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TONBRIDGE & MALLING
BOROUGH COUNCIL

EXECUTIVE SERVICES

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28 October 2025

Dear Councillor

COUNCIL - TUESDAY, 28TH OCTOBER, 2025 – SUPPLEMENT (1)

I am now able to enclose, for consideration at the Tuesday, 28th October, 2025 meeting of the Council, the following responses to Member questions that were unavailable when the agenda was printed.

Agenda No Item

6. **Questions from Members pursuant to Council Procedure Rule No 5.5**
(Pages 3 - 8)

- 25/006/MEM – Fixed Penalty Notices (Cllr Parry)
- 25/007/MEM – Accessibility to Council Services (Cllr Barton)
- 25/008/MEM – Community Events (Cllr Cope)

Yours sincerely

DAMIAN ROBERTS
Chief Executive

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COUNCIL

28 October 2025

QUESTION ASKED PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

The following question has been asked pursuant to Council Procedure Rule No 5.5 by Councillor Parry:

‘Why will Kingdom not release the filmed footage of offences such as spitting when their fixed penalty notices are challenged? With it surely containing proof of the offence, would it not make sense to make this available when residents wish to challenge a FPN?’

Response of the Cabinet Member for Finance, Waste and Technical Services (Cllr M Coffin):

An authorised officer, including a member of staff from Kingdom, usually witnesses an alleged offence and would then issue a witness statement to be used as admissible evidence, should a prosecution case be taken to the magistrate’s courts. A Fixed Penalty Notice (FPN) is issued to offer the offender the opportunity of discharging any liability to conviction for the offence, by payment of the fixed penalty.

Until the payment is made and the liability is discharged, it is still an active criminal investigation and further enforcement action may be taken, i.e. prosecution. There is no formal appeal procedure at this stage and the alleged offender may decide not to pay the FPN and defend themselves in court.

Whilst a littering or fly tipping case is ongoing which may lead to further enforcement action, including potential prosecution, any footage captured is considered potential evidence in the case and would only be released to the alleged offender’s defence team should the prosecution case go to Magistrates Court, in accordance with the Investigatory Powers Act 2016.

Regarding the use of the Kingdom Officers’ body-worn cameras, these can only be activated once an offence has been witnessed, to capture the communication between the officer and the alleged offender, as they are not allowed to have their cameras filming constantly throughout their patrols due to the general data protection regulation.

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COUNCIL**28 October 2025****QUESTION ASKED PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5**

The following question has been asked pursuant to Council Procedure Rule No 5.5 by Councillor Barton:

- Access to council services for those with visual impairments

'With the understandable drive to push residents to use online services, what steps are TMBC taking to ensure that services are accessible to those with visual impairments? The 2010 Equalities Act requires services to make sure people with disabilities can access their services as easily as people without disabilities. I am concerned that when trying to help a resident with visual impairment, I was told in an email response that "We do encourage applicants to try and work with support workers, family, and friends to submit applications if they struggle to access the system, but we can support with this when required."

However, when advocating for a resident, I found over two weeks passed before anyone would call them because they were unable to use our online services and to be told that the solution is for someone else to do this for them infantilises members of the public by requiring someone else to act for them, rather than making our services accessible.'

Response of the Cabinet Member for Community Services (Cllr Keers):

We want all of our residents to be able to access our services and we offer a variety of ways for residents to get the help they need. For example, any visually impaired resident using our website may navigate the website using speech recognition software, listen using a screen reader or zoom in by up to 300% per cent. Any resident who needs information on the website in a different format e.g. accessible PDF, large print, easy read, audio recording or braille may contact the customer services team and we will be happy to assist.

Residents may also telephone, visit us in person or contact us via webchat. Where additional help is required to complete certain forms e.g. applications for housing benefit/ council tax support or appeals against Council decisions we will refer those residents to Citizens Advice North and West Kent as they are able to offer free, independent specialist advisors to provide help in completing the required paperwork. The Borough Council continues to grant fund Citizens Advice North and West Kent to provide this valuable support to residents.

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COUNCIL

28 July 2025

QUESTION ASKED PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

The following question has been asked pursuant to Council Procedure Rule No 5.5 by Councillor Cope:

'In light of the challenges many grassroots festivals and community events are currently facing, does the Council believe it is doing everything it can to support these vital initiatives that help make Tonbridge unique? Specifically, is the current approach to requirements and cost structures at the Castle acting as a barrier to not-for-profit groups, and what more can be done to ensure these important local events are supported rather than stifled?'

Response of the Cabinet Member for Community Services (Cllr Keers):

The Council is delighted to promote and support a vibrant and diverse events programme in Tonbridge, making full use of the opportunities provided at historic locations such as Tonbridge Castle. Our programme of events during 2025 has seen a wide-ranging programme including music festivals, open air theatre, car shows, artisan markets and we look forward to the Christmas festival during December.

Event organisers are asked to provide the appropriate documentation to ensure the safety and well-being of attendees, performers and staff. The requirements will be tailored to the size and scale of the event and are in line with best practice elsewhere in the events industry. It is in everyone's interests that we have a successful event programme and our Events team based at the Castle work closely with all organisers, whether they are commercially led or community focussed, to offer any support they need in preparing for their event.

Our fee structure offers significantly reduced fees for charity and community events, to reflect our continued support to the groups delivering these events. Further financial support has been provided to event organisers through the Community Development Grant Scheme, with awards totalling £3175 recently approved to support the delivery of this year's Rotary Christmas Festival.

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