

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

28 July 2010

**Report of the Director of Planning Transport and Leisure
and the Cabinet Member for Planning and Transportation**

Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken
by the Cabinet Member)**

1 BUS SHELTERS – DEED OF VARIATION

Summary

This report seeks approval to extend the bus shelter agreement.

1.1 Introduction

- 1.1.1 In 1999 the Council entered into a ten year agreement with Adshel to provide and maintain bus shelters at nominated sites around the Borough. This agreement followed a previous 20 year association with the company.
- 1.1.2 Adshel, now trading as Clear Channel UK Ltd, currently have 62 advertising and 29 non advertising shelters in place. Performance on the agreement has been very good, both in the standards of equipment and maintenance and in call outs to minor damage and road traffic accidents.
- 1.1.3 The ten year agreement period expired in July 2009 but a provision exists to extend by agreement for a further 5 years. With the current economic climate, neither Clear Channel, nor any competitors that they may have, would be interested in entering into a new agreement with the capital investment that would entail. Clear Channel, however, are keen on the 5 year extension and this represents the best course of action for the Council in all the circumstances.

1.2 Legal Implications

- 1.2.1 The agreement allows for a five year extension and this will be enacted by a 'Deed of Variation'.

1.3 Financial and Value for Money Considerations

- 1.3.1 The agreement is self-financing for Clear Channel with advertising revenue paying for the costs of maintenance. Only minor revenue costs are incurred by the Council in monitoring and administering the agreement.

1.4 Risk Assessment

- 1.4.1 There are no significant risks in extending the agreement. However, there are significant risks in not doing so, in that sizeable capital investment would be needed to replace the shelters which Clear Channel would remove upon termination and also a considerable revenue cost in maintaining them.

1.5 Recommendations

- 1.5.1 It is recommended to Cabinet that the five year extension to the current bus shelter agreement with Clear Channel UK Ltd, **BE APPROVED** and that a Deed of Variation be agreed to provide for this.

The Director of Planning Transport & Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

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Nil

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Director of Planning Transport and Leisure

Matthew Balfour
Cabinet Member for Planning & Transportation