

## **MAIDSTONE BOROUGH COUNCIL**

### **Economic and Commercial Development Overview & Scrutiny Committee**

#### **MINUTES OF THE MEETING HELD ON TUESDAY 27 JANUARY 2015**

**Present:** Councillor Paterson (Chairman), and  
Councillors Butler, Chittenden, Harper, Hogg, Powell,  
Round and Mrs Wilson

**Also Present:** Councillors Vizzard

100. THE COMMITTEE TO CONSIDER WHETHER ALL ITEMS ON THE AGENDA SHOULD BE WEBCAST

**RESOLVED:** That all items on the agenda be webcast.

101. APOLOGIES

Apologies were noted from Councillors Cuming, Hinder and Fissenden.

102. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Chittenden was present for Councillor Fissenden.  
Councillor Round was present for Councillor Hinder.

103. NOTIFICATION OF VISITING MEMBERS

Councillor Vizzard was present for items 8 and 10 on the agenda.

104. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

105. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION

**RESOLVED:** That all items on the agenda be taken in public as proposed.

106. MINUTES OF THE MEETING HELD ON 23 DECEMBER 2014

**RESOLVED:** That the minutes of the meeting held on 23 December 2014 be approved as a correct record of the meeting and signed.

107. THE NIGHT TIME ECONOMY: USE OF OUTSIDE PA SYSTEMS

The Chairman invited Paul Alcock, Chairman of the Night Time Economy Forum, and Martyn Jeynes, Environmental Enforcement Manager, to speak on this item.

Mr Alcock informed the committee of the structure and function of the Night Time Economy Forum. Mr Alcock explained that the forum had representation from all stakeholders in the night time economy including bar and nightclub owners, the police, the urban blue bus, taxi firms and Maidstone Borough Council. The forum met every six weeks and discussed any emerging problems that needed to be addressed.

Mr Alcock highlighted one subject that was of particular concern to the forum- the use of PA systems outside the entrance of Night Time Economy venues. It was explained that the music played outside the front of bars and clubs, or music that can be heard from outside the front door of bars and clubs, acted as a 'shop window' for these establishments to give an idea of their offer to customers.

However one establishment in particular had an enforcement notice served on them as complaints had been received about the sound being played from a PA system at the front of the establishment. Whilst the forum accepted that this was an individual enforcement case that was a matter between the owner of the bar and the Council, the forum was worried that it may lead to further enforcement action against other premises in the future. This was a particular issue due to a number of new builds, and conversions, catering for residential use in the town centre. This was a concern to the forum as the night time economy was worth around £45 million per year to the Maidstone economy.

Mr Jeynes was asked for his comments on the points that Mr Alcock raised. Mr Jeynes made the following comments:

- If a noise complaint was made, the council had a statutory duty to investigate. If the noise was found to be a nuisance the council had a duty to serve an enforcement notice.
- Each complaint that received was judged on its own merits and there was no overall council policy on these matters;
- Whilst there was protection for individuals experiencing noise nuisance, there was little protection for long established bars and clubs if a new housing development, or an existing building converted to residential use, resulted in noise complaints from its new residents;
- It was worth noting that only two enforcement notices for the type of noise complaint mentioned by Mr Alcock had been served in the 11 years Mr Jeynes had worked at Maidstone Borough Council;
- The low number of enforcement notices served was largely due to the excellent working relationship between the Environmental Enforcement Department and night time economy businesses; and
- The Environmental Enforcement department had launched a scheme to encourage premises to self-regulate their noise levels, called Community Aware Responsible Establishment Scheme (CARES), with the aim of preventing noise complaints.

The Chairman thanked Mr Jeynes and Mr Alcock for their presentations.

The Committee asked Mr Jeynes whether setting decibel limits for noise would be helpful. Mr Jeynes responded that this would not be helpful as even if a decibel limit was set a new resident may move in to the area and make a complaint. This complaint would have to be investigated, as the council had a statutory responsibility to investigate. In this case, if the noise source was found to be a nuisance, noise nuisance legislation would override the decibel limits set by the license.

Members requested examples of how other local authorities approached noise management for their night time economy. Mr Jeynes answered that there were other local authorities that required some of their premises to take noise abatement measures, for example building second skins around clubs and bars to insulate from noise. However Mr Jeynes felt this was not necessary in Maidstone as there was a good working relationship between businesses and the Environmental Enforcement team. Because of this positive relationship, generally the team only had to recommend measures, rather than require them, and these tended to be adhered to by business owners.

In answer to a question regarding whether there was 24 hour cover for noise monitoring, Mr Jeynes answered that this was not the case and he did not feel that this was necessary. Any noise nuisance that was identified would be dealt with retrospectively, in order to prevent another occurrence. An agreement was in place that for any complaints that were followed up by the Police, the team would take witness statements from the police officers that attended the incident. Members of the Environmental Enforcement team would always make themselves available at anti-social hours if there was a regular disturbance that needed investigating.

**RESOLVED: To recommend that:**

- 1) The Head of Planning, Transport and Development develop policies to ensure that new residential buildings, and conversions, in the town centre have appropriate acoustic protection to prevent noise complaints about the night time economy;
- 2) The Head of Economic and Commercial Development considers the interaction between the night time economy and town centre residents during the town centre visioning process;
- 3) The Head of Environment and Public Realm reviews the process for reporting major noise disturbances that happen out of hours; and
- 4) The Head of Environment and Public Realm circulates a guidance note to members regarding procedures for reporting major noise disturbances.

108. CAREERS ADVICE AND GUIDANCE REVIEW

The Committee considered the draft Careers Advice and Guidance Review Scope. The Committee was satisfied that the scoping document reflected what was discussed at their scoping meeting.

The Chairman invited Rajmund Brent, from Kent County Council Skills and Employability, to give evidence to the Committee for their Careers Advice and Guidance Review.

Mr Brent gave a presentation to the committee that covered the following points in relation to the responsibilities and actions of Kent County Council (KCC):

- They had responsibility for supporting the provision of Careers Education, Information and Guidance (CEIG) to schools and colleges;
- The Kent Education Learning and Skills Information (KELSI) website had been developed which contained careers advice and guidance;
- There was a network of CEIG co-ordinators across the county. These coordinators were responsible for network meetings within their district council area, with representation from CEIG advisors from all schools within the district;
- Delivery of careers briefings for all those who worked within CEIG in the county- the last one had 130 participants;
- Publication of CEIG support materials for schools to use, for example a careers annual plan and a CEIG framework;
- One key document that KCC produced for CEIG practitioners was a 'district data pack', which helped schools identify where local skills gaps were, and what were the dominant employment sectors in the local area;
- Schools and colleges were responsible for delivering impartial careers advice and guidance;
- Impartiality was important, for example a duty on secondary schools not to solely promote their own post 16 offer;
- Guidelines stated that post 16 CEIG provision should be up to 600 hours per pupil;
- No school could attain an 'Outstanding' rating from Ofsted without providing work experience for its pupils;
- Ofsted had produced a report that concluded that CEIG was found lacking in many schools; and
- Links with employers were particularly important, as CEIG without input from prospective employers would be pointless.

The Committee thanked Mr Brent for his presentation and proceeded to ask him some questions.

A Member asked Mr Brent whether there were any particular schools in Maidstone that were excellent at providing CEIG. Mr Brent responded that KCC conducted an 'employability health check' for schools. This health check focused on three As- Aspiration, Attitude and Achievement- and gave schools a Red, Amber or Green status for each area and a Red, Amber or Green status overall. Mr Brent informed the committee that Cornwallis Academy had achieved Green status overall for its CEIG provision. Mr Brent also explained that there was lots of good practice

evident in Maidstone schools including alumni associations, 30 minute focused career interviews for disadvantaged pupils, fortnightly timetabled careers advice lessons, talks from employers, employability skills certificates, departmental leads for careers and online video resources for pupils.

The Committee enquired what provision was available for careers advice and guidance for older people, for example those who may have been made redundant later on in life. Mr Brent explained that guidance was provided by the national careers service, and delivered locally by an organisation called CXK. Mr Brent suggested it might be a good idea to invite CXK to give evidence on this subject. Mr Brent also informed the committee that KCC was in the process of writing an adult skills strategy, and that he would circulate it to the Committee once it was ready for publication.

Finally, the Committee asked Mr Brent what Maidstone Borough Council (MBC) could do to help with the provision of CEIG. Mr Brent explained that one of the greatest challenges to schools wishing to improve their CEIG provision was links to local businesses. Mr Brent suggested that MBC could assist with this through using their connections with local businesses to try to involve them in any work experience programmes and to involve them in shaping CEIG locally.

**RESOLVED:** That

- 1) The Committee agrees the draft scoping document for the careers advice and guidance review; and
- 2) The Committee thanked Mr Brent for his evidence that would be used as part of its review of careers advice and guidance.

109. TWILIGHT ECONOMY REVIEW

The Committee considered the twilight economy review report. Councillors Harper, Paterson and Powell indicated that they would be happy to present the final review to Cabinet.

**RESOLVED:** That the Twilight Economy Review be approved as the final version to be presented to Cabinet.

110. LOCAL PLAN EMPLOYMENT AND MIXED USE LAND ALLOCATIONS AND RESULTS OF THE CONSULTATION ON THE ECONOMIC DEVELOPMENT STRATEGY

Mr Bailey updated the Committee that the proposed date for either format of meeting would now be later than 10 February. This was because there had been a higher than expected number of responses to the Economic Development Strategy Consultation. Mr Bailey stated that he would ensure the Committee was kept up to date regarding any proposed dates for a meeting.

**RESOLVED:** That the meeting to consider Local Plan Employment and Mixed use Land Allocations and Results of the Consultation on the Economic Development Strategy be held in the format of a Joint Working Group.

111. FUTURE WORK PROGRAMME

Mr Bailey introduced the Future Work Programme.

Mr Bailey gave an update on the items that were considered by the Committee in November:

- Proposals for charging for car parking in Mote Park- different options were being finalised and a report for cabinet was due in February or March;
- Adventure Zone in Mote Park- Cabinet decision was due on 11<sup>th</sup> February;
- Regeneration of Brunswick Street Car Park- more work was being undertaken on this project. A member working group to give input in design and density was being organised. Members were advised to contact Marcus Lawler if they wanted to be involved in this;
- Animal Cremation- A decision by Cabinet was due on this item on 11 February; and
- Investment in Local Business- work is progressing on this item, in consultation with representatives from all political groups.

Mr Bailey informed the Committee that he would be sending invites to Committee meetings to the following witnesses, as part of the Careers Advice and Guidance Review:

- Kent Invicta Chamber of Commerce;
- Federation of Small Businesses; and
- CXK.

**RESOLVED:** That the future work programme be noted.

112. DURATION OF MEETING

18:32 to 21:23