

Royal Tunbridge Wells Town Forum

Minutes of Meeting Monday 26 September 2005

Present: Jenny Alexander (Rusthall Village Association), Daniel Bech (Telephone House Neighbours' Association), Jenny Blackburn (Rusthall Village Association), Graham Bradley (Rock Villa & Hanover Residents' Association), Michael Doyle (Hawkenbury Village Association), Jean Fenwick (Calverley Park Association), Matt Goodwin (Village Residents' Association), Michael Hicks (Inner London Road Residents' Association), J Higgs (Rock Villa & Hanover Residents' Association), Ian Hoy (Clarendon Area Residents' Association), Michael Larsen (Friends of The Grove), Caroline McCann (Beulah Road Residents' Association), Keith Perry (Benhall Mill Road Land Association), Jeremy Syers (Benhall Mill Road Land Association), Chris Thomas (The Goodwins No. 1/No. 2 Residents' Company), E G Waller (Chancellor House Freehold & Estate), Mary Wardrop (Hawkenbury Village Association), David Webster (Clarendon Road Users Association),

Cllr Crawford, Cllr Ekins-Daukes, Cllr Mayhew

In attendance: Cllr Bullock (Portfolio Holder for Community Development and Law & Order, TWBC), Cllr John Cunningham (Portfolio Holder for Environment, TWBC), Gary Stevenson, Head of Environmental Services (Tunbridge Wells Borough Council) and Ellie Broughton, Head of Corporate Marketing and Communications (TWBC) / Forum Secretary.

1. Apologies

Apologies were received from Val Joy, Patricia Smith, and Cllrs Scholes, Davies and Jukes.

2. Minutes of meeting 1 September 2005

The minutes of the meeting were approved subject to the following changes:

Item 10(ii): Add 'John Cunningham of RTW Civic Society gave....' at start of paragraph.

3. Matters arising from the minutes of the first meeting

- A reporting form has been devised to keep track of requests / proposals from Forum meetings and the outcome of these requests and proposals, viewable on the website.
- Requests to amend the Terms of Reference to consider a number of practical points such as the size of quorum and arrangements for calling meetings at short notice etc have been received. It was agreed that a draft set of changes be circulated prior to the next meeting.
- Publicity – a press release had been issued announcing Matt Goodwin's appointment as Chairman and in future press releases will be issued to publicise Forum meetings taking place.
- In discussing this, a question arose as to whether the press should be invited. The Chairman invited a show of hands on the matter and it was agreed that the press would indeed be invited to future meetings.

ACTION POINT: Amendments to the Terms of Reference to be drafted and circulated for consideration at the next meeting (Daniel Bech / Ellie Broughton). Press releases publicising Forum meetings to be issued (Ellie Broughton). The Press to be invited to future meetings (Ellie Broughton).

All other matters covered by the agenda.

4. Borough Council responsibilities

Ellie Broughton gave a summary of Local Government services in RTW and their cost, an overview of Borough Council responsibilities and its constitution and advice on key contacts. She also summarised County Council services.

Questions arising included:

- To what extent does the Council employ consultants? Consultants are used for specialist work but tend not to be used to cover vacancies.
- Is an index of changes to the Council's website kept? No, though some changes are tracked.
- Is there a requirement on the Council to reply to correspondence within a certain number of days? Yes, officers and Councillors should adhere to the organisation's Customer Service Standards, which are available for viewing on the website. Ellie offered to chase an outstanding email on John Goodfellow's behalf.
- Lobbying of ward Councillors – Cllr Mrs Catherine Mayhew explained that ward Councillors who sit on Planning or Licensing Committees will fetter their ability to vote on cases if they enter into discussion. By all means residents can put their case, but they should not be surprised if a Councillor does not comment.
- Officer contacts? In addition to the website and forthcoming A-Z of services John Goodfellow requested a 'hierarchy' showing named officers and their responsibilities.
- Reorganisation of the Council – John Goodfellow requested that any reorganisation result in a customer-friendly and transparent structure.
- Has the A-Z publication been piloted? Informally, yes: it has been informed by feedback from some residents and others.
- Can the terms of reference be revised to state unequivocally that the Forum has the powers and responsibilities of a Town Council? No, the Forum is not a statutory body but an influencing one. Daniel Bech said that if the Forum wished to propose a Town Council in Royal Tunbridge Wells then it would require a petition of local electors followed by a lengthy process, not something it might realistically do at this time.

ACTION POINT: Ellie Broughton to provide current officer structure. Forum members are asked to note the structure may be subject to change.

5. Licensing:

Gary Stevenson, Head of Environmental Services, briefed Forum members on how the Council deals with licence applications under the new powers in the Licensing Act 2003 and how members of the public can seek a review of a premises licence. Councillor John Cunningham, Portfolio Holder for Environment (which includes Licensing responsibilities) explained his role.

The Chairman suggested that the Forum should first understand the context of Licensing before getting involved in discussing detailed cases, indeed he questioned whether, given its size, the Forum could realistically get involved in individual cases.

Queries arising included:

- Have some applicants missed the deadline? Yes, some licensees had missed the 6 August deadline conversion deadline and have had to make applications as though they were for a new premises which requires additional information. All premises must have a licence under the new system by 24 November 2005.
- Must the licensee publish any of the licence conditions? The licence, a summary of the conditions, must be displayed at the premises. A copy of the full licence can be viewed at the Town Hall and we are planning to make the licences available via the Council's website in due course.
- Had that presumption been reversed, would some of the Council's decisions have been different? The manner in which the legislation official guidance is framed made it difficult for the Licensing Sub-Committees to resist a number of applications for the extension of hours in the absence of any evidence and a change in the guidance may have lead to fewer and/or shorter extensions being granted.
- So will the Council be able to retrospectively review its earlier decisions? Formal reviews of premises licences will be triggered if an application to review a licence is made by an interested party (a member of the public living in the vicinity of the premises for example) or one of the statutory agencies, eg the Police, Fire or Environmental Protection Team of the Council.
- To whom should complaints be made? Complaints about noise from activities in the premises and flouting hours of opening etc should be made to the Council. Complaints of anti-social behaviour, criminal damage etc should be made to the Police. A protocol is being developed to ensure that a joined-up approach is taken to enforcement.

- Are complaints viewable on the website? No.
- What constitutes too much noise? How can evidence be collected? Evidence might include a log of occurrences over time. Indeed Cllr Cunningham urged residents to do so where there is an ongoing problem.
- Is there an obligation on licensees to participate in consultation and communication? Yes. The Licensing Act requires licenses to promote the licensing objectives (The prevention of crime and disorder, Public Safety, The prevention of public nuisance, The protection of children from harm). Town Centre pubs and clubs are encouraged to participate in Pubwatch.
- Have residents been empowered (Tessa Jowell's quote)? The new licensing regime does allow residents to have a greater input to the system, in particular in relation to calling for a review of premises licences where the licensing objectives are not being met. However, until the guidance is reviewed and amended, the presumption is in favour of longer opening hours.

Cllr Cunningham said that anyone can attend a sub-committee meeting and he encouraged them to do so as a means of better understanding the decision-making process. Please note that only residents that have made a valid representative to an application are able to address the Sub-Committee.

Useful weblinks

Tunbridge Wells Borough Council
www.tunbridgewells.gov.uk/licensing

Central Government - Department for Culture Media and Sport
www.culture.gov.uk/alcohol_and_entertainment/

ACTION POINT: A guidance note setting out the process by which a review of a premises licence can be triggered will be produced and the Council will give consideration to how complaints are logged (Gary Stevenson).
 The Forum to establish a sub-committee to consider Licensing issues (Chairman).

6. The South East Plan

It was agreed a sub-committee of Forum members should attend the forthcoming briefing on South East Plan proposals and submit a response on the Forum's behalf by the deadline of 14 October 2005.

7. Short announcements

Cllr Cunningham summarised his portfolio responsibilities. He suggested other Portfolio Holders be invited to attend Forum meetings in due course.

ACTION POINT: All the Portfolio Holders' responsibilities to be provided (Ellie Broughton).

8. Deputy Chairperson

The Chairman invited nominations for a Deputy Chairperson, to be submitted prior to the next meeting.

9. Future meetings

Dates for the next four meetings were agreed as:

Wednesday 26 October
 Tuesday 29 November
 Tuesday 20 December
 Tuesday 17 January

10. Any Other Business

- Daniel Bech has offered to host a website linked to the Council's website. Forum members thanked Daniel and accepted his offer.
- Cllr Crawford has had a complaint about mini-motorbikes going 60 mph past Turners' Factory and has been in touch with the Anti-Social Behaviour Officer accordingly. Jenny Alexander referred to a leaflet circulated by the Community Safety Partnership in the local press. Cllr Bullock confirmed that such matters should be referred to the Police.
- It was agreed that the sub-committee for the SE Plan, authorised by the Forum to submit proposals on its behalf, be set up outside the meeting.
- The next agenda will include Licensing and the SE Plan.

ACTION POINT: Daniel Bech to create RTW Town Forum website. A Forum sub-committee for the SE Plan be formed to submit comments on the SE Plan proposals on the Forum's behalf and to report back at the next meeting.