Councillor Woodward said consideration was being given to one further meeting, which would be with Members from the unparished wards in the borough, allowing a different perspective on the process to be provided. Councillor Woodward commented that there seemed to be varied levels of engagement and interest in the planning application process and many of the comments were around levels of consultation.

Councillor Woodward said the intention was for a report to be provided to the February meeting.

RESOLVED to note the update.

SCRUTINY IN CHALLENGING TIMES - VERBAL UPDATE

OSC48/15 The Scrutiny and Performance Officer, Nick Peeters, updated Members on a training course he had recently attended with the Chairman of Overview and Scrutiny, Councillor Dawlings. Mr Peeters highlighted the following issues discussed on the course.

- Overview was about involvement in policy shaping before decisions are made and about improving the decision making process. This could include the monitoring of agreed actions. Scrutiny generally took place after decisions were taken and allowed questions of those decisions to be asked - normally realised through the call-in procedure. Tunbridge Wells Borough Council has the Cabinet Advisory Board system which offered pre-scrutiny on the key decisions the Council took. The impact of the advisory boards could be seen through the reduction in call-ins.
- The Centre for Public Scrutiny (CfPS) produced four principles of good scrutiny in 2012 which were still used by many authorities on the relevant website pages: to provide a 'critical friend' challenge; reflect the public voice; take the lead and own the scrutiny process; and make an impact on service delivery. These could still be used when looking at the benchmark for what all scrutiny committees should aspire to.
- Politics could be a wedge that stopped effective Scrutiny and was more evident in hung councils or councils with a slim majority. However, even in authorities with a large majority schisms and factions existed. The key point was that politics should be left at the door.
- Finding issues that are important and are of interest and which can be directly influenced and getting the right people to meetings. Ensuring stakeholders were relevant. Problems occurred when 'star' witnesses were not able to give the level of detail needed. Sometimes a local source was more appropriate.
- There was an argument that Scrutiny members should get the same training resources as planning and similarly licensing. But those are quasi-judicial committees and the training is mandatory. Scrutiny does have an important role and there are opportunities for targeted training within a limited budget.
- The impact of reduced scrutiny was a concern. There were examples of catastrophic failures by local authorities where the use of arms-length organisations to provide services had not included effective scrutiny and where Councillors had failed to appreciate impact, ultimately, on the Council.
- Scrutiny was potentially at a crossroads. The way public services were delivered and the structures used for delivery had changed. The support and resources given to scrutiny had also shifted. In terms of officer support, it was more likely that an officer supporting scrutiny would cover other areas of committee or election work.
- The 2011 local government act gave authorities the opportunity to move

back to the old committee system and there was concern that scrutiny would be lost as a function. The uptake for this option had not been as significant as originally thought.

- Scrutiny has a wide range of powers and the effectiveness of the work was determined by the demographics and environment in which it functioned. Larger, more diverse authorities would have a different set of problems to a largely rural authority, for example.
- There would be more opportunities for joint scrutiny work – for Tunbridge Wells this would come from opportunities to scrutinise the joining up services rather than a broader change in governance. The key to a successful joint piece of scrutiny comes from the organisations involved having a shared culture and shared goals.
- Scrutiny in local government was being looked at by a House of Commons Select Committee with a number of evidence gathering sessions and testimonials having already taken place.
- The Overview and Scrutiny Committee did well through Overview (shaping policy). And had produced good recommendations through task and finish groups. A recent example was the Waste & Recycling Report with the recommendations endorsed by the Cabinet.

Members expressed the following views:

Councillor Woodward felt there could be a simple way of measuring the effectiveness of the Committees work by looking at those outcomes that were considered deliverable and of those, the outcomes that were delivered.

Councillor Dawlings felt that the work of the Committee could be more widely publicised and he suggested that a summary of the Committee's annual report be included in Local magazine. Councillor Dawlings added, that in terms of structuring questioning, he preferred to see the questions develop.

RESOLVED to note the update.

OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2017-18

OSC49/15 The Chairman, Councillor Dawlings, introduced the item and updated Members on the following items in the Committee's work programme:

Dog fouling – the Head of Environment and Street Scene, Gary Stevenson, had provided an update earlier in the meeting.

Weed infested areas of the borough – Members were advised to contact the Contracts Manager, Paul Shipley if there were areas of concern.

Tunbridge Wells to Uckfield Rail link – there had been some activity and Lewes District Council's Overview and Scrutiny Committee had it on its work programme. There was an active organisation called Brighton Mainline 2 (BML2) who campaigned for the reopening of the Lewes – Uckfield line.

RESOLVED to note the Committee's work programme

URGENT BUSINESS

OSC50/15 There was no urgent business.

DATE OF THE NEXT MEETING

OSC51/15 It was noted that the next scheduled meeting of the Committee would take place on Monday 12 February 2018.

NOTE: The meeting concluded at 8.40 pm.

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Overview and Scrutiny Committee		12 February 2018
Is the final decision on the recommendations in this report to be made at this meeting?		Yes

Portfolio Holder Plans and Progress – Tourism, Leisure and Economic Development

Final Decision-Maker	Overview and Scrutiny Committee
Portfolio Holder(s)	Portfolio Holder for Tourism, Leisure and Economic Development, Councillor Jane March
Lead Director	Director of Change and Communities, Paul Taylor
Head of Service	Head of Economic Development and Property, David Candlin, Head of Human Resources, Nicky Carter and Head Environment and Street Scene, Gary Stevenson
Lead Officer/Report Author	Scrutiny and Performance Officer (Nick Peeters)
Classification	Non-exempt
Wards affected	All

This report makes the following recommendations to the final decision-maker:
1. That the Overview and Scrutiny Committee note the content of the Portfolio Holder's update.

This report relates to the following Five Year Plan Key Objectives:
<p>This report links to all areas of the Five Year Plan</p> <ul style="list-style-type: none"> • A Prosperous Borough • A Green Borough • A Confident Borough <p>Committee Members can consider whether the current ambitions of the Portfolio Holder are adequate and whether appropriate steps are in place to deliver the Five Year Plan.</p>

Timetable	
Meeting	Date
Overview and Scrutiny Committee	12 February 2018

Portfolio Holder Plans and Progress – Portfolio Holder for Tourism, Leisure and Economic Development

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The Overview and Scrutiny Committee meets with each of the Cabinet Portfolio Holders throughout the municipal year to discuss progress made towards the Council's corporate priorities. The 2017/18 Corporate Priorities were approved by Full Council in February 2017 and can be seen at see appendix A to the report.
- 1.2 A draft statement is attached at appendix B to the report detailing the Portfolio Holder's achievements over the last year and outlining his or her objectives for the year ahead.

2. INTRODUCTION AND BACKGROUND

- 2.1 The Overview and Scrutiny Committee is keen to understand from the Portfolio Holder his or her ambitions for the year, the aspiration as to how that ambition will be realised and then to ascertain whether it has been achieved. In particular, Portfolio Holders should focus on how our residents and businesses will see a difference as a result of the actions the Council has taken. The meetings are an opportunity for the Portfolio Holder, in their own words, to explain to the Committee and the public how the Council has made a difference

3. AVAILABLE OPTIONS

- 3.1 The Portfolio Holder's plans and progress update is for information purposes and the committee will be asked to note the content of the report. However, members may wish to ask questions of the Portfolio Holder and if necessary, ask that additional information be provided to the Committee at a later date.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

The Committee and the Portfolio Holder will work together to identify the best ways of doing things in the future - based on learning from past successes, and how the Overview and Scrutiny Committee can help with achieving the Five Year Plan. The Committee would also like to provide effective scrutiny, including opportunities for public engagement and help ensure that the outcomes provide value for money and improvements to public services.

5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 5.1 The views of the Committee and the responses provided by Portfolio Holder will be detailed in the minutes of the meeting and on the Council's website.

6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off (name of officer and date)
Legal including Human Rights Act	There are no legal implications resulting directly from the recommendations in the report	Patricia Narebor, Head of Mid-Kent Legal Partnership
Finance and other resources	There are no financial implications resulting from the recommendation in the report	Jane Fineman, Head of Finance and Procurement 31/01/18
Staffing establishment	There is no impact on staffing levels as a result of the recommendations in the report.	Nicki Carter, Head of Human Resources and Customer Services
Risk management	There are no risk issues that are raised within the report.	Nick Peeters Scrutiny & Performance Officer 31/01/18
Data Protection	The recommendations in the report have no direct impact on the privacy of, or use of personal data, of any person(s), including staff, residents and customers.	Jane Clarke Head of Policy and Governance 01/02/18
Environment and Sustainability	There are no environment and sustainability issues identified in the report.	Karin Grey Sustainability Manager 31/01/18
Community Safety	There are no community safety issues identified in the report.	Terry Hughes Community Safety Manager 01/02/18
Health and Safety	There are no health and safety issues identified <u>in</u> the report.	Mike Catling Health and Safety Advisor 31/01/18
Health and Wellbeing	There are no health and wellbeing issues identified in the report.	Stuart Smith Healthy Lifestyles Co-ordinator 01/02/18

Equalities	The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act.	Sarah Lavallie West Kent Equalities Officer 01/02/18
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7. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix A - 2017/18 Corporate Priorities
- Appendix B - Portfolio Holder for Tourism, Leisure and Economic Development
Portfolio Holder Statement 2017-18

8. BACKGROUND PAPERS

None

Appendix A

FINAL CORPORATE PRIORITIES 2017/18 – YEAR 4 DELIVERY OF THE FIVE YEAR PLAN

A PROSPEROUS BOROUGH	
<p style="text-align: center;">Our Five Year Plan: To achieve growth and shape our local economy by enhancing the built environment within our thriving town centres and rural settlements</p>	
Devolution	
1	Work with KCC and neighbouring authorities to secure the best deal for local people by devolving and joining up services across the West Kent Partnership, such as public health, waste and recycling and highways.
Making the Borough a key destination for businesses	
2	Continue to develop opportunities for business to locate and grow in Tunbridge Wells borough by making employment land available, as identified in the new Local Plan.
3	Continue to develop our Local Plan and to work with Town and Parish Councils and developers to secure suitable sites to meet our housing requirements and to ensure they are supported by the necessary infrastructure.
4	Continue to dispose of non-performing assets and invest the proceeds in income-generating projects or schemes.
Making the Borough a key destination for visitors	
5	Submit a Stage 2 HLF and Arts Council bid for the Cultural & Learning Hub and submit a planning application.
6	Continue to develop a scheme for a new Theatre that is fit for the future, new offices and associated car parking adjacent to Calverley Grounds and work up a scheme to give the Civic Complex a viable economic use whilst respecting its heritage.
7	Improve and increase the provision of car parking within the town of Tunbridge Wells.
Tackling congestion	
8	Work with KCC to deliver the projects set out in our Local Transport Plan, to secure further funding to alleviate congestion and to promote 20mph schemes and reduce pollution.
Ensuring provision of greater educational opportunities locally	
9	Explore with partner the possibility of providing a university or FE facility in Royal Tunbridge Wells.
10	Work with KCC and the developer to deliver a new primary school in Hawkenbury.

**FINAL CORPORATE PRIORITIES 2017/18 –
YEAR 4 DELIVERY OF THE FIVE YEAR PLAN**

A GREEN BOROUGH	
<p align="center">Our Five Year Plan:</p> <p align="center">To remain a clean and beautiful place to live, work and visit, as a result of the continued effort put in to protect the quality of the local environment</p>	
Enhancing our parks and open spaces	
11	Develop and deliver Phase 2 of the Public Realm works around the civic centre using external Local Growth Fund money.

A CONFIDENT BOROUGH	
<p align="center">Our Five Year Plan:</p> <p align="center">To remain a safe place to live, work and visit where communities enjoy good health, are adequately housed and resilient to the challenges they may encounter</p>	
Enabling the delivery of community facilities	
12	Continue to enable and assist Town Councils, Parish Councils and community groups to develop their own plans to provide amenities within their local areas.
Enabling empowered communities	
13	Support the health of residents by improving sport and active recreation opportunities, and contribute towards the Health Inequalities Action Plan.
14	Work with Town and Country Housing Group and our partners to address the pockets of social deprivation and health inequalities across some Wards in the borough, and provide a new solution for vulnerable homeless families in the borough.

Tourism, Leisure and Economic Development Portfolio Holder Statement 2017-2018 Councillor Jane March

1. My Responsibilities:

I lead on non-regeneration led economic development, tourism, overseeing local facilities such as the Crematorium, Assembly Hall Theatre, the Tunbridge Wells Museum and Art Gallery, Parks and our Sports centres. I am responsible for the Farmers' Market and for our frontline services such as those provided by the Tunbridge Wells Gateway and Weald Information Centre in Cranbrook and the Tourist Information Centre.

2. Functions and Services:

I am responsible for all services relating to the areas below covering a 2017/18 revenue expenditure of £7.2 million.

- Tourism
- Economic Development non-regeneration
- Farmers Market
- Customer Access & Gateway
- Assembly Hall Theatre
- Tunbridge Wells in Bloom
- Museum and Art Gallery
- Events
- Public Art
- Grants
- Leisure
- Cemeteries & Crematorium
- Parks, Sports Centres

3. Key Plans and Strategies:

I am also the Lead Cabinet Member on the following partnerships:

- West Kent Partnership
- LEADER Programme
- Royal Tunbridge Wells Together
- Public Art Board
- Heritage Lottery Funding Project Board for Grosvenor and Hilbert Recreation Ground
- South East Local Enterprise Partnership
- Cultural and Learning Hub Board
- Mid Kent Services representative
- Lead member WW1 commemorative events

4. Achievements in 2016/17:

- Royal Tunbridge Wells Together delivered year 1 of its action plan including of a number of events and delivery of a Christmas package.
- The House, a creative Workspace in Monson Road, opened in October 2016 and is now almost 70 percent full.
- A Jobs & Training Fair and a West Kent Skillsfest with West Kent Partners and Jobcentreplus were successfully held in the Assembly Hall Theatre.
- An architect was appointed to the Cultural and Learning Hub project in October 2016.
- The Civic Development, including proposals for new theatre, progressed to RIBA stage 3.
- In June 2016, a Sports and Active recreation Strategy was approved the Cabinet – providing a framework for the development of sport activities, facilities and services in the borough.
- Working with the Friends group, further funding streams, including HLF programmes for the Calverley Grounds were explored.
- In October 2016, the contract for the Tunbridge Wells Borough Lottery was awarded to an external company - enabling voluntary and community organisations within the borough to develop new fund raising capability.
- Work on an Economic Needs Strategy for the borough was undertaken.
- Capital works for the bereavement service were undertaken including a memorial wall and new cloister garden.

5. Priorities for 2017/18:

- Production of an Economic Development Plan for the borough.
- Submission of a Stage 2 HLF and Arts Council bid and planning application for the Cultural & Learning Hub.
- Continuation of the development of a new theatre fit for the future and to work on a scheme to provide viable economic use for the civic complex.
- Delivering the initiatives detailed in the Council's Sports and Active Recreation Strategy.
- Placing public art in Grosvenor and Hilbert Park.
- Developing Assembly Hall Theatre audiences through production and delivery of an operational plan.
- Exploring the feasibility of a Business Improvement District (BID) for Royal Tunbridge Wells town centre.

6. Contact: Councillor Mrs Jane March, Tunbridge Wells Borough Council, Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS, Email: jane.march@tunbridgewells.gov.uk

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Agenda Item 9

Overview and Scrutiny Committee 2017-18 Overview and Scrutiny Committee Draft Work Programme

Subject		Date of meeting
Standing Items	Officer	12 June 2017
Portfolio Holder Plans and Progress – Leader of the Council	William Benson	
Civic Complex Development – Portfolio Holder Update	William Benson	
Task and Finish Group Items		
Final report of the Tackling Excessive Speeds in Rural Areas Task and Finish Group	Adam Chalmers	
Items for Further Consideration		
Update on Five Year Plan Consultation	Jane Clarke	
Cabinet response to CCTV Review Call-In	Nick Peeters	
Draft Work Programme	Nick Peeters	

Subject		Date of meeting
Standing Items	Officer	14 August 2017
Portfolio Plans and Progress – Planning and Transportation	Lee Colyer	
Civic Complex Development – Update	David Candlin	
Task and Finish Group Items		
Update on Planning Application Process Task and Finish Group	Nick Peeters	
Items for Further Consideration		
Approval of Overview and Scrutiny Committee draft work programme 2017-18	Nick Peeters	

Subject		Date of meeting
Standing Items	Officer	23 October 2017
Portfolio Plans and Progress – Finance and Governance	Lee Colyer	
Civic Complex Development – Update	David Candlin	
Task and Finish Group Items		
Report of the Planning Application Process Task and Finish Group	Nick Peeters	
Items for Further Consideration		
Review of MTFS and 2018/19 draft Budget	Lee Colyer	

Subject		Date of meeting
Standing Items	Officer	11 December 2017
Portfolio Holder Plans and Progress - Sustainability	Gary Stevenson	
Task and Finish Group Items		
Task and Finish Group(s) – Scrutiny and Performance Officer/Group Chair verbal progress report	Nick Peeters	
Items for Further Consideration		
Draft Budget and Medium Term Financial Strategy 2018/19	Lee Colyer	
Dog Fouling/Public Space Protection Orders – verbal update	Gary Stevenson	

Agenda Item 9

Subject		Date of meeting
Standing Items	Officer	12 February 2018
Portfolio Holder Plans and Progress – Tourism, Leisure and Economic Development	Kevin Hetherington/David Candlin	
Civic Complex Development – Update	David Candlin	
Task and Finish Group Items		
Task and Finish Group(s) – Scrutiny and Performance Officer verbal progress report	Nick Peeters	
Items for Further Consideration		

Subject		Date of meeting
Standing Items	Officer	9 April 2018
Portfolio Holder Plans and Progress – Communities and Wellbeing	Paul Taylor	
Civic Complex Development – Update	David Candlin	
Task and Finish Group Items		
Task and Finish Groups – Scrutiny and Performance Officer verbal progress report	Nick Peeters	
Items for Further Consideration		
Draft annual report of the Overview and Scrutiny Committee	Nick Peeters	
Annual review of the Community Safety Partnership	Gary Stevenson	
Update on the Tunbridge Wells Lottery	Kevin Hetherington	