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TONBRIDGE AND MALLING BOROUGH COUNCIL

PARISH PARTNERSHIP PANEL

Thursday, 6th February, 2020

Present: Cllr N J Heslop (Chairman), Cllr M A Coffin (Vice-Chairman), Cllr R P Betts, Cllr R W Dalton, Cllr F A Hoskins, Cllr S A Hudson, Cllr Mrs C B Langridge, Cllr D Lettington, Cllr B J Luker, Cllr M R Rhodes and Cllr M Taylor.

Together with Addington, Aylesford, Birling, Borough Green, Burham, East Malling and Larkfield, Hadlow, Hildenborough, Kings Hill, Offham, Platt, Plaxtol, Ryarsh, Shipbourne, West Peckham, Wouldham and Wrotham Parish Councils and County Councillors Mrs S Hohler, Mr P Homewood and Mr H Rayner.

Councillors J L Sergison, T B Shaw and N G Stapleton were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs J A Anderson and Ditton Parish Council.

PART 1 - PUBLIC

PPP 20/1 MINUTES

RESOLVED: That the Minutes of the meeting held on 14 November 2019 be approved as a correct record and signed by the Chairman.

PPP 20/2 UPDATE ON ACTION IDENTIFIED IN THE LAST MINUTES

There were no actions identified that were not covered elsewhere on the agenda. However, the Chairman referred to Minute Number PPP 19/29 (Speedwatch) and advised that he was meeting the Chief Constable on 24 April 2020 and would use this opportunity to raise the concerns of parish councils.

In addition, the Chairman congratulated Watringbury Parish Council on their recent media publicity to raise awareness of air quality and speeding concerns in their community.

PPP 20/3 STREET SCENE SERVICES

Updates were provided on the following issues:

(a) Waste Services Contract

The Waste Contract Officer advised that the Borough Council recognised that the poor performance related to the new service

arrangements were unacceptable and acknowledged that the last few months had been extremely difficult and frustrating.

In response to the contractor's poor performance, particularly over the Christmas period, the Borough Council escalated contract issues with Urbaser and the Chief Executive wrote personally to the Managing Director. As a result of formal meetings at the highest level the contractor had provided a detailed action plan to address and resolve the performance issues.

A number of measures had been implemented to ensure that all residents received an acceptable level of service. These included:

- Doubling capacity with twenty additional refuse vehicles and fifty more collection staff;
- Changing to new vehicles which focused on collecting either mixed recycling or food waste, not both;
- Re-planning and reducing the size of some collection rounds to ensure they were completed;
- Placing additional inspectors at depots and on collection rounds to monitor performance;
- Reducing the number of agency staff in favour of more permanent staff;
- Improving data handling to identify and respond to repeatedly missed 'hot spots; and
- Increasing temporary staffing at the Borough Council to deal with complaints and reports of missed bins.

Progress on the action plan was monitored weekly and the Waste Contract Officer was pleased to report that since the implementation of the new measures contract performance had improved significantly. There had been a reduction in the volume of complaints received and the number of calls continued to fall. However, it was essential that the improved level of performance was maintained.

Despite the issues with the contract there had been very positive engagement from residents regarding recycling. It was reported that early indications for October/November 2019 showed an improved recycling collection rate of 50% which was extremely encouraging.

In addition, there had been significant interest in the garden waste collection scheme, with 47% of residents in the Borough subscribing.

Once the service performance was consistent the Borough Council would introduce the collection of communal bins. It was anticipated that the roll-out of this service would not commence until April 2020. Members were also advised that the current bring bank sites would remain in place until after the communal bins service was in operation to allow continuity of service for those residents. There would also now be more focus on the street cleaning programme.

Finally, it was noted that scheduled major road works on the A21 for a 10 day period in February 2020 may have implications for waste collections due to congestion and potential gridlock.

The Chairman, in his role as Leader of the Council, reiterated disappointment and frustration at the poor performance of the contractor during January. However, he was pleased to see an improving position and thanked parish/town councils and their communities for their patience, particularly the positive approach to recycling.

The parish councils welcomed the progress being made on improving the contract performance but expressed concern that some outstanding issues remained, such as the number of missed bins; emptying overflowing dog bins; the street cleaning programme; the quality of the service regarding placement of bins once emptied and collection of textiles and batteries.

(b) Household Waste Recycling Centre (HWRC) in Tonbridge and Malling

Tenders for the HWRC were currently being evaluated by Kent County Council. This process would be followed by quality and financial submission assessments and negotiation meetings. The award of the contract was due on 25 February, with a mandatory standstill period which meant that the announcement of the successful contractor would be made from 9 March – assuming there was no challenge to this decision.

Officers from Kent County Council offered to attend the next meeting of the Parish Partnership Panel to provide a more detailed update.

(c) Fly Tipping Enforcement

It was reported that Kent County Council (KCC) had committed £250,000 to reduce the level of fly tipping in Kent. The funding would assist district and borough councils to undertake further enforcement, improve communications between all partners involved and aimed to better inform both householders and businesses of their Duty of Care and responsibilities relating to waste disposal.

Members were reminded that the collection and enforcement of fly tipping was the responsibility of district and borough councils and that the County Council provided support via the Kent Resource Partnership.

As part of this initiative a number of authorities were undertaking 'days of actions' in partnership with Kent Police. The Borough Council was planning a similar campaign focused on educating households to check the credentials of those collecting waste. Details would be shared with parish/town councils when these were finalised.

Parish Councils welcomed more active enforcement but queried whether fly tippers would take notice of social media messages, posters and other educational tools. In response to a query raised regarding the use of cameras to catch perpetrators in the act, it was indicated that whilst these could be a valuable tool in gathering evidence it could also be time consuming in collecting and reviewing footage.

The County Member for Malling West (Councillor Harry Rayner) referred to the joint arrangements between Districts and the County Council in policing 'hot spots' and commented that consistent problem sites within Tonbridge and Malling were not appearing on the lists reviewed under these arrangements.

The Director of Street Scene, Leisure and Technical Services advised that the Borough Council was aware of the funding available and would clarify what enforcement arrangements and proposals were being considered. A further update would be provided at the next meeting of the Parish Partnership Panel.

The Cabinet Member for Street Scene and Environment Services (Councillor Robin Betts) advised that he was attending the Kent Resource Partnership in the near future and would take this opportunity to discuss fly tipping initiatives.

(d) Car Parking Charges – Public Consultation

The public consultation on proposals for car parking management in the Borough ended on 9 February and all were encouraged to submit comments before the deadline.

Residents were invited to comment on proposals related to the Phase 11 Parking Plan, variation to parking charges and the introduction of charges in Aylesford, Larkfield and Snodland.

Members of the Street Scene and Environment Services Advisory Board would review the proposals and initial consultation responses on 9 June with a further report to Cabinet on 30 June. In respect of the proposals related to Aylesford, Larkfield and Snodland this would be followed by a further consultation period of 21 days in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Members would review and consider the responses and proposals in September/October 2020.

PPP 20/4 PUBLIC CONSULTATION ON PLANNING APPLICATIONS

The Cabinet Member for Strategic Planning and Infrastructure (Councillor David Lettington) advised that before deciding a planning application local planning authorities (LPAs) were required to undertake a formal period of public consultation, as prescribed in [article 15 of the](#)

[Development Management Procedure Order](#) (as amended). This included parish/town councils as a statutory consultee.

There was a prescribed period of 21 days from notification for consultation responses. A planning decision could not be made before this time.

Consultation was a valuable part of the planning process and it was important that the public had a say in decisions affecting them and their communities.

It was reported that the Borough Council operated a combination of processes which exceeded the statutory requirements:

- Notifications via publication of a weekly list;
- Specific notifications to Parish and Town Councils (including provision of a full copy of planning applications consulted on);
- Sending neighbour letters to those adjoining any application site;
- Publication of site notices and press notices;
- Specific consultation with statutory and non-statutory consultees; and
- Re-consulted on planning applications where substantive amendments were made.

In addition, Parish/Town Council representatives and local residents who had made written representations were given the opportunity to speak on applications to be heard by the Area Planning Committees.

However, a number of areas for improvement had been identified, especially related to deadline dates for the receipt of consultation responses. Proposals would be reviewed by the Planning and Transportation Advisory Board in March 2020. A further update would be provided at the next meeting of the Parish Partnership Panel.

The Parish Councils welcomed the comments from the Cabinet Member for Strategic Planning and Infrastructure regarding the potential to align deadline dates for the benefit of parish/town councils' consultation responses. It was hoped that the proposals arising from the Planning and Transportation Advisory Board would benefit all concerned.

PPP 20/5 ARTICLE 4 DIRECTIONS

Members noted the responses to the specific questions raised by the Tonbridge and Malling Area Committee, Kent Association of Local Councils (KALC) regarding Article 4 Directions (Permitted Development Rights).

The Chairman of KALC – Tonbridge and Malling Area Committee (Sarah Barker) advised that they were scheduled to meet in April and any further questions relating to Article 4 Directions and the responses

provided might be submitted at this time for further discussion at the next meeting of the Parish Partnership Panel.

PPP 20/6 KENT POLICE SERVICES UPDATE

Due to operational pressures representatives of Kent Police were unable to attend the meeting. However a written report had been submitted for information, which set out details of a number of recent initiatives and operations.

Further information on any of the items raised in the Kent Police Services Update report was available by contacting Kent Police direct. Alternatively, any specific community issues could be passed to the Democratic Services Officer (allison.parris@tmbc.gov.uk) to forward to Kent Police.

The Cabinet Member for Community Services (Councillor Mark Rhodes) advised that he frequently met the Police and Crime Commissioner as a 'critical friend'. Unfortunately, he was unable to attend the latest meeting which had set the budget for the next financial year. However, meetings could be viewed via the Kent County Council website.

The Parish Councils referred to the lack of police presence at parish council meetings, despite an earlier commitment from Kent Police to attend more regularly. This concern would be raised with Kent Police via the Kent Association of Local Councils and with the Chief Constable via the Chairman.

PPP 20/7 KENT COUNTY COUNCIL SERVICES UPDATE

Members noted the report of the Kent County Council Member Hub Support Officer which advised that the budget proposals for 2020-21 would be considered by the County Council on 13 February 2020.

The County Member for Malling North (Councillor Sarah Hohler) referred to the significant concerns raised about Smart motorways and advised that Highways England would have to pause the implementation of the M20 until the Secretary of State had reached a decision on their future. However, this did not mean that the current roadworks would be stopped.

Details of a number of County initiatives and consultations were also set out for information. Particular reference was made to the Strategic Statement – Five Year Plan which was out for consultation until 17 February 2020. The draft Plan reflected the rural nature of Kent and there was an ambition to increase the number of community wardens.

All Kent County Council consultations could be viewed online at:

<http://consultations.kent.gov.uk/consult.ti>

Finally, reference was made to the proposals for the Lower Thames Crossing and the implications for residents in Tonbridge and Malling due to the lack of confirmed infrastructure proposals to support the scheme. Members anticipated that road networks in the Borough, particularly the A227, A228, A229, M2 and the M20 would be affected.

The Borough Council would respond to the ongoing consultation indicating that investment in the Lower Thames crossing was insufficient and impacts on the wider Kent road network should be considered. All parish/town councils were encouraged to submit comments.

PPP 20/8 TONBRIDGE AND MALLING BOROUGH COUNCIL SERVICES UPDATE

The Chairman, in his role as Leader of the Council, advised that key points of relevance to Tonbridge and Malling had been covered elsewhere on the agenda. However, there would be an update on the Local Centres and Parades Shopfront Grant Scheme provided as part of the Service Updates at the next meeting of the Parish Partnership Panel.

The meeting ended at 9.15 pm

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Public Consultations on Planning Applications

Parish Partnership Panel

06 February 2020

Councillor David Lettington

The Relevant Legislation

Local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in [article 15 of the Development Management Procedure Order](#) (as amended).

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This sets out a prescribed period for consultation responses – 21 days from notification – a decision cannot be made before that time

Longer periods are at the discretion of the LPA only

Value of Positive Engagement

Consultation is an important part of the process and it is important that the public can play an active role in the planning system by having a say in decisions affecting them and their communities

Anyone who wishes to make representations on a planning application can do so irrespective of whether you have been notified by the LPA

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Representations made should focus on material planning considerations – only these will be taken into account in making the formal decision. Advice on these can be found via the Council's website

Current TMBC Practices

Undertakes a combination of processes exceeding statutory requirements:

- Notifications via publication of the weekly list;
- Specific notifications to Parish and Town Councils (including provision of a full copy of planning applications consulted on);
- Sending neighbour letters to those adjoining any application site;
- Publication of site notices and press notices;
- Specific consultation with statutory and non-statutory consultees

Re-consults on planning applications where substantive amendments are made;

Parish/Town Council representatives and local residents who have made representations are given the opportunity to speak on applications to be heard by Planning Committee. There is no limit on the number of speakers on any given item taken to planning committee

Areas for review

Improved alignment between various deadline dates for the receipt of consultation responses to avoid confusion and ambiguity;

Ensuring a fairness of process when planning applications are amended during their lifetime to ensure appropriate local engagement can take place

Further Information and Guidance

[Article 15 of the Development Management Procedure Order](#) (as amended).

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Planning practice guidance – <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

Planning Portal – having your say - https://www.planningportal.co.uk/info/200127/planning/103/having_your