

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Committee Services
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14 March 2016

To: MEMBERS OF THE CABINET
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Cabinet to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 22nd March, 2016 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

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The minutes of meetings of Advisory Panels and Other Groups are attached, any recommendations being identified by an arrow.

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The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

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18. Urgent Items 155 - 156

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Councillor N J Heslop, (Leader)
Councillor Mrs J A Anderson, (Housing and Environment Services)
Councillor M A Coffin, (Finance, Innovation and Property)
Councillor Mrs M F Heslop, (Community Services)
Councillor B J Luker, (Community Safety)
Councillor H S Rogers, (Planning and Transportation)

Members of the Council who are not members of the executive may attend meetings of the Cabinet. With the agreement of the Leader, any such Member may address the Cabinet on any item on the agenda but may not vote.

Apologies for absence

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

Thursday, 11th February, 2016

Present: Cllr N J Heslop (Chairman), Cllr Mrs J A Anderson, Cllr M A Coffin, Cllr Mrs M F Heslop, Cllr B J Luker and Cllr H S Rogers

Councillors O C Baldock, Mrs S M Barker, R P Betts, P F Bolt, D J Cure, Mrs T Dean, D Lettington, Mrs S L Luck, Mrs A S Oakley, S C Perry, M R Rhodes and R V Roud were also present pursuant to Access to Information Rule No 22.

PART 1 - PUBLIC

CB 16/1 DECLARATIONS OF INTEREST

Councillor N Heslop declared an Other Significant Interest in the item on Review of Fees and Charges in respect of the list of concessionary users of Tonbridge Castle Chamber on the grounds of membership of the Board of the Bridge Trust. He withdrew from the meeting during consideration of this matter and the chair was taken by Councillor Coffin.

CB 16/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 7 October 2015 be approved as a correct record and signed by the Chairman.

CB 16/3 MINUTES

RESOLVED: That the Minutes of the extraordinary meeting of the Cabinet held on 17 November 2015 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 16/4 SETTING THE BUDGET FOR 2016/17

The holding report of the Chief Executive and Director of Finance and Transformation updated the Cabinet on issues relating to the setting of the Budget for 2016/17 together with the outcome of the examination of the draft Revenue Estimates and the Capital Plan review process undertaken by the Finance, Innovation and Property Advisory Board and the Overview and Scrutiny Committee.

A more detailed supplementary report prepared in liaison with the Leader and Cabinet Member for Finance, Innovation and Property was

circulated in advance of the meeting. It highlighted adjustments made to the Revenue Estimates presented to the Advisory Board and Committee. The report examined the situation in relation to the Medium Term Financial Strategy (MTFS) and gave details of the necessary procedure to be followed in order to set the budget for 2016/17.

The Director of Finance and Transformation explained the components of the final local government settlement confirmed on 8 February 2016 and the changes made by the Secretary of State as a result of the responses to the consultation, previously reported to the Finance, Innovation and Property Advisory Board. It was noted that transitional funding would now be provided for 2016/17 and 2017/18 and the tariff adjustment in 2017/18 and 2018/19 removed. The Government would also offer a four year funding settlement and the referendum threshold would be set at the higher of 2% or £5. However, Members were advised that whilst this represented a short term respite, the financial baseline for the future remained the same. Illustrative allocations up to 2019/20 were presented and a comparison of the Council's Settlement Funding Assessment for the period 2016/17 to 2019/20 with those of the other Kent district councils demonstrated that Tonbridge and Malling continued to receive one of the lowest, if not the lowest, Assessment both in total and per head.

Attention was drawn to recommendations from Advisory Boards and the decision of the Licensing and Appeals Committee regarding the levels of fees and charges to be implemented from 1 April 2016 which had been incorporated in the draft estimates. Members were reminded of the approach to preparation of the Capital Plan, an updated summary of which was set out at Annex 7 to the report.

The report then described the remaining procedure to be followed in setting the budget for 2016/17 and calculating the council tax. Consideration was given to the updated MTFS based on a council tax increase of £5 (the upper limit for referendum purposes) for the four year settlement period. The Cabinet also deliberated on the most appropriate guidance to offer the Council as to the way forward for updating the MTFS for the next ten year period and setting the council tax for 2016/17. Finally, the Director of Finance and Transformation explained the basis on which the statement as to the Robustness of the Estimates and Adequacy of the Reserves had been made, including an understanding that the savings target based on latest projections of £1.825m would be delivered.

Members recorded their thanks to the Director of Finance and Transformation and colleagues for their work in formulating the response to the provisional local government settlement and the joint response of the 15 authorities similarly affected and acknowledged the efforts on the Council's behalf of the two local Members of Parliament and the LGA.

RECOMMENDED: That

- (1) the fees and charges set out in Annex 2 to the report, as recommended by the appropriate Advisory Boards (excluding West Malling short stay car park which is the subject of a petition), be endorsed (see Decision Nos D160015CAB to D160019CAB);
- (2) the Capital Plan be updated as set out in paragraph 1.5.15 to the report as follows and adopted accordingly:
 - (i) the position of the existing Capital Plan (List A) as summarised in Annex 3 to the report be approved noting:
 - the increase in the budget provision in respect of the Tonbridge Town Lock capital plan scheme and how it is to be funded;
 - the additional works in respect of refurbishment of the Health Suite at Larkfield Leisure Centre, at an estimated cost of £20,000, to be met in full by the Tonbridge and Malling Leisure Trust and the use of the urgency procedure to amend the Capital Plan accordingly;
 - the increase in the budget provision in respect of the river wall, Wouldham capital plan scheme and how it is to be funded;
 - (ii) the schemes as detailed in Annex 4 to the report be added to List C or deleted from List C;
 - (iii) the selection of those schemes listed in Annex 5 to the report for evaluation over the coming year be approved including one for fast-track evaluation;
 - (iv) the transfer of the schemes detailed in Annex 6 to the report to List A be approved;
 - (v) the updated Capital Plan (List A) as summarised in Annex 7 to the report be approved;
- (3) the Capital Strategy as presented to the Finance, Innovation and Property Advisory Board on 13 January and the Overview and Scrutiny Committee on 26 January 2016 be endorsed and adopted by the Council;
- (4) the prudential indicators listed in paragraphs 1.6.5 and 1.6.9 of the report be endorsed and adopted;

- (5) for the financial year 2016/17 the Council's Minimum Revenue Provision, as set out at paragraph 1.6.12 of the report, be noted as nil;
- (6) the high level objectives of the Medium Term Financial Strategy be reaffirmed, taking on board the amendment set out in paragraph 1.8.5 of the report;
- (7) the updates to the Medium Term Financial Strategy, as set out at Annex 11 to the report, based on a council tax increase of £5 for 2016/17 be noted;
- (8) the Council be recommended to approve a council tax increase of £5 per annum as the best way forward in updating the Medium Term Financial Strategy for the next ten-year period and setting the council tax for 2016/17; and
- (9) the Statement provided by the Director of Finance and Transformation as to the Robustness of the Estimates and the Adequacy of the Reserves be noted and endorsed.

***Referred to Council**

CB 16/5 SETTING THE COUNCIL TAX 2016/17

The joint report of the Chief Executive, Director of Finance and Transformation, Leader of the Council and Cabinet Member for Finance, Innovation and Property set out the requirements under the Local Government Finance Act 1992 for a billing authority to set an amount of council tax for each category of dwelling in its area. Members were advised of the position concerning the determination of their respective precepts for 2016/17 by the major precepting authorities.

Consideration was given to a draft resolution identifying the processes to be undertaken in arriving at the levels of council tax applicable to each part of the Borough. The resolution and further information regarding the precepts of the other authorities would be reported to the full Council on 16 February 2016.

RECOMMENDED: That the resolution be noted and the Council be recommended to approve a £5 per annum (2.6%) increase in the Borough Council's element of the council tax for 2016/17, representing an annual charge at Band D of £192.51.

***Referred to Council**

CB 16/6 SAVINGS AND TRANSFORMATION STRATEGY UPDATE

Further to Minute CB 15/64 the joint report of the Management Team, Leader and Cabinet Member for Finance, Innovation and Property

presented an updated version of the Savings and Transformation Strategy to address the significant financial challenges facing the Council following the release of the provisional local government finance settlement in December.

It was noted that additional savings of around £700k needed to be achieved by 2021 within the Medium Term Financial Strategy and would be spread across the themes built into the Savings and Transformation Strategy. It was proposed to merge two of the themes under the heading "Income Generation and Cost Recovery" and details were given of additional targets included in the expanded table attached to the new version of the Strategy set out in the Annex to the report. Members were also updated on progress since the November meeting, savings of £200k arising from in-service efficiencies having been delivered and reflected in the Estimates for 2016/17.

Consideration was given to a draft timetable for commencing the review of partnership funding with parish councils including the Scheme of Financial Arrangements and the issue of funding passed to parish councils in respect of the council tax reduction scheme. A Member suggested that the question of a special levy for Tonbridge be considered in this context and was advised that all options were open for examination.

RECOMMENDED: That

- (1) the updated Savings and Transformation Strategy, as set out at Annex 1 to the report, be adopted by the Council to sit alongside the Medium Term Financial Strategy; and
- (2) the proposed outline timetable for commencing the review of partnership funding with parish councils be endorsed and delegated authority be given to the Director of Finance and Transformation, in consultation with the Leader and Cabinet Member for Finance, Innovation and Property, to adjust the programme as necessary.

***Referred to Council**

CB 16/7 EQUALITY POLICY STATEMENT AND OBJECTIVES 2016-20

The report of the Director of Central Services referred to the requirement for the Council to prepare an equality policy statement and objectives as part of the duty on public authorities under the Equality Act 2010 to have regard to eliminating discrimination, advancing equality of opportunity and fostering good relations between different people in shaping policy, delivering services and in relation to their own employees.

It was noted that the West Kent Equality Partnership Aims and Commitments, in place during 2012-16 and developed in partnership with Sevenoaks and Tunbridge Wells Councils, were no longer fit for

purpose and in future the three authorities would determine their own objectives. Consideration was given to approval for consultation purposes of the Equality Policy Statement and Objectives for 2016-20 set out in the Annex to the report.

RECOMMENDED: That

- (1) the Equality Policy Statement and Objectives for 2016-20 set out at Annex 1 to the report be approved for the purposes of public consultation; and
- (2) a report on the outcome of consultation be submitted to the Overview and Scrutiny Committee for consideration.

***Referred to Council**

CB 16/8 TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY 2016/17

The report of the Director of Finance and Transformation provided details of investments undertaken and returns achieved in the first nine months of the current financial year together with an introduction to the Treasury Management and Annual Investment Strategy for 2016/17.

It was noted that investment income was £19,600 above the revised budget for the same period and £36,550 above the original estimate. This was largely attributable to a more favourable pattern of payments to the Government and other recipients of business rates collected by the Council. Reference was made to the modest uplift in returns built into the investment income projection for 2016/17 in anticipation of a Bank Rate rise during the year. However Capita, the Council's treasury advisors, had recently updated their forecast based on a delay in interest rate rise from mid to end of 2016.

It was noted that the Audit Committee had reviewed the matters covered by the report at its meeting on 25 January 2016 and commended the Strategy for adoption. The Chairman of that Committee had also indicated the intention of arranging appropriate training on treasury management, details of which would be given in due course.

RECOMMENDED: That

- (1) the treasury management position as at 31 December 2015 be noted; and
- (2) the Treasury Management and Annual Investment Strategy for 2016/17, as set out at Annex 4 to the report, be adopted.

***Referred to Council**

CB 16/9 TECHNICAL CHANGES TO COUNCIL TAX

The report of the Director of Finance and Transformation drew attention to a technical ambiguity in the Council's local council tax reduction scheme in respect of the Class C discount for empty properties. A suggested amendment to the wording of the scheme was presented to mirror the former statutory provisions.

RECOMMENDED: That the following wording be incorporated into the local scheme regarding Class C discounts: "when looking at any day for the purposes of a Class C discount, periods of occupation of less than six weeks are ignored".

***Referred to Council**

CB 16/10 DRAFT SAFEGUARDING POLICY

Consideration was given to the report of the Chief Executive which set out details of the proposed Safeguarding Policy and Reporting Procedure for Children, Young People and Adults at Risk. It was noted that the draft policy aimed to ensure that an overarching approach to safeguarding was embedded within all Council services and that staff, elected Members, volunteers and those delivering services on behalf of the Borough Council had appropriate understanding of safeguarding guidelines and good practice.

RECOMMENDED: That the Draft Safeguarding Policy and Reporting Procedure for Children, Young People and Adults at Risk, as set out at Annex 1 to the report, be adopted by the Council.

***Referred to Council**

CB 16/11 REVENUE ESTIMATES 2016/17

Item FIP 16/3 referred from Finance, Innovation and Property Advisory Board minutes of 13 January 2016

The Cabinet received the recommendations of the Finance, Innovation and Property Advisory Board at its meeting on 13 January 2016 in relation to the formulation of initial draft proposals in respect of the Budget. The recommendations were endorsed, all budgetary matters being considered in detail in the substantive item on Setting the Budget for 2016/17.

CB 16/12 CAPITAL PLAN REVIEW 2015/16

Item FIP 16/4 referred from Finance, Innovation and Property Advisory Board minutes of 13 January 2016

The Cabinet received the recommendations of the Finance, Innovation and Property Advisory Board at its meeting on 13 January 2016 in relation to the initial stage of the Capital Plan review process. The

recommendations were endorsed, all budgetary matters being considered in detail in the substantive item on Setting the Budget for 2016/17.

**DECISIONS TAKEN IN ACCORDANCE WITH PARAGRAPH 4,
PART 3 OF THE CONSTITUTION**

**CB 16/13 REVIEW OF HOUSING, ENVIRONMENTAL HEALTH AND WASTE
AND STREET SCENE SERVICES FEES AND CHARGES**

Item HE 15/60 referred from Housing and Environment Services Advisory Board minutes of 9 November 2015

Decision Notice D160015CAB

CB 16/14 REVIEW OF CEMETERY CHARGES 2016/17

Item COM 16/5 referred from Communities Advisory Board minutes of 11 January 2016

Decision Notice D160016CAB

CB 16/15 REVIEW OF CAR PARKING FEES AND CHARGES

Item PE 16/3 referred from Planning and Transformation Advisory Board minutes of 12 January 2016

Decision Notice D160017CAB

**CB 16/16 REVIEW OF PRE-APPLICATION PLANNING PROCEDURES AND
CHARGING REGIME**

Item PE 16/4 referred from Planning and Transformation Advisory Board minutes of 12 January 2016

Decision Notice D160018CAB

CB 16/17 REVIEW OF FEES AND CHARGES 2016/17

Item FIP 16/5 referred from Finance, Innovation and Property Advisory Board minutes of 13 January 2016

Decision Notice D160019CAB

CB 16/18 NEW HOMES BONUS: SHARPENING THE INCENTIVE

Decision Notice D160020CAB

CB 16/19 RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY COMMITTEE: HOLIDAY ACTIVITY PROGRAMMES

Decision Notice D160021CAB

CB 16/20 RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY COMMITTEE: COMMUNITY ENGAGEMENT

Decision Notice D160022CAB

MATTERS SUBMITTED FOR INFORMATION**CB 16/21 MATTERS REFERRED FROM ADVISORY BOARDS**

The notes of the meetings of the following Advisory Boards were received, any recommendations contained therein being incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

With reference to Minute PE 16/7, the Director of Planning, Housing and Environmental Health provided an update on the programme for public consultation on the Local Plan and undertook to notify all Members.

Housing and Environment Services Advisory Board of 9 November 2015
Communities Advisory Board of 11 January 2016
Planning and Transportation Advisory Board of 12 January 2016
Finance, Innovation and Property Advisory Board of 13 January 2016

RESOLVED: That the report be received and noted.

CB 16/22 MATTERS REFERRED FROM ADVISORY PANELS AND OTHER GROUPS

The Minutes of the meetings of the following Advisory Panels and other Groups were received, any recommendations contained therein being incorporated within the decisions of the Cabinet reproduced at the annex to these Minutes.

Joint Transportation Board of 30 November 2015

RESOLVED: That the report be received and noted.

CB 16/23 RESPONSE TO CONSULTATION ON THE FUTURE OF KCC SERVICES WITHIN TONBRIDGE GATEWAY

The report of the Director of Central Services gave details of a consultation by Kent County Council on a proposal to relocate its services currently delivered from the Gateway, Tonbridge, bringing to an end the agreement with the Borough Council from July 2017. It was noted that the net financial effect would be a loss of revenue of

approximately £140,000 per annum. The report outlined the Management Team's views which had been communicated in response to KCC's review report in order to make the case for the continuation of the Gateway at Tonbridge.

It was concluded that there would be no benefit in responding to the consultation but more appropriate to concentrate resources on identifying steps to off-set the financial effect of the termination of the agreement. A proposal was therefore being considered for alternative joint occupation of the Castle offices to help mitigate the loss of the Gateway and would be reported in due course. An assurance was given that the Borough Council's customer service teams would remain in place. In the meantime Members were invited to consider responding to the consultation individually if they so wished.

RESOLVED: That the report be received and noted.

CB 16/24 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.47 pm

Agenda Item 4

The notes of meetings of Advisory Boards are attached, any recommendations identified by an arrow being for determination by the Cabinet. Notices relating to any decisions already taken by Cabinet Members under the arrangements for delegated decision making have previously been circulated.

Housing and Environment Services Advisory Board of 22 February 2016

Economic Regeneration Advisory Board of 24 February 2016

Communities Advisory Board of 1 March 2016

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TONBRIDGE AND MALLING BOROUGH COUNCIL

HOUSING AND ENVIRONMENT SERVICES ADVISORY BOARD

Monday, 22nd February, 2016

Present: Cllr M O Davis (Chairman), Cllr V M C Branson, Cllr D J Cure, Cllr Mrs S M Hall, Cllr S M Hammond, Cllr D Keeley, Cllr D Markham, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr S C Perry, Cllr M R Rhodes and Cllr T B Shaw

Councillors Mrs J A Anderson, O C Baldock, P F Bolt, N J Heslop and B J Luker were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Ms J A Atkinson and Ms S V Spence

PART 1 - PUBLIC

HE 16/1 DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the Code of Conduct. However, Councillor N Heslop referred to a potential interest in any items that might have implications for the Bridge Trust on the grounds that he was a member of its Board.

HE 16/2 MINUTES

RESOLVED: That the notes of the meeting of the Housing and Environment Services Advisory Board held on 9 November 2015 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

HE 16/3 BULKY HOUSEHOLD WASTE AND FRIDGE/FREEZER COLLECTION CHARGES

The report of the Director of Street Scene, Leisure and Technical Services gave details of the current arrangements for collecting fridges/freezers and provided a comparison with neighbouring authorities. In accordance with Decision No D160015CAB, consideration was given to proposals for introducing charges following a review of concessions for fridges/freezers and bulky household waste collections. It was noted that overall savings arising from the introduction of the proposed charges were estimated at around £40,000 per annum. Members were assured that fly tipping would continue to be monitored closely and kept under review.

RECOMMENDED: That the charges outlined in paragraph 1.4.3 of the report be introduced with effect from 1 April 2016 and future charges and service requests be kept under review.

***Referred to Cabinet**

HE 16/4 LOCAL AIR QUALITY REGIME CONSULTATION

Decision Notice D160023MEM

The report of the Director of Planning, Housing and Environmental Health summarised a response submitted to the last part of a three stage consultation by DEFRA on the review of the Local Air Quality Management (LAQM) regime. The document invited views on Government measures to improve LAQM delivery including seven proposed changes to the framework. The Annex to the report contained answers to the questions posed in the consultation. Particular concern was expressed that the consultation proposed responsibility for and resource implications of addressing PM2.5 (small particulate material) pollution be shifted from DEFRA to local authorities despite a lack of statutory status.

RECOMMENDED: That the comments submitted by officers to DEFRA in response to the third stage consultation on the LAQM regime, as set out at Annex 1 to the report, be endorsed.

MATTERS SUBMITTED FOR INFORMATION

HE 16/5 HOUSING SERVICE UPDATE

The report of the Director of Planning, Housing and Environmental Health provided an update on key issues relating to the Housing Service. Particular reference was made to the outcome of the recent round of meetings of the Housing Associations Liaison Panel, highlighting affordability and rent levels and the implications of the focus on Shared Ownership. Attention was also drawn to the response submitted to Kent County Council's consultation on proposed changes to the way supported accommodation and floating support for young people were provided in future. In addition Members were advised of the current position regarding homeless households living in temporary accommodation.

HE 16/6 WASTE AND STREET SCENE SERVICES UPDATE

The report of the Director of Street Scene, Leisure and Technical Services provided an update on a number of projects and initiatives within Waste and Street Scene services. Particular reference was made to the "Love Kent – Hate Litter" campaign and participation in the national "Clean for the Queen" campaign. Members were advised that Tonbridge and Malling was the first council to adopt "Littergram", a new

free app created by a local resident to exploit the latest smartphone technologies in helping clear the streets and countryside of rubbish.

The report gave details of 12 winners of the Environmental Champions Award who would be recognised at a reception at Tonbridge Castle on 26 February. An update was also given on the use of Waste Resources Action Programme (WRAP) funding obtained by the Kent Resource Partnership Communications Group together with progress on the TMBC Communications Plan which would be reported to the Advisory Board in May.

MATTERS FOR CONSIDERATION IN PRIVATE

HE 16/7 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.50 pm

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TONBRIDGE AND MALLING BOROUGH COUNCIL

ECONOMIC REGENERATION ADVISORY BOARD

Wednesday, 24th February, 2016

Present: Cllr S M King (Chairman), Cllr Mrs S M Barker, Cllr T Bishop, Cllr T I B Cannon, Cllr M O Davis, Cllr Mrs S L Luck, Cllr Miss J L Sergison, Cllr C P Smith, Cllr F G Tombolis and Cllr T C Walker

Councillors Mrs J A Anderson, O C Baldock, P F Bolt, V M C Branson, D J Cure, N J Heslop, B J Luker and S C Perry were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors S R J Jessel (Vice-Chairman), M C Base, R Betts, J L Botten, R D Lancaster and B W Walker

ERG 16/1 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

ERG 16/2 MINUTES

RESOLVED: That the notes of the meeting of the Economic Regeneration Advisory Board held on 9 September 2015 be approved as a correct record and signed by the Chairman.

ERG 16/3 LONDON PARAMOUNT UPDATE

Members were updated on the progress being made on the London Paramount development by the representative from the socio-economic consultants Volterra (Ellie Evans).

The presentation set out the potential opportunities for West Kent including direct and indirect local employment, international and domestic tourism and retail and leisure opportunities. It was intended that the theme park would have a wide range of rides and attractions, onsite hotels, entertainment, retail and food and beverage.

Construction would start in 2017 with an anticipated finish in 2021.

Members raised concerns that the Paramount Park development could have adverse implications for the local housing development/construction programme, increase demand for public transport around Ebbsfleet, require improvements to the surrounding road network and public transport links and have a potentially negative

effect on West Kent tourism. Reference was also made to the potential impacts as a result of the proposals for the Dartford Crossing.

It was indicated that active engagement was ongoing with various agencies, including Highways England, to reduce and mitigate any potential negative impacts and to encourage positive outcomes for as many as possible.

ERG 16/4 TONBRIDGE TOWN TEAM

The Chairman of the Tonbridge Town Team (Howard Porter) reminded Members that the Team had been established as a result of the Portas Review in 2011. The main aim of the organisation was to help make Tonbridge a vibrant and exciting place to live, work, visit and do business and to support the Borough Council's Economic Regeneration Strategy.

Successful initiatives since the establishment of the Town Team included the Taste of Tonbridge, the launch of a Loyalty Card to use in local shops, the popular Dragon Boat Race, the establishment of the Angel Centre Gardens, work with Dementia Friendly, Tonbridge and the recent introduction of the new What's on in Tonbridge magazine. All of these projects were intended to encourage footfall to the town by raising its profile and to support and develop local businesses.

Future ideas included the development of a Tonbridge app, a local Business Hub website and a brochure to encourage inward investment into the town.

Particular reference was made to the positive impact that Farmers Markets had on local retail centres as they were low risk, attracted visitors and encouraged business start-up. There were 50 markets in Kent with 600 producers involved. It was noted that Tonbridge and Malling had 6 Farmers Markets in: Tonbridge, which was the largest, West Malling, Hildenborough, Shipbourne, Offham and Aylesford. Average spend over a month was £50,000 which demonstrated what small pop up business could achieve.

Future challenges for the Farmers Market organisation were addressing the impacts of online shopping, improving promotion and marketing and adapting to new technologies such as social media.

Members discussed issues around the challenges in attracting and retaining good quality retailers to Tonbridge, promoting the town throughout the Borough and being careful not to negatively impact on other local retail centres.

The Town Team would continue to explore all funding opportunities and to support the Borough Council in attracting investment to the Town by encouraging a busy and vibrant High Street.

Finally, the Cabinet Member for Economic Regeneration recognised the value and contribution of the Tonbridge Town Team and any increase in the number of visitors to the town was to be welcomed.

MATTERS FOR RECOMMENDATION TO THE CABINET

ERG 16/5 UPDATE ON THE BOROUGH ECONOMIC REGENERATION STRATEGY ACTION PLAN 2015

Decision Notice: D160024MEM

The report of the Chief Executive provided a detailed overview of the progress made in delivering the Economic Regeneration Strategy Action Plan during 2015.

Overall good progress was being made on a wide range of initiatives as illustrated in Appendix 1 to the report. Particular reference was made to the Escalate 0% interest loan funding as the re-opening of the scheme had been delayed longer than initially expected. This was due to the insufficient loan payments generated back into Kent County Council which was needed to create a new funding 'pot' for further allocation. However, it was anticipated that the scheme would re-open in April 2016.

In addition, the proposed priorities for 2016/17 were set out and took account of the limited progress made in specific areas as well as the level of future financial resources.

Members expressed concern regarding funding for flood protection and the Leigh Flood Storage Area (LFSA). The Cabinet Member for Economic Regeneration indicated that further clarity around the deliverability of the LFSA scheme might be available at the Kent Flood Forum on 10 March 2016.

With regard to broadband services across the Borough it was reported that Phase 2 would focus on Kings Hill, where the current service was inconsistent. Members asked that the County Council liaise with local Borough and Parish Councillors as well as any landlord and landowner.

Finally, Members welcomed the new and improved signage at local retail centres such as Aylesford and Ditton which had received positive feedback for traders.

RECOMMENDED: That the Borough Economic Regeneration Strategy Action Plan update as set out in Appendix 1 to the report and the priorities for 2016/17 set out in paragraph 1.3 be endorsed.

MATTERS SUBMITTED FOR INFORMATION

ERG 16/6 WEST KENT PARTNERSHIP - MINUTES OF MEETING HELD ON 22 JANUARY 2016

The Minutes of the West Kent Partnership meeting held on 22 January 2016 were reviewed and noted.

Reference was made to a 'Growth Hub' and Members were advised that this was a website based signposting service supported by Kent Invicta Chamber.

MATTERS FOR CONSIDERATION IN PRIVATE

ERG 16/7 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.40 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

COMMUNITIES ADVISORY BOARD

Tuesday, 1st March, 2016

Present: Cllr M R Rhodes (Chairman), Cllr D Keeley (Vice-Chairman), Cllr O C Baldock, Cllr Mrs S M Barker, Cllr Mrs S Bell, Cllr V M C Branson, Cllr T I B Cannon, Cllr S M Hammond, Cllr Mrs S L Luck, Cllr P J Montague, Cllr L J O'Toole, Cllr S C Perry and Cllr T B Shaw

Councillors Mrs J A Anderson, D J Cure, Mrs M F Heslop, N J Heslop and B J Luker were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs P A Bates and B W Walker

PART 1 - PUBLIC

COM16/13 DECLARATIONS OF INTEREST

Councillor Mrs S Bell declared an Other Significant Interest in the items relating to the Tonbridge and Malling Leisure Trust as she was contracted, on a self-employed basis, to provide a service at Larkfield Leisure Centre. She withdrew from the meeting during consideration of these items. Councillors O Baldock, M Heslop and N Heslop, while not declaring interests, asked that it be noted that they, or family members, used the facilities at the Angel Centre, Tonbridge.

COM16/14 MINUTES

RESOLVED: That the notes of the meeting of the Communities Advisory Board held on 11 January 2016 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

COM16/15 KEY VOLUNTARY SECTOR BODIES - GRANT SUPPORT

Decision Notice D160025MEM

Further to Decision No D160001MEM the report of the Chief Executive set out details of further negotiations held with the key voluntary sector bodies which received annual grants from the Council to provide support services to residents within the Borough.

RECOMMENDED: That

- (1) the Service Level Agreements for the key Voluntary Sector Bodies, as set out in Annexes 1-6 of the report, be approved; and
- (2) the following annual grants be confirmed for the three year period 2016/17 – 2018/19:

Citizens Advice North and West Kent	- £95,000
Imago	- £4,000
Involve	- £4,000
Age UK Sevenoaks and Tonbridge	- £8,000
Age Concern Malling	- £8,000
Maidstone and West Kent Mediation	- £4,800

COM16/16 KENT COUNTY COUNCIL REVIEW OF MOBILE LIBRARY PROVISION

Decision Notice D160026MEM

The report of the Chief Executive set out details of Kent County Council's proposed reduction of the current mobile library provision following a review of the usage of the service. It was noted that while the service would be withdrawn in a number of areas across the Borough, the impact on users would be insignificant and measures would be put in place to assist and support residents with the home delivery service.

RECOMMENDED: That Kent County Council be advised that the Borough Council has no objection to the current proposals to reduce the mobile library service.

COM16/17 TONBRIDGE AND MALLING LEISURE TRUST - REVIEW OF CHARGES 2016/17

The report of the Director of Street Scene, Leisure and Technical Services set out details of the existing and proposed core charges for the Council's main leisure facilities operated under contract by the Tonbridge and Malling Leisure Trust.

RECOMMENDED: That

- (1) with the exception of the concessionary rates at Poult Wood Golf Centre, the proposed Leisure Trust Core Charges, as outlined at Annex 1 to the report, be approved and implemented from 1 April 2016;
- (2) the proposed concessionary rates at Poult Wood Golf Centre be introduced as a 50/50 split over a two year period; and

- (3) pitch hire charges at Tonbridge Sportsgrounds be increased as outlined at paragraph 1.5 of the report and implemented from 1 April 2016.

***Referred to Cabinet**

COM16/18 LEISURE TRUST - ANNUAL SERVICE DELIVERY PLAN 2016/17

Decision Notice D160027MEM

The report of the Director of Street Scene, Leisure and Technical Services provided an update on the recent performance of the Tonbridge and Malling Leisure Trust and brought forward the Trust's draft Annual Service Delivery Plan for 2016/17.

RECOMMENDED: That

- (1) the Tonbridge and Malling Leisure Trust Annual Service Delivery Plan – Cumulative Quarterly Monitoring Report for the period 1 October to 31 December 2015 be noted; and
- (2) the Tonbridge and Malling Leisure Trust draft Annual Service Delivery Plan for 2016/17, as set out at Annex 2 to the report, be approved.

COM16/19 HAYSDEN COUNTRY PARK - SITE IMPROVEMENTS

The joint report of the Director of Street Scene, Leisure and Technical Services and the Director of Finance and Transformation provided an update on progress with a Capital Plan Project for Site Improvements at Haysden Country Park and set out details of the Capital Plan Evaluation of the proposed scheme.

RECOMMENDED: That the transfer of the capital plan scheme for the site improvements at Haysden Country Park to the Capital Plan (List A) be approved and the Capital Plan updated accordingly.

***Referred to Cabinet**

MATTERS SUBMITTED FOR INFORMATION

COM16/20 COMMUNITY SAFETY PARTNERSHIP (CSP) UPDATE

The report of the Director of Central Services and Monitoring Officer provided an update on recent activity undertaken by the Tonbridge and Malling Community Safety Partnership.

COM16/21 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.12 pm

Agenda Item 5

The minutes of meetings of Advisory Panels and Other Groups are attached, any recommendations being identified by an arrow.

Tonbridge Forum of 8 February 2016

Parish Partnership Panel of 18 February 2016

Joint Transportation Board of 14 March 2016 (to follow)

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TONBRIDGE AND MALLING BOROUGH COUNCIL

TONBRIDGE FORUM

Monday, 8th February, 2016

Present: Cllr N J Heslop (Chairman), Cllr C P Smith (Vice-Chairman), Cllr Mrs J A Anderson, Cllr Mrs P A Bates, Cllr P F Bolt, Cllr D J Cure, Cllr V M C Branson, Cllr F G Tombolis and County Councillor Mr R Long.

Together with representatives from:

Kent Fire and Rescue Service, Kent Police (Tonbridge), Society of Friends, Tonbridge Art Group, Tonbridge Civic Society, Tonbridge District Scout Council, Tonbridge Historical Society, Tonbridge Line Commuters, Tonbridge Music Club, Tonbridge Philharmonic Society, Tonbridge Rotary Club, Tonbridge Sports Association, Tonbridge Theatre and Arts Club, Tonbridge Town Team, University of the Third Age and Women's Institute

Councillor Baldock was also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Ms J A Atkinson, T Edmondston-Low, R D Lancaster and Tonbridge Area Churches Together

TF 16/1 MINUTES

RESOLVED: That the Minutes of the meeting held on 14 September 2015 be approved as a correct record and signed by the Chairman.

TF 16/2 UPDATE ON ANY ACTION IDENTIFIED IN THE LAST MINUTES

There were no actions identified

TF 16/3 DEMENTIA AWARENESS WEEK

The Dementia Friendly (Tonbridge) Group announced that Dementia Awareness week would take place from 15 – 22 May 2016. This was extended to the whole month of May in Tonbridge. A number of events would take place throughout the town to encourage community engagement, participation and support of those suffering from or affected by dementia.

Further details of activities and how people could get involved would be available shortly via the Building Dementia Tonbridge Facebook page.

Many of the events focused on 'sights, sounds and smells of yesterday' to stimulate memory and some of those scheduled included the following:

- 'Down Memory Lane' – a photographic exhibition in Tonbridge library for the whole month
- 'Sounds of Sinatra' – a concert in Medway Hall, Angel Centre on Saturday 7 May with The Clef Hangers big band. Tickets were £19 each (email: john@theclefangers.com) A retiring collection would be made for dementia awareness
- Informal Dementia Café in the Angel Centre 1400-1600 on Thursday 12 May
- Launch of a new informal Dementia Cafe in the Methodist Hall, Higham Lane at 1030 am on Saturday 14 May. Entertainment by Tom Carradine
- Dementia Friends Awareness session 1330-1430 at Inspirations Hair Salon, 181 High Street on Monday 16 May
- Health walk from Tonbridge Castle 1000 on Wednesday 18 May. This was half an hour and suitable for those living with dementia and their carers
- Exhibition at Tonbridge Library on evacuees during World War II on Thursday 19 May 1800-1900. Followed by a Dementia Friends Awareness session at 19.15-2000 hours
- Down Memory Lane at the Old Fire Station on Sunday 15, Monday 16 and Tuesday 17 May at 1200-1800 hours. An exhibition of fire service artefacts and photographs with a drop in café for dementia support
- Opening of sensory garden at 1400 in Angel Square on Saturday 21 May
- Stall at Tonbridge Food and Drink Festival on 21-22 May. This event would take place on the Castle Lawn. A home front static nostalgic display with demonstration of cooking with rations was to be confirmed
- Dementia Café at the Angel Centre on Thursday 26 May at 1400-1600 hours

Retailers were encouraged to open their premises and hold dementia friendly sessions and Members of the Forum were asked to promote the initiative to help raise awareness and understanding of the condition.

The Chairman offered on behalf of the Borough Council to add the events diary to the Tonbridge and Malling website and to noticeboards throughout the borough. It was confirmed, via the Dementia Friendly Tonbridge group, that all channels of communication would be used to promote the events from new online technologies to the more traditional methods.

TF 16/4 TONBRIDGE HIGH STREET IMPROVEMENT SCHEME

Mr Jamie Watson of Kent County Council provided an update on the progress being made on the Tonbridge High Street Improvement Scheme. The project involved widening and resurfacing of pavements together with a range of other improvements between the Vale Road roundabout up to the 'Big Bridge'.

It was acknowledged that the start of the project had been challenging and reference was made to the pressures on the surrounding road network due to the road management measures in place, particularly the introduction of the one way northbound between Vale Road and Borden.

To improve relationships with local residents and businesses an improved communication strategy had been adopted and included the creation of a new website - <http://www.tonbridgehighstreet.org/> - where feedback could be submitted and leaflets providing information on progress had been delivered to local businesses and were available at the Gateway. The website was updated weekly with latest news, progress and planned work. There would also be an advertising campaign advising that the High Street was open for business as usual.

In addition, an increased workforce had been employed and was now working six days a week with the potential for this to be extended to seven if necessary. Good progress was being made on Phase 1 and it was anticipated that the April completion date would be met. A recent meeting with retailers had been positive with businesses reporting an increase in trade.

Planned work for the upcoming weeks included block paving on the eastern footway and the 'tree pit' in the Botany was due to be refilled and test holes dug to find a new location for its replacement.

In response to a question regarding street furniture, Forum Members were advised that there would not be a distinct alternative to what currently existed other than that benches would be more modern.

Members also expressed concern about the continuation of the no right hand turn into Medway Wharf Road, especially if enforcement action was not taken to control this illegal manoeuvre. It was noted that Kent Highways did not have the authority to take enforcement action. Kent Police had undertaken enforcement in the past and would continue to do

so but indicated that it would not be a top priority for them. However, Kent County Council noted the concerns raised and suggested that this issue could be revisited in the longer term once the scheme had been completed and bedded in.

With regard to the London Road bus shelter the Director of Street Scene, Leisure and Technical Services advised that the Borough Council intended to replace this as part of a new contract agreement. Further information could be provided out of meeting.

Finally reference was made to the introduction of 20 mph zones and whether these could be extended. These would be reviewed as part of Phase 2 which was due to start in April 2016.

TF 16/5 REVIEW OF COMMUNITY ENGAGEMENT: RECOMMENDATIONS OF OVERVIEW AND SCRUTINY COMMITTEE

The Scrutiny and Partnership Manager advised of the Overview and Scrutiny Committee's recommendations following the review into how the Borough Council engaged with local community groups and parish councils. Those of relevance to the Tonbridge Forum included:

- the Tonbridge Forum be retained but reduced to two meetings each year.
- meetings to be held in the Council Chamber at Tonbridge Castle.
- a review of the membership be undertaken to enable members to withdraw from the Forum if they wished to do so, or to confirm their continued membership or just opt to receive published minutes.
- consideration be given to a reduction of Council Members attending to allow for a more informal community meeting rather than a formal Council 'Panel' as at present.
- the format of future meetings be changed with a view to implementing a 'round table' style of meeting with community members encouraged to raise items.

Members expressed support for the continuation of the Forum as it encouraged participation and communication of messages important to Tonbridge. Many Members felt that it was the only vehicle available to know what was happening in the Town.

The Chairman reiterated his support for the Tonbridge Forum and emphasised the aspiration of making it relevant with an active and participating membership.

In addition, the Borough Council recognised the value of improving communication with local organisations and as part of the review contact

details of representatives would be updated. This communication would include both modern and traditional methods such as email notifications and letters.

TF 16/6 KENT POLICE UPDATE

Acting Inspector M Ginsberg provided a verbal update of the achievements made in performance and neighbourhood policing. It was reported that Tonbridge and Malling remained a low crime area and one of the safest places in the county and country, despite a slight increase of 1% in the last month. Partnership working continued to be successful in addressing crime.

However, there had been a 12% overall increase over the year and this was due in part to more accurate recording of crime, increased reporting of incidents and fewer resources.

Shoplifting offences had increased by 14% across Tonbridge and Malling and was potentially related to drug activity/gangs and poverty. It was noted that this was a problem nationally and not just local to Tonbridge.

There had been successful arrests related to drug dealing in Tonbridge and positive action taken to address anti-social behaviour at the Youth Hub. The latter had been resolved by the Police Community Support Officers supporting staff and engaging with youths.

Reference was made to the Police Spending Review announcement in November which had seen police budgets protected, although it remained difficult to predict the financial implications for the longer term. It was reported that increased threats from extremists and child exploitation required greater funding and created pressures on resources. Officer numbers remained stable and Kent Police were actively recruiting. However, the number of Police Community Support Officers was reducing due to 'natural wastage' and there were no plans to recruit any further.

Recent police initiatives included:

- Op Ballpoint: Addressed issues of vandalism and intimidation in Trench by increasing patrols and local PCSO engaging with young people.
- Op Encircle: Increased visibility in Tonbridge during lead up to Christmas to target shoplifters.
- Op Hummingbird: Addressed theft from sheds by offering crime prevention advice and encouraging people to mark and register property.

- Op Cactus: Promotion of road safety around schools and educating parents about parking responsibly.
- Two roadshows in conjunction with Community Safety Partnership offering advice to the public on how to protect property.

With regard to the right hand turn off the High Street into Medway Wharf it was confirmed that Kent Police had undertaken enforcement action at that location and raised concerns with Kent County Council. Once the work was completed consideration would be given to undertaking further enforcement work but it could not be a priority.

In response to a question, it was confirmed that PCSOs would be encouraged to challenge cyclists and disabled buggies using the pavement. The Director of Street Scene, Leisure and Technical Services indicated that options for cycle paths would be explored as part of Phase 2 of the High Street improvement scheme.

TF 16/7 KENT FIRE AND RESCUE SERVICES UPDATE

Group Manager C King provided a verbal update on recent initiatives and operations undertaken by Kent Fire and Rescue Services.

Whilst there had been a small increase in the number of calls to the Service recently, overall the level of incidents remained low.

Reference was made to the Safety Plan which was due for consultation and set out how the fire service would operate over the next 12 – 18 months. There had been a 25% reduction in funding and, although this was not as bad as initially predicted, savings of £8M still had to be found. It was hoped that these could be achieved by reviewing how appliances and stations were crewed and flexible working. However, it was reported that there would be no station closures.

The Service was also looking at supporting aspects of the public health agenda and was working closely with Public Health England to identify where this assistance could be offered. Some Fire Services were already piloting support regarding medical emergency responses and this area would continue to be explored.

Practical advice on fuel poverty and how to feel safer in the home was given to the public.

Finally, a Road Traffic Collision Centre was due to open in Rochester shortly and interested groups/schools might be able to visit to 'test' the facilities prior to the official opening. The Centre was targeted at young people learning to drive as it promoted road safety.

TF 16/8 KENT COUNTY COUNCIL SERVICES UPDATE

The Kent County Council Community Liaison Officer (Anne Charman) reported on a number of County initiatives and consultations. A Kent County Council Services update report setting out more details was tabled at the meeting for information.

It was noted that the Combined Member Grant Scheme 2015/16 was open until 31 March 2016 and that Tonbridge and Malling County Councillors had a total of £175,000 to allocate in 2015/16. Further information on this was available by contacting local County Councillors or the Community Liaison Officer.

A number of public consultations were ongoing and everyone was encouraged to participate. All Kent County Council consultations could be viewed online at:

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

Particular reference was made to the Tonbridge Gateway consultation which ended on 21 February 2016 and invited comments on the proposals to move County Services to the library in the High Street. It was recognised that services were accessed in different ways and that use had changed. These proposals reflected that change.

The Director of Street Scene, Leisure and Technical Services advised that whilst the Borough Council understood the County Council's stance regarding the Gateway proposals it would continue to look at potential options for Tonbridge Castle to offset any funding loss and find alternative income. The Borough Council would continue to provide services at the Castle but were unable to predict what these would be like in the longer term.

Finally, the results of the consultation on streetlights were due to be considered by the County's Environment and Transport Committee this week. The conversion to LED meant that streetlights were now more efficient and the central control provided greater flexibility.

TF 16/9 TONBRIDGE AND MALLING SERVICES UPDATE

The Director of Street Scene, Leisure and Technical Services provided an update on key points relevant to Tonbridge. The headline messages included:

- Tonbridge Town Lock:

This project represented a significant investment into the town and was on target to finish in March 2016.

TF 16/10 ANNOUNCEMENTS

- The Tonbridge Rotary advised that the next Christmas Festival would be held on 27 November 2016 and thanked everyone for their involvement in the last one, which had been a great success. The aspiration was for the Festival to develop into a Christmas market.

The Chairman thanked Tonbridge Rotary for the excellent Christmas Festival which was always well supported.

- Tonbridge Town Team announced that the first Tonbridge Food and Drink Festival would be held from Friday 21 – Sunday 22 May 2016 at Tonbridge Castle and organisations were invited to participate.

The Festival would start on Friday evening with music and street food to be followed by a weekend of food stalls and entertainment on the Castle Lawn. Tonbridge Town Team had worked in partnership with the Market Square Group to organise the event with support from Tonbridge and Malling Borough Council.

The meeting ended at 9.40 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

PARISH PARTNERSHIP PANEL

Thursday, 18th February, 2016

Present: Cllr N J Heslop (Chairman), Cllr M A Coffin (Vice-Chairman), Cllr Mrs S M Barker, Cllr T I B Cannon, Cllr R W Dalton, Cllr Mrs S M Hall, Cllr S M Hammond, Cllr D Markham and Cllr R V Roud.

Together with Addington, Aylesford, Birling, Borough Green, Burham, Ditton, Hadlow, Hildenborough, Kings Hill, Leybourne, Mereworth, Offham, Plaxtol, Shipbourne, Snodland, Stansted, Wateringbury, West Malling, West Peckham, Wouldham and Wrotham Parish and Town Councils.

Councillors B J Luker, S C Perry and A K Sullivan were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs J A Anderson and Mrs S Hohler and Parish Councillor H Bott (Stansted Parish Council)

PART 1 - PUBLIC

PPP 16/1 MINUTES

RESOLVED: That the Minutes of the meeting held on 19 November 2015 be approved as a correct record and signed by the Chairman.

PPP 16/2 UPDATE ON ACTION IDENTIFIED IN THE LAST MINUTES

There were no actions identified

PPP 16/3 COMMUNITY SAFETY AND CRIME PREVENTION:

Crime Prevention Panel:

The Crime Prevention Panel was established in order to reduce crime and the fear of crime in the community through working together and was made up of residents and local organisations. It also had its own funds.

A copy of the Terms of Reference (**Annex 1**) and Constitution (**Annex 2**) would be circulated with the Minutes.

Anti-Social Behaviour Act 2014:

The Act had received Royal Assent in October 2014 and various activities had been undertaken in accordance with the new legislation. Particular reference was made to Public Space Protection Orders and consideration was being given to proposals for implementation borough wide and specific to council owned land. Consultation on these proposals would be released shortly and all parish councils would be contacted for a response.

Tonbridge and Malling Community Safety Unit/Community Safety Partnership:

The Licensing and Community Safety Manager advised that the Community Safety Unit (CSU) would identify final priorities for the upcoming year in the near future. Current thinking was focused around three main themes of 'safeguarding', 'health and wellbeing' and 'safer communities'. The draft Kent Control Strategy, (**Annex 3**) which set out the priorities, would be circulated with the Minutes for information.

Members were reminded that the CSU was partnership working between the Borough Council and Kent Police.

Kent Police Services Update:

Chief Inspector M Hutcheon, acting District Commander for Tonbridge and Malling, provided a verbal update on the achievements made in performance and the neighbourhood policing agenda.

It was reported that the position in the Borough remained good despite a 12% increase in crime. Tonbridge and Malling had the 3rd lowest crime levels in Kent and remained one of the safest places in the County. Increased reporting of incidents, more accurate recording of crime and fewer resources were believed to have contributed to the percentage increase over the year.

Particular reference was made to the Police Spending Review announcement in November 2015 which had seen police budgets protected, although it remained difficult to predict the financial implications for the longer term. However, significant savings still had to be achieved due to the increased pressures in dealing with threats from extremists and child exploitation.

The draft Kent Control Strategy, which set the priorities for the year, had identified the 6 key elements of child abuse and exploitation; human trafficking/modern slavery; domestic abuse, serious violence and sexual offences; organised acquisitive crime; gangs and counter terrorism and domestic extremism.

Recent police initiatives included:

- Op Gallant: focused on theft from dwellings, particularly sheds
- Op Volume: a road safety initiative with Borough Green Parish Council had taken place on 6 January 2016
- Op Cactus: Promotion of road safety around schools and educating parents about parking responsibly
- Op Milan: An initiative in East Malling to tackle un-roadworthy and untaxed vehicles

In addition, seven civil injunctions for anti-social behaviour and low level crime had been served in East Malling; whilst extra officers were in place to address anti-social behaviour in West Malling.

PPP 16/4 SOLAR FEED-IN TARIFF

Borough Green Parish Council referred to the Feed-In Tariff (FIT) scheme, designed by Government to encourage the uptake of small scale renewable and low carbon electricity generation technologies, and advised that the arrangements for solar power excluded parish councils from those eligible to receive payment.

To enable parish councils to take advantage of this scheme and benefit from FIT when using new technologies, the Borough and County Councils were asked to lobby the Local Government Association for support in asking Government to change the criteria.

The Chairman asked that this request be put in writing to him, in his position as Leader of the Council, and he would contact the LGA to see if other authorities had similar experiences. The Kent Association of Local Councils also agreed to capture as many examples as possible and advise the Leader accordingly.

PPP 16/5 KENT COUNTY COUNCIL SOFT LANDSCAPING PROPOSAL

The Kent Association of Local Councils (KALC) (Tonbridge and Malling) advised of informal discussions with Kent County Council on improved collaborative working with parishes and providing services in a different way. The Village Caretaker scheme and soft landscaping were examples of where parishes could potentially assist the County Council in delivering services.

The Chairman indicated that the Borough Council were also in discussions with Sevenoaks District and Tunbridge Wells Borough Councils regarding joint working on areas of common interest. There might be opportunities for parish councils to develop and once further details were known these would be reported back for discussion.

In addition, the Borough Council were talking to Kent County Council regarding a 'district deal' and looking at opportunities for more local service delivery.

Finally, KALC asked that parish councils were kept fully informed and consulted at an early stage, especially if contracts and/or specifications were going to change as they could contribute important detail.

PPP 16/6 LOCAL PLAN AND PLANNING REFORMS UPDATE

The Planning Policy Manager provided an update on the progress of the Local Plan and the programme for its preparation.

Good progress was being made on the assessments of the sites submitted as part of the Call for Sites exercise, although it was noted that there remained a number of factors beyond the Borough Council's control that might have an impact on the timetable. These included the contribution of key infrastructure providers and statutory consultees to the assessment process and the ongoing Government planning reforms.

As a result, the Local Plan programme had been revised and the Issues and Options element would be out for consultation in September 2016 rather than spring as originally planned. The new timetable also allowed for a second round of consultations on a preferred development strategy option before the Plan was submitted to the Secretary of State in November 2017 and adopted in mind-2019, subject to any further delays.

The new timetable would be available on the website for information.

Borough Green Parish Council thanked the Director of Planning, Housing and Environmental Health for the time taken to respond to concerns raised around the Call for Sites.

Planning Reforms Update:

The Head of Planning advised that the Housing and Planning Bill was currently in the Committee stages in the House of Lords and was anticipated to receive Royal Assent in April/May of this year.

Particular reference was made to the proposals to outsource planning applications to third parties (a designated provider). This meant that applicants could choose an alternative provider to process their planning application. However, planning decisions remained with the Local Planning Authority.

This potentially represented significant change in how parish councils participated in the application process. Full details were not yet available, although the proposals were part of a consultation document released today (Thursday 18 February 2016).

Members expressed concerns about the potential quality of the service provided by third party organisations and the risk associated with the Local Planning Authority taking planning decisions if relevant information was not shared or provided.

In response to a question raised regarding the parish councils position as statutory consultees, it was indicated that this should remain unchanged. However, the Borough Council were concerned about the quality of wider consultation with interested parties.

The deadline for commenting on these proposals was 15 April 2016 and all parishes were encouraged to respond.

Finally, it was noted that the Secretary of State for the Department for Communities and Local Government was meeting the Kent Association of Local Councils shortly if anyone wanted the opportunity to raise their concerns directly.

PPP 16/7 WRAP PLASTIC RECYCLING LEAFLET - THE BOROUGH COUNCILS POSITION

Reference was made to the recycling leaflet produced by the Kent Resource Partnership (KRP) which implied that kerbside plastic recycling was available throughout the county. This had created confusion for local residents as this service was not provided by Tonbridge and Malling Borough Council.

The Street Scene Manager advised that the KRP had received a grant award from WRAP to publicise recycling. Unfortunately, the funding was insufficient to provide individual leaflets containing bespoke information for each local authority participating so a generic leaflet was created instead.

KALC indicated that the information was misleading from a Tonbridge and Malling perspective and better value for money for the KRP would have been achieved by leaving the Borough Council out of the leaflet. In response, the Borough Council advised that this opinion had been suggested but it was apparently cheaper to deliver 50,000 leaflets across Tonbridge and Malling rather than tailoring the leaflet.

Options for recycling would be revisited when the current contract with Veolia ended in 2019 and the potential for kerbside plastic collection would be revisited. The Borough Council would continue to work with neighbouring authorities to provide value for money and improved services.

Information on recycling was available on the website – www.tmbc.gov.uk to educate on what type of materials could be taken to 'bring sites'.

PPP 16/8 FINANCIAL ARRANGEMENTS WITH PARISH COUNCILS

The Director of Finance and Transformation reported that the final Local Government Finance Settlement received by the Borough Council meant a funding reduction in respect of the Settlement Funding Assessment of 65.1% over a four year period. This equated to a loss of funding of £2.4M and the impact needed to be addressed urgently.

2016/17 was the last year that Tonbridge and Malling would receive Revenue Support Grant (RSG) and in 2019/20 would have to give Government £1M as a 'tariff adjustment' out of the Borough Council's local share of business rates income.

Following a decision by the Secretary of State, which allowed local authorities to raise Council Tax by £5 or 2.6%, whichever was the higher, without triggering a referendum, the Borough Council had resolved to raise Council Tax by £5.

The Borough Council faced a significantly difficult and challenging financial position and needed to achieve savings of circa £1.9M over the next 3-4 years. It was indicated that efficiency savings alone were no longer sufficient to address the budget position and all other measures would be explored, including a review of the provision of services.

Reference was made to a draft timetable, presented to Cabinet on 11 February, for commencing a review of partnership funding with parish councils including the Scheme of Financial Arrangements and the issue of funding passed to parish councils in respect of the council tax reduction scheme (CTRS). It was clarified that parish councils had already been advised of their allocations for 2016/17 so any new arrangement would impact in 2017/18 or later.

The Director of Finance and Transformation advised that it was the intention that a more detailed 'options' report be presented to Cabinet on 22 March, and it was anticipated that the consultation process regarding financial arrangements and the CTRS grant would be finalised and approved at that meeting. She commented that whilst it was very important to receive views from parish councils, she hoped that parish councils would recognise that the Borough Council had an objective to alleviate significant financial pressure.

The Director of Finance and Transformation added that New Homes Bonus remained an area of significant risk. It could not be assumed that the funding would continue in its current form as this was currently out for consultation with the prospects of significant reductions in funding being made available.

KALC and the Parish Councils present thanked the Borough Council for the financial support offered to them in the past and understood the challenging circumstances being faced.

In response to a concern raised around the need to hold a referendum if parish precepts were raised, it was confirmed that, currently, the trigger did not affect parish councils.

A member of the Panel commented that it should not be forgotten that the reason the Borough Council awarded grants to parish councils was because there was no town council in Tonbridge. Therefore, the Borough Council had to pay directly for those 'local' services. Tonbridge residents did not have to pay a local 'precept' and perhaps this should be considered if grants were to be reduced or withdrawn. The Chairman advised that all options were open and this would be explored in the context of this review.

All present recognised the difficult financial position faced by both borough and parish councils, especially in the light of reduced incomes and funding streams. The Vice-Chairman encouraged parishes to put forward any suggestions they had for improved efficiencies, savings and better ways of working.

PPP 16/9 UPDATES ON RECENT SCRUTINY REVIEWS:

Holiday Activity Programme:

The recommendations arising from the Overview and Scrutiny Committee's review into the Borough Council's three holiday activity programmes for young people were outlined.

In summary, the Committee supported the opinion that the Borough Council should withdraw from direct provision of the Activate Programme and the Summer Playscheme and the retention of support for the Y2Crew programme. Ongoing support for families on low incomes via the Leisure Pass scheme would continue subject to other partners providing continued financial support.

It was also suggested that, if required, administrative support by the Borough Council's officers be offered to the private providers during the transitional period in 2016 to preserve and improve the service provided.

The Easter Activate would be the last one offered by the Borough Council. If no external provider could offer a Summer Playscheme programme for East Malling, Snodland or Trench an alternative would be offered by Tonbridge and Malling for a further year. However, negotiations with private providers were progressing well and were currently being evaluated.

KALC requested that if a Holiday Activity Programme was not going ahead in a parish the parish council be offered the opportunity to fund one.

Community Engagement:

The Chief Corporate Policy Officer advised of the Overview and Scrutiny Committee's recommendations following the review into how the Borough Council engaged with local community groups and parish councils. Those of relevance to the Parish Partnership Panel included:

- The meetings be retained at the current frequency (four per year) on the understanding that, if insufficient items were put forward, the meeting would be cancelled
- The meetings to be chaired by the Leader or Cabinet Member
- To encourage greater participation the parish/town councils to be given a longer 'lead in' time to suggest agenda items. It was recognised that some area specific issues would be relevant/of interest to a wider area and should be included on the agenda
- Rather than providing presentations the Kent County Council and Kent Police representatives be invited to submit brief reports, highlighting relevant updates and contact details, to allow parish and town councils to follow up on any issues should they wish to do so

Particular reference was made to the proposal for a revised start time of 1800 hours. However, the Parish Partnership Panel expressed a preference for retaining the 1930 start as it gave opportunity for those working to attend meetings.

PPP 16/10 LOWER THAMES CROSSING - UPDATE

The Director of Planning, Housing and Environmental Health updated the Panel on the latest round of public consultation for the Lower Thames Crossing.

It was reported that the current consultation was for a single option, namely a road tunnel crossing east of Gravesend (in Kent) and Tilbury (in Essex). Deadline for responses was 24 March 2016.

Further detail on the proposals and how to comment was available on the Highways England website: <http://www.lower-thames-crossing.co.uk/>

The Borough Council was considering the consultation documentation and formulating a response. However, it was critical that there was a thorough evaluation of the impacts on the local highway network and road infrastructure. It was noted that the primary advantage to Tonbridge and Malling was that it relieved pressure on the M20.

Parish councils were encouraged to comment on the proposal via the Highways England website and Borough Council officers.

Concern was expressed around the ability of the A229, A228 and A227 to cope with increased traffic movement.

PPP 16/11 KENT COUNTY COUNCIL SERVICES UPDATE

The Kent County Council Community Liaison Officer (Anne Charman) reported on a number of County initiatives and consultations. Further detail was set out in the Kent County Council Services update report attached to the agenda.

It was reported that the Combined Member Grant Scheme would continue next year and provided a small source of income for projects, which parish councils were encouraged to consider. Further information on this was available by contacting local County Councillors or the Community Liaison Officer.

A number of public consultations were ongoing and everyone was encouraged to participate. All Kent County Council consultations could be viewed online at:

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

Particular reference was made to the consultation on the Mobile Library Service which sought views on the proposals to change routes and stops. The deadline for responses was 4 March 2016.

Kent County Council had recently agreed to an optimised all night street lighting policy. This would be aligned with the introduction of new LED lights. The programme of scheduled works was available on the County Council website. It was noted that conversion to LED within Tonbridge and Malling was scheduled for September – November 2016.

In addition, the County Council had approved its budget and increased Council Tax by 1.99%.

Members welcomed the suspension of the consultation on disposal of land and expressed disappointment that local parishes had not been consulted during the initial process and only became aware of proposals when notices were published.

Wrotham Parish Council referred to an 'open space' car park and the offer to buy this from KCC which had not received a response despite numerous requests. The Community Liaison Officer offered to pursue this further.

PPP 16/12 TONBRIDGE AND MALLING BOROUGH COUNCIL SERVICES UPDATE

The Street Scene Manager provided an update on key points relevant to Tonbridge and Malling. The headline messages included:

- Queens 90th Birthday:

As part of the Queen's birthday celebrations beacons were being lit around the country on 21 April 2016. Details of how to be involved had been sent to all parish councils. Further information was available from Leisure.Services@tmbc.gov.uk

Tonbridge and Malling would be holding a beacon lighting event at Tonbridge Castle following consultation with the office of the Deputy Lord Lieutenant.

- Official Birthday Celebrations – 11 and 12 June

Kent County Council had streamlined the process for applying to hold a street party on quiet residential streets over the weekend of 11 and 12 June. Anyone wishing to make an application must do so by 23 May at the latest:

<http://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-to-close-a-road/planning-a-street-party>

Any approved parties would be circulated on a regular basis to the districts' Safety Advisory Groups. Information regarding road closures was available by contacting Licensing Services.

- Clean for the Queen

This was a campaign launched to clear up Britain in time for the Queen's 90th birthday. Volunteers across the country were encouraged to clean up their local areas and included a special clean up weekend on 4-6 March. The Borough Council were encouraging community groups to hold events throughout March and April and would support these by assisting with publicity, providing equipment and arranging rubbish collection.

New roadside signs would be erected at key points around the borough over the next week and these would be rotated around littering hot spots over the coming months. Further details were available from waste.services@tmbc.gov.uk

- Publicity initiatives

Leaflets aimed at improving the amount of metals collected in Kent and highlighting what happened to metal collected from the Borough Council's green box service were delivered during the weeks commencing 1 and 29 February 2016.

- Easter refuse and recycling collection arrangements

Details of Easter collection arrangements were sent to households in October and were available on the website: www.tmbc.gov.uk/waste

There would be no collections on Good Friday or Easter Monday. Collections due on Friday would now take place on Saturday whilst those on Monday would be a week later.

- Littergram App

This was a free app solution for mobile phones or tablets which allowed users to take a picture of litter, fly tipping or other street scene issues. These were sent automatically to the relevant local authority for action. The app was available for both Android and Apple devices and more information could be found at: www.littergram.co.uk

Further details and contact information regarding all these events would be circulated with the Minutes (Annex 4).

The meeting ended at 9.30 pm

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Item COM 16/19 referred from Communities Advisory Board minutes of 1 March 2016

COM16/19 HAYSDEN COUNTRY PARK - SITE IMPROVEMENTS

The joint report of the Director of Street Scene, Leisure and Technical Services and the Director of Finance and Transformation provided an update on progress with a Capital Plan Project for Site Improvements at Haysden Country Park and set out details of the Capital Plan Evaluation of the proposed scheme.

RECOMMENDED: That the transfer of the capital plan scheme for the site improvements at Haysden Country Park to the Capital Plan (List A) be approved and the Capital Plan updated accordingly.

***Referred to Cabinet**

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TONBRIDGE & MALLING BOROUGH COUNCIL

COMMUNITIES ADVISORY BOARD

01 March 2016

**Joint Report of the Director of Street Scene, Leisure & Technical Services and
Director of Finance & Transformation**

Part 1- Public

Matters for Recommendation to Cabinet - Council Decision

1 HAYSDEN COUNTRY PARK – SITE IMPROVEMENTS

Summary

This report updates Members on progress with a Capital Plan Project for Site Improvements at Haysden Country Park and brings forward a Capital Plan Evaluation for approval.

1.1 Introduction

1.1.1 A scheme for Site Improvements at Haysden Country Park currently sits on List C to be evaluated. The scheme is primarily based on suggested improvements by the Haysden Country Park Volunteers and includes proposed works to the western bank of Barden Lake. The scheme was originally placed in Cost Band C with an estimated cost of between £51,000 and £100,000.

1.2 Project Update

1.2.1 A detailed scheme has now been developed in liaison with the Haysden Country Park Volunteers and includes revetment work on Barden Lake, marginal lake planting, jetty/viewing platform, picnic benches, play sculptures, path work, soft landscaping and drainage to alleviate flooding issues in the main car park. Full details of the proposed works can be found within the Capital Plan Evaluation at **[Annex 1]**.

1.2.2 The total cost of the project is estimated at £46,000.

1.3 Funding Update

1.3.1 A number of potential external funding opportunities were identified to support the project and I am pleased to advise Members that the Council in partnership with the Volunteers, has been successful in securing the following grants. £35,000 has been awarded from Cory Environmental Trust Britain and a £2,633 donation from Tonbridge and District Angling and Fish Preservation Society has been offered to support the drainage element of the project.

1.4 Proposed Way Forward

- 1.4.1 To access the Cory funding a 'Third Party Funder Contribution' of 10% or £3,500 is required to be paid. The shortfall from the total project cost of £8,367 will also need to be secured if the full project is to be progressed, giving a total project shortfall of £11,867.
- 1.4.2 Considering the significant level of external funding secured, it is proposed that the scheme be brought forward within the Capital Plan process in order that the external funding can be used within its required time frame and the works can be undertaken prior to this year's summer school holiday period. Therefore, attached at **[Annex 1]** is the Capital Plan Evaluation for Member consideration and approval.
- 1.4.3 Whilst the maximum potential funding required from the Council to support the project has been identified as £11,867, further external funding opportunities are currently being investigated and I am hopeful that the full cost of the scheme will be secured.

1.5 Legal Implications

- 1.5.1 None.

1.6 Financial and Value for Money Considerations

- 1.6.1 In the delivery of the project the Council's Financial and Contract Procedure Rules will be adhered to, and the project will be delivered and monitored in close liaison with the Director of Finance and Transformation and the Director of Central Services. A Post Implementation Review will be undertaken and reported to a future meeting of this Board.

1.7 Risk Assessment

- 1.7.1 The delivery of projects within the Capital Plan is identified in relevant Operational Risk Registers within the Service. A number of existing controls are in place to help deliver projects in accordance with the design brief, on timescale and within budget. These controls include the preparation of design briefs, use of consultant teams where applicable, compliance with Contract and Financial Procedure Rules, an Officer Study Team approach, and regular reports to Management Team and Members.

1.8 Equality Impact Assessment

- 1.8.1 Consideration has been given to accessibility within the designs of the Haysden Country Park site improvements including additional accessible path, jetty platform and tactile play sculptures.

1.9 Policy Considerations

1.9.1 Asset Management, Biodiversity & Sustainability, Community, Healthy Lifestyles and Procurement

1.10 Recommendations

- 1) Cabinet are asked to **approve** the transfer of the site improvements at Haysden Country Park capital plan scheme to the Capital Plan (List A) and **recommend** that the Capital Plan be updated accordingly.

Background papers:

contact: Mike Harris

Nil

Robert Styles
Director of Street Scene, Leisure
and Technical Services

Sharon Shelton
Director of Finance & Transformation

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CAPITAL PLAN LIST C – EVALUATIONS

	Project	Open Spaces: Haysden Country Park – Site Improvements		
	1	Specification:		
		(i)	Purpose of the scheme	General site improvements to include proposals brought forward by the Haysden Country Park Volunteers. Works to include improvements to the western end of Barden Lake.
		(ii)	Relevance to National / Council's Strategic Objectives	(a) National: Reducing childhood obesity, increasing child participation/activity and promoting healthier lifestyles. (b) Council: 1i) Identifying new sources of external funding to support capital schemes. 2d) Further working with our communities. 2g) Improving public open spaces and enabling everyone to enjoy them in safety. 2h) Improving the appearance and quality of the Council's leisure facilities 4e) Further improving local play and leisure facilities
		(iii)	Targets for judging success	(a) Increased range of facilities available to the public. (b) Reduced bank erosion. (c) Sustaining/Improving visitor satisfaction surveys. (d) Reduce flooding
	2	Description of Project / Design Issues: Primarily located to the west end of Barden Lake the project aims to improve the visual amenity and public use of this area. This bank has been subject to significant bank erosion and as such is devoid of grass or any marginal vegetation. The project proposes to install a section of revetment (Gabions) on this section of bank along with the planting of marginal plants and the re-landscaping and re-seeding of the bankside. In addition, new public facilities are proposed to include picnic tables, play sculptures, path works and a jetty/platform. The scheme also includes new drainage from the Ballast Pit to alleviate the flooding issues that currently affect the main car park, toilet block and western end of Barden Lake.		

CAPITAL PLAN LIST C – EVALUATIONS

Page 62	3	<p>Consultation: The scheme has been brought forward by the Haysden Country Park Volunteer Group and is supported by the Country Park's User Panel.</p> <p>The desire to improve these areas of the park is identified in the Park's Management Plan, which was subject to stakeholder consultation. Support for the project has been given by the Tonbridge and District Angling and Fish Preservation Society.</p>					
	4	<p>Capital Cost: The cost of the project works is £46,000.</p>					
	5	Profiling of Expenditure					
		2016/17 (£'000)	2017/18 (£'000)	2018/19 (£'000)	2019/20 (£'000)	2020/21 (£'000)	2021/22 (£'000)
		£46,000					
	6	<p>Capital Renewals Impact: None</p>					
	7	<p>Revenue Impact: Maximum loss of investment income on the Council's contribution if no further funding were secured would be £593 per annum (based on a 5% return on £11,867)</p>					
	8	<p>Partnership Funding: £35,000, subject to a third party payment of £3,500, has been secured from the Cory Environmental Trust Britain. £2,633 has been offered by the Tonbridge & District Angling and Fish Preservation Society to specially support the drainage element of the project. The Haysden Country Park Volunteers have offered to assist with the implementation of the project as 'payment in kind'</p> <p>Total £37,633</p>					
	9	<p>Post Implementation Review: 12 months after completion.</p>					
	10	Screening for equality impacts:					
Question			Answer	Explanation of impacts			
	a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?			No	Publicly accessible open space.		

CAPITAL PLAN LIST C – EVALUATIONS

		b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	Yes	Yes, a handrail and non-slip decking used on the jetty. Consideration is also been given to accessible picnic seats and a new path.
		c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?	N/a	
	11	Recommendation: Transfer from List C to List A		

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**Item HE 16/3 referred from Housing and Environmental Services
Advisory Board minutes of 22 February 2016**

**HE 16/3 BULKY HOUSEHOLD WASTE AND FRIDGE/FREEZER
COLLECTION CHARGES**

The report of the Director of Street Scene, Leisure and Technical Services gave details of the current arrangements for collecting fridges/freezers and provided a comparison with neighbouring authorities. In accordance with Decision No D160015CAB, consideration was given to proposals for introducing charges following a review of concessions for fridges/freezers and bulky household waste collections. It was noted that overall savings arising from the introduction of the proposed charges were estimated at around £40,000 per annum. Members were assured that fly tipping would continue to be monitored closely and kept under review.

RECOMMENDED: That the charges outlined in paragraph 1.4.3 of the report be introduced with effect from 1 April 2016 and future charges and service requests be kept under review.

***Referred to Cabinet**

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TONBRIDGE & MALLING BOROUGH COUNCIL

HOUSING and ENVIRONMENT SERVICES ADVISORY BOARD

22 February 2016

Report of the Director of Street Scene, Leisure and Technical Services

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 BULKY HOUSEHOLD WASTE AND FRIDGES/FREEZERS COLLECTION CHARGES

Summary

This report provides details of our current arrangements for collecting fridges/freezers. It also reviews concessions for fridges/freezers and bulky household waste collections and in line with other authorities proposes introducing charges.

1.1 Background

1.1.1 At the last meeting of this Advisory Board Members approved the annual fees and charges for a number of Waste and Street Scene services. While this included approval to introduce a charge for fridges/freezers collections, it was acknowledged that there were a number of operational and contractual implications regarding the collection arrangements.

1.1.2 As such, Officers were asked to review these arrangements with Veolia and report back to the next meeting of this Advisory Board with a detailed proposal and costings for implementation from 1 April 2016.

1.2 Current Position

1.2.2 At present the council collects fridges and freezers free of charge from residents on request, as part of a separate collection service that operates alongside the bulky household waste collection service.

1.2.3 The contract, which is operated by Veolia, initially allowed for the separate collection of fridges/freezers with the removal of Chlorofluorocarbons (CFC's) and separate disposal arrangements. In discussions with Kent County Council as the Waste Disposal Authority, the disposal arrangements have been improved and simplified and although they still require separate treatment at the transfer station, it is now possible to collect and these items with other bulky waste service requests.

1.2.4 As Bulky items (which can include fridge/freezers) are a “prescribed household waste” councils are allowed to make “reasonable” charges for the recovery of their collection costs. This council introduced charges for other bulky household waste collections a number of years ago, but to date fridges/freezers have not been included and have been collected free of charge.

1.3 Concessions

1.3.1 Members may be aware that when charges were introduced for bulky household waste collections, it was also agreed that those residents in receipt of a means tested benefit would be entitled to one free collection request every three months.

1.3.2 Having reviewed these arrangements and in keeping with other local neighbouring authorities it is now proposed to introduce a modest charge for concessions for these service requests. For illustration, a table showing the current charges for bulky household waste collection (including arrangements for fridge/freezers) is at Annex 1.

1.3.3 It is proposed to charge £10.00 per service request (whether as a single fridge/freezer or as part of a bulky household waste request of up to six items).

1.4 Proposed Arrangements

1.4.1 As there were a number of contractual and operational implications associated with changing collection arrangements, a review was carried out in consultation with Veolia who have confirmed their agreement.

1.4.2 I am pleased to report that Veolia have taken a pragmatic approach and reviewed their own charges in line with more efficient collection of items. It is acknowledged that with the introduction of a charge that numbers of service requests may drop and this will impact on their own income. However, there are a number of other areas where operational efficiencies may be applied and we have agreed to assist in working with them where practicable.

1.4.3 In addition to the **£50.00 charge for bulky household waste collection** (up to six items) which has already been approved, it is proposed that the following charges be introduced with effect from 1 April 2016:

- Bulky household waste **concession charge** of £10.00 per service request (where eligible for concession an entitlement of one booking per quarter at this discounted rate).
- Bulky household waste including a fridge/freezer as one of the items, **full charge** of £50.00 per service request.
- Bulky household waste including a fridge/freezer as one of the items, **concession charge** of £10.00 per service request (where eligible for concession an entitlement of one booking per quarter at this discounted rate).

- Fridge/Freezer only **full charge** of £25.00 per service request
- Fridge/Freezer only **concession charge** of £10.00 per service request (where eligible for concession an entitlement of one booking per quarter at this discounted rate).

1.4.4 As a result of introducing these charges it is anticipated that the total number of service requests will reduce, as some residents will find other methods of disposing of unwanted items, including:

- use of commercial companies “take back” service when buying an appliance
- taking items to their nearest household waste recycling centre
- taking items to the Saturday Bulky Waste Vehicle service
- increased use of charity schemes (the Council includes details of relevant charity schemes on its website)

1.4.5 Although fly tipping remains a very real problem and undoubtedly some residents may dump unwanted items, this is likely to be a very small number of offenders. Fly tipping in general will continue to be monitored closely and kept under review. It is worth noting that when charges were first introduced a few years ago, this did not lead to a significant increase in fly tipping.

1.5 Legal Implications

1.5.1 The Council is legally entitled to set fees which allow for recovery of its reasonable collection costs in providing this service.

1.6 Financial and Value for Money Considerations

1.6.1 At present, although we charge for bulky household waste collections to those that are not in receipt of Council Tax Support, the majority of service requests (approximately 58%) are from those residents that currently receive a free service. As such, there is an overall cost in providing the present service.

1.6.2 However, when introducing the proposed charges, the overall savings are estimated to be around £40,000 per annum. This is made up of both the additional income from each service request and the reduction in expenditure as the total number of requests is likely fall, leading to lower contract costs.

1.6.3 Although we have accurate data regarding the present numbers of service requests, it should be emphasised that future projections are estimated, as there is no accurate way of projecting the actual number of service requests that will be received once charges are introduced.

1.7 Risk Assessment

- 1.7.1 A decision is required now on the proposed fee structure for these activities to ensure that the Council has timely and up-to-date arrangements in place to administer service requests when received.

1.8 Equality Impact Assessment

- 1.9 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.10 Policy Considerations

1.10.1 Asset Management

1.10.2 Procurement

1.11 Recommendations

It is RECOMMENDED to CABINET that charges outlined in para 1.4.3 of this report be introduced with effect from 1 April 2016 and that future charges and service requests be kept under review.

The Director of Street Scene, Leisure and Technical Services confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Dennis Gardner

Nil

Robert Styles

Director of Street Scene, Leisure and Technical Services

Bulky Household Waste & Fridge/Freezer Collection Services – Local Authority Charges

(Current 2015/16)

Local Authority	Bulky Household Waste Collection Charge	Concession	Fridge/Freezer Collection Charge	Concession
Tonbridge & Malling	1 to 6 items £48.20	Free of Charge if in receipt of Council Tax Support	Free of Charge to All	Free of Charge to All
Tunbridge Wells	£30.00 per item	1 item FOC per month	£30.00 per item	1 Item FOC per month
Maidstone	1 to 4 items £23.00 5 to 8 items £33.00	None None	Included as 1 Item	None
Sevenoaks	1 item £17.00 2 items £28.00 3 to 4 items £38.00 5 to 10 items £50.00	None None None None	£17.00 per item	None

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Item COM 16/17 referred from Communities Advisory Board minutes of 1 March 2016

COM16/17 TONBRIDGE AND MALLING LEISURE TRUST - REVIEW OF CHARGES 2016/17

The report of the Director of Street Scene, Leisure and Technical Services set out details of the existing and proposed core charges for the Council's main leisure facilities operated under contract by the Tonbridge and Malling Leisure Trust.

RECOMMENDED: That

- (1) with the exception of the concessionary rates at Poulton Wood Golf Centre, the proposed Leisure Trust Core Charges, as outlined at Annex 1 to the report, be approved and implemented from 1 April 2016;
- (2) the proposed concessionary rates at Poulton Wood Golf Centre be introduced as a 50/50 split over a two year period; and
- (3) pitch hire charges at Tonbridge Sportsgrounds be increased as outlined at paragraph 1.5 of the report and implemented from 1 April 2016.

***Referred to Cabinet**

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TONBRIDGE & MALLING BOROUGH COUNCIL

COMMUNITIES ADVISORY BOARD

01 March 2016

Report of the Director of Street Scene, Leisure & Technical Services

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 TONBRIDGE AND MALLING LEISURE TRUST - REVIEW OF CHARGES 2016/17

Summary

This report brings forward a review of core charges for each facility managed on the Council's behalf by the Tonbridge and Malling Leisure Trust for Members consideration and approval.

1.1 Background

1.1.1 Members will be aware that the Tonbridge and Malling Leisure Trust has been operating independently from the Council since 1 November 2013 managing the Council's main leisure facilities under contract. The facilities include Larkfield Leisure Centre, Poulton Wood Golf Centre, Tonbridge Swimming Pool, the Angel Centre, Tonbridge Farm All-Weather Area and Pitch Hire in Tonbridge.

1.2 Review of Core Charges

1.2.1 The Council's Management Agreement with the Leisure Trust states that as part of the Annual Service Planning Process the Core Pricing Schedule shall be reviewed by both parties for implementation from 1 April each year.

1.2.2 Whilst the Trust is entitled to reduce Core Prices at any time, it requires the Council's prior written consent to any increases in Core Prices which are in excess of the Consumer Price Index (CPI). CPI is calculated at the rate set on the 1 November preceding the annual review. For November 2015 that rate was - 0.1%.

1.2.3 In determining fees and charges the Trust is required to have regard to:

- its own charitable objectives
- the needs of the local community
- the development of a balanced programme

- the Council's key priorities
- the Council's policy for pitch hire charges
- the viability of the Trust
- the prevailing market conditions
- pricing of other leisure facilities in the area

1.2.4 Given that the rate of CPI is negative and taking into account wider factors including trading patterns, the local market and competitor analysis the Trust has proposed a nil increase in charges in 2016/17 with two exceptions; Poult Wood Golf Centre Concessionary Charges and the Concessionary Casual Gym charge.

1.2.5 Attached at **[Annex 1]** is a schedule of the existing and proposed core charges brought forward by the Trust for Member consideration and approval. Individual percentage increases have been shown.

1.3 Poult Wood Golf Centre Concessionary Charges

1.3.1 It is the Trust's ambition to grow the membership base at Poult Wood Golf Centre to balance the peaks and troughs of casual usage throughout the year that can be particularly affected by the weather. Membership also offers regular golfers financial benefits for their commitment.

1.3.2 The introduction of a membership scheme by the Trust at Poult Wood Golf Centre has been successful and continues to grow. The Trust has advised that it has broadly managed to achieve income targets above those prior to the introduction of a membership option.

1.3.3 In bringing forward these proposals the Trust has broadly applied the principles shown above at 1.2.3 though has advised that their main objective is to reduce the differential between the Casual Concessionary Rate and the benefits of Membership. In order for Membership to be attractive to more golfers the Trust has advised that a multiplier of around 35 rounds per annum would generally be applied. This means that a golfer playing once a week through the year would then be attracted to membership rather than continuing to pay casually.

1.3.4 For Poult Wood Golf Centre to achieve this level of multiplier for the 5 day Membership the Trust advise that the current weekday concessionary charges needs to rise significantly in percentage terms. The Trust has also advised that the proposed increases within this report will only go part way to achieving the desired multiplier of 35.

- 1.3.5 The Trust is proposing that the Membership rate remains static though are seeking to increase the following concessionary charges;

Activity	Current Charge (2015/16)	Proposed Charge (2016/17)
OAP/Leisure Pass, Discount Cardholder (18 Hole, Weekday)	£10.50	£12.00
OAP/Leisure Pass, Visitor (18 Hole, Weekday)	£12.00	£14.00
OAP/Leisure Pass, One Round (9 Hole, Weekday)	£4.50	£5.00

- 1.3.6 The Trust has advised that the proposed charges are still competitive in the local market with comparable pay and play golf courses at both Lullingstone (Sevenoaks) and Cobtree Manor (Maidstone) charging £16.00 for the same 18 hole concession. There is a £10.50 charge for the 9 Hole course at Lullingstone and there is no 9 Hole course at Cobtree Manor.
- 1.3.7 In considering the proposal for Poulton Wood, it is relevant to note the older profile of users at the facility and that the proposed increase will impact on a significant number of current users. Whilst the concept to reduce the differential is understood and does have commercial merit, it is felt that an increase on the scale proposed is too great and should be introduced more gradually over the next two years.

1.4 Concessionary Casual Gym Charge

- 1.4.1 Similarly, the Trust is seeking to increase the Concessionary Casual Gym Use charge at both Larkfield Leisure Centre and the Angel Centre. It is proposed that both increase by 60p from the current £4.40 to £5.00.
- 1.4.2 The Trust has advised that the proposed increase to £5.00 is still good value for money and is favourable to Sevenoaks at £5.05 and Maidstone at £5.30. It is felt appropriate to support the proposal.

1.5 Tonbridge Sportsgrounds – Proposed Pitch Hire Charges 2016/17

- 1.5.1 This Council has an agreed policy with Tonbridge Sports Association of amending pitch hire charges to local sports clubs by the October Retail Price Index and rounded to the nearest pound. The Retail Price Index for October 2015 was 0.7% and it is, therefore, proposed that charges be increased in accordance with this indexation. The Tonbridge Sports Association has been consulted and is happy with this approach.
- 1.5.2 The sports pitch income is taken by the Tonbridge & Malling Leisure Trust as part of the Council's Management Agreement.

1.6 Legal Implications

- 1.6.1 The Council's Management Agreement with the Trust states that the Trust shall require the Council's prior written consent to any increases in Core Charges which are in excess of CPI.
- 1.6.2 It is felt that the proposed Core Charges take account of the criteria set out in the Management Agreement.

1.7 Financial and Value for Money Considerations

- 1.7.1 The Transfer to the Leisure Trust has made a significant contribution to the Council's savings. The financial performance of the Trust continues to be positive.

1.8 Risk Assessment

- 1.8.1 None.

1.9 Equality Impact Assessment

- 1.9.1 Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. The impact has been analysed and varies between groups of people. The results of this analysis are set out immediately below. As highlighted earlier within the report the proposed charges may have an impact on a reasonable number of older people, given the user profile of Poult Wood Golf Centre; which has been addressed by a phased introduction of the proposed increase over the next two years.
- 1.9.2 Asset Management, Community, Healthy Lifestyles, Human Resources, Procurement, Young People

1.10 Recommendations

- 1.10.1 It is RECOMMENDED TO CABINET that:
- 1) the proposed Leisure Trust Core Charges outlined in **[Annex 1]** to this report be approved and implemented from 1 April 2016 with the exception of the concessionary rates at Poult Wood;
 - 2) The proposed concessionary rates at Poult Wood be introduced over a two year period;

- 3) pitch hire charges at Tonbridge Sportsgrounds be increased as outlined within the report for implementation from 1 April 2016.

The Director of Street Scene, Leisure and Technical Services confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Stephen Gregg

Nil

Robert Styles

Director of Street Scene, Leisure & Technical Services

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PROPOSED CORE PRICES – 2016/17

OVERALL AVERAGE INCREASE – 0.46%

Larkfield Leisure Centre

Activity	Charge 2015-16	Charge 2016-17	Percentage Increase
Annual Membership			
Adult	50.00	50.00	0.0%
Concession	25.00	25.00	0.0%
Disabled	FREE	FREE	0.0%
Family	100.00	100.00	0.0%
Leisure Pass	FREE	FREE	0.0%
Non-Member Day Entrance			
Adult	2.00	2.00	0.0%
Concession	1.00	1.00	0.0%
Swim and Spa Membership			
Adult, Direct Debit	30.00	30.00	0.0%
Concession, Direct Debit	25.00	25.00	0.0%
Joint, Direct Debit	N/A	N/A	N/A
Family, Direct Debit	60.00	60.00	0.0%
Leisure Pass Family, Direct Debit	30.00	30.00	0.0%
Swimming			
Adult, Member	4.00	4.00	0.0%
Concession, Member	3.20	3.20	0.0%
Family, Member	10.40	10.40	0.0%
Leisure Pass Family	6.40	6.40	0.0%
Health & Fitness Membership			
Monthly Direct Debit	44.00	44.00	0.0%
Concessionary Monthly Direct Debit	35.00	35.00	0.0%
Excel Membership, 11-18 Year Olds			
Monthly Direct Debit	15.75	15.75	0.0%
Kickstart Membership, 0-10 Year Olds			
Direct Debit	12.75	12.75	0.0%
Gym, Casual Use			
Adult, Member	9.00	9.00	0.0%
Concession, Member	4.40	5.00	13.6%
Exercise Classes			
Adult, Member	5.40	5.40	0.0%
Concession, Member	4.40	4.40	0.0%
Referral Programme			
Referral Fitness, Member	4.50	4.50	0.0%
Referral Swim, Member	3.20	3.20	0.0%
Fitness Studio			
Studio Hire (per hour)	25.00	25.00	0.0%

Sports Hall (per court per hour)			
Badminton/Short Tennis, Adult (per court per hour)	11.00	11.00	0.0%
Badminton/Short Tennis, Concession (per court per hour)	5.50	5.50	0.0%
Half Hall (Five-a-side/Netball/Basketball)	52.00	52.00	0.0%
Schools/Groups			
Swimming, Schools	1.80	1.80	0.0%
Swimming, Special Needs Junior	1.80	1.80	0.0%
Swimming, Special Needs Adult	2.50	2.50	0.0%
Dry Side Courses			
Junior, 60 Minute - Standard Direct Debit	18.00	18.00	0.0%
Junior, 60 Minute - 15 Weeks	79.50	79.50	0.0%
Junior, 90 Minute - Standard Direct Debit	25.00	25.00	0.0%
Junior, 90 Minute - 15 Weeks	108.00	108.00	0.0%
Junior, 120 Minute - Standard Direct Debit	28.25	28.25	0.0%
Junior, 120 Minute - 15 Weeks	120.00	120.00	0.0%
Swim School Courses			
Junior, 30 Minute - Standard, Direct Debit	24.50	24.50	0.0%
Junior, 30 Minute - Standard, 15 Weeks	105.00	105.00	0.0%
Junior, 30 Minute - Premium, Direct Debit	41.50	41.50	0.0%
Junior, 30 Minute - Premium, 15 Weeks	174.00	174.00	0.0%
Junior, 1 Hour - Direct Debit	28.50	28.50	0.0%
Junior, 1 Hour - 15 Weeks	121.50	121.50	0.0%
Adult, 45 Minute - Direct Debit	28.50	28.50	0.0%
Adult, 45 Minute - 15 Weeks	121.50	121.50	0.0%
Clubs (per hour)			
Larkfield Swimming Club	124.50	124.50	0.0%
Crèche			
1.5 hour	4.40	4.40	0.0%
Soft Play			
Four Plus	4.60	4.60	0.0%
Under Fours	3.40	3.40	0.0%

Angel Centre

Activity	Charge 2015-16	Charge 2016-17	Percentage Increase
Annual Membership			
Adult	41.00	41.00	0.0%
Concession	20.50	20.50	0.0%
Disabled	FREE	FREE	0.0%
Family	82.00	82.00	0.0%
Leisure Pass	FREE	FREE	0.0%
Health & Fitness Membership			
Monthly Direct Debit	44.00	44.00	0.0%
Concessionary Monthly Direct Debit	35.00	35.00	0.0%
Excel Membership, 11-18 Year Olds			
Monthly Direct Debit	15.75	15.75	0.0%
Kickstart Membership, 0-10 Year Olds			
Direct Debit	12.75	12.75	0.0%
Gym, Casual Use			
Adult, Member	9.00	9.00	0.0%
Concession, Member	4.40	5.00	13.6%
Exercise Classes			
Aerobics (one hour) - Adult, Member	5.40	5.40	0.0%
Aerobics (one hour) - Concession, Member	4.40	4.40	0.0%
Dance Studio/Fitness Studio/Jubilee/Crèche			
Public Hire, per hour	25.00	25.00	0.0%
Referral Programme			
Referral Fitness. Member	4.50	4.50	0.0%
Sports Hall (per court per hour)			
Badminton/Short Tennis, Adult (per court per hour), Member	11.00	11.00	0.0%
Badminton/Short Tennis, Concession (per court per hour)	5.50	5.50	0.0%
Half Hall (Five-a-side/Netball/Basketball), Member	52.00	52.00	0.0%
Crèche			
1 hour	3.80	3.80	0.0%
Courses			
Junior, 60 Minute - Standard Direct Debit	18.00	18.00	0.0%
Junior, 60 Minute - 15 Weeks	79.50	79.50	0.0%
Junior, 90 Minute - Standard Direct Debit	25.00	25.00	0.0%
Junior, 90 Minute - 15 Weeks	108.00	108.00	0.0%
Junior, 120 Minute - Standard Direct Debit	28.25	28.25	0.0%
Junior, 120 Minute - 15 Weeks	120.00	120.00	0.0%

Individual Meeting Rooms			
Vauxhall	17.50	17.50	0.0%
Judd, Suite	24.50	24.50	0.0%
Judd 1/Judd 2	16.50	16.50	0.0%
Castle, Suite	30.50	30.50	0.0%
Castle 1	24.50	24.50	0.0%
Castle 2/Castle 3	14.50	14.50	0.0%
Castle 1 & 2	27.50	27.50	0.0%
Castle 2 & 3	16.50	16.50	0.0%
Medway Hall			
Daytime (per hour)	34.00	34.00	0.0%
Full Day, 8am - 6pm (Saturday/Sunday)	320.00	320.00	0.0%
Riverside Function Room			
Meetings	32.00	32.00	0.0%

Tonbridge Farm All Weather Area

Activity	Charge 2015-16	Charge 2016-17	Percentage Increase
With Changing/Floodlights			
Whole Area, Adult, Member	61.00	61.00	0.0%
Whole Area, Concession, Member	46.00	46.00	0.0%
Half Area, Adult, Member	30.50	30.50	0.0%
Half Area, Concession, Member	23.00	23.00	0.0%
Without Changing/Floodlights			
Whole Area, Adult, Member	20.50	20.50	0.0%
Whole Area, Concession, Member	16.50	16.50	0.0%
Half Area, Adult, Member	10.25	10.25	0.0%
Half Area, Concession, Member	8.75	8.75	0.0%

Tonbridge Swimming Pool

Activity	Charge 2015-16	Charge 2016-17	Percentage Increase
Annual Membership			
Adult	24.00	24.00	0.0%
Concession	12.00	12.00	0.0%
Disabled	FREE	FREE	0.0%
Family	48.00	48.00	0.0%
Leisure Pass	FREE	FREE	0.0%
Swim and Spa Membership			
Adult, Direct Debit	30.00	30.00	0.0%
Concession, Direct Debit	25.00	25.00	0.0%
Joint, Direct Debit	N/A	N/A	N/A
Family, Direct Debit	60.00	60.00	0.0%
Leisure Pass Family, Direct Debit	30.00	30.00	0.0%
Swimming			
Adult, Member	4.10	4.10	0.0%
Concession, Member	2.80	2.80	0.0%
Family, Member	9.70	9.70	0.0%
Leisure Pass Family	5.60	5.60	0.0%
Referral Programme			
Referral Swim, Member	2.80	2.80	0.0%
Schools/Groups			
Swimming, Schools	1.80	1.80	0.0%
Swimming, Special Needs Junior	1.80	1.80	0.0%
Sessions			
Water Aerobics, Adult, Member	5.00	5.00	0.0%
Water Aerobics, Concession, Member	3.80	3.80	0.0%
Clubs (per hour)			
Tonbridge Swimming Club	124.50	124.50	0.0%
Swim School Courses			
Junior, 30 Minute - Standard, Direct Debit	24.50	24.50	0.0%
Junior, 30 Minute - Standard, 15 Weeks	105.00	105.00	0.0%
Junior, 30 Minute - Premium, Direct Debit	41.50	41.50	0.0%
Junior, 30 Minute - Premium, 15 Weeks	174.00	174.00	0.0%
Junior, 1 Hour - Direct Debit	28.50	28.50	0.0%
Junior, 1 Hour - 15 Weeks	121.50	121.50	0.0%
Adult, 45 Minute - Direct Debit	28.50	28.50	0.0%
Adult, 45 Minute - 15 Weeks	121.50	121.50	0.0%
Excel Membership, 11-18 Year Olds			
Direct Debit	15.75	15.75	0.0%
Kickstart Membership, 0-10 Year Olds			
Direct Debit	12.75	12.75	0.0%

Tonbridge Racecourse Sportsground

Activity	Charge 2015-16	Charge 2016-17	Percentage Increase
Crazy Golf (per hour, per person)			
Adult	2.80	2.80	0.0%
Concession	2.40	2.40	0.0%
Family (2 Adults/2 Children)	7.60	7.60	0.0%

Poult Wood Golf Centre

Activity	Charge 2015-16	Charge 2016-17	Percentage Increase
18 Hole, Weekend/Bank Holiday			
Adult, Discount Cardholder	21.00	21.00	0.0%
Adult, Visitor	25.00	25.00	0.0%
Junior/Student, Discount Cardholder	9.00	9.00	0.0%
Junior/Student, Visitor	10.00	10.00	0.0%
18 Hole, Weekday			
Adult, Discount Cardholder	15.00	15.00	0.0%
Adult, Visitor	18.50	18.50	0.0%
Junior/Student, Discount Cardholder	8.50	8.50	0.0%
Junior/Student, Visitor	10.00	10.00	0.0%
OAP/Leisure Pass, Discount Cardholder	10.50	12.00	14.3%
OAP/Leisure Pass, Visitor	12.00	14.00	16.6%
Discount Card			
Adult, Resident	27.50	27.50	0.0%
Adult, Non Resident	38.50	38.50	0.0%
Junior/Student, Resident	10.00	10.00	0.0%
Junior/Student, Non Resident	15.00	15.00	0.0%
9 Hole, Weekend/Bank Holiday			
Adult, One Round	9.50	9.50	0.0%
Junior, One Round	6.00	6.00	0.0%
OAP/Leisure Pass, One Round	7.50	7.50	0.0%
9 Hole, Weekday			
Adult, One Round	7.50	7.50	0.0%
Junior, One Round	4.00	4.00	0.0%
OAP/Leisure Pass, One Round	4.50	5.00	11.1%
Squash			
Adult	7.00	7.00	0.0%
Junior	5.00	5.00	0.0%

OVERALL AVERAGE INCREASE – 0.46%

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

22 March 2016

Report of the Director of Street Scene, Leisure & Technical Services

Part 1 – Public

Executive Non Key Decisions

1 CAR PARKING CHARGES IN WEST MALLING

Summary

This report highlights the outcome of the formal consultation relating to the potential introduction of car parking charges in West Malling. The report also draws attention to two petitions received by the Council.

1.1 Background

- 1.1.1 At the meeting of the Planning & Transportation Advisory Board on 12th January 2016 Members considered a review of car parking fees and charges for the Council's car parks across the Borough.
- 1.1.2 The review included a recommendation to Cabinet that it approve the introduction of a scale of charges for short stay parking in West Malling to operate Monday to Saturday 8am to 6pm as detailed below.

West Malling Short Stay Car Park	
Period	Proposed charge
30 minutes	£0.30
1 hour	£0.60
2 hours	£1.20
3 hours	£1.80

- 1.1.3 In considering the proposal it was recognised that the current approach to not charge for parking in the West Malling short stay car park resulted in a number of operational problems. Together with the significant cost of the current provision by the Council, it was felt the time was right for a more fundamental review of how charging regimes could help manage the overall parking availability.

- 1.1.4 There have been historic problems with inappropriate long-stay parking taking place in the short stay car park, which is designed to operate on a short stay basis to support local shopping and other town centre visits. Parking used to be restricted to 4 hours, but the car park was popular with those working in the town, and it was common for cars to be parked all day.
- 1.1.5 To address this issue the Council introduced a 3 hour time limit, with a requirement for drivers to take and display a ticket, which contains their vehicle registration number. An additional ticket could then not be obtained, to prevent over-staying.
- 1.1.6 Unfortunately, despite this system there is still abuse of the short-stay parking time limits, as drivers have adopted the practice of entering a registration that is almost correct, then claiming that this was done in error. The Council took a strong enforcement line against this practice with the support of the West Malling Parking Review Steering Group, but this approach has not been supported by the Traffic Penalty Tribunal Service. This has resulted in the Council having the high costs of running a town centre car park with take & display machines, but with no income to enable recovery of the costs and no effective means of applying an appropriate management regime.
- 1.1.7 It was recognised at the November 2015 meeting of the Steering Group that given the operational issues and scale of demand for parking there was pressure to review how the car parks and associated enforcement were operating.
- 1.1.8 It was agreed by the Advisory Board that the most effective and practical way of managing the car park was by the introduction of a parking charge. Setting charges would allow more flexibility in the management of the car park, focussing on encouraging short stay and relatively quick turnover of spaces to optimise availability. Such an approach would also address the costs of running the car park. It was also recognised at the meeting that it was not the intention to introduce a charge for on-street parking in the High Street at this stage, or on Sundays and evenings, but this may need to be reviewed in the future depending on operational experience. Members of the Advisory Board also supported increased resources for enforcement.
- 1.1.9 At the last meeting of Cabinet, Members agreed that, with the exception of the 'over 3 hour' option which would be deleted, the schedule of charges for short stay parking in West Malling be deferred pending discussion by the Council of the petition received.

1.2 Petitions

- 1.2.1 The Council's Petition Scheme states that any petition containing more than 1,500 signatures will be discussed by full Council. A petition of signatures was considered by Council on 16th February 2016 objecting to the introduction of

charges. The petition was presented by Mr Richard Selkirk on behalf of West Malling Parish Council. A presentation was also made to Council by Mr Russell Meader on behalf of the West Malling Chamber of Commerce. Members of Council debated the issue and agreed that Cabinet be requested to consider the proposed introduction of car parking charges in West Malling, taking into account both the petition and the outcome of the formal public consultation exercise. On 29th February an additional 311 paper petition signatures were received from the Parish Council.

1.2.2 A further petition has also been received from West Malling Parish Council on behalf of the traders within the town. 82 of the existing 94 traders in the town have signed a petition opposing the imposition of car parking charges in West Malling. The petition states the objection is based on the following:-

- it will harm trade and cause shops to close
- independent traders should be supported
- it will cause shoppers to go elsewhere where parking is free
- it will cause congestion in the high street and surrounding residential roads.

1.2.3 A full copy of the traders petition will be available for Members to view at the meeting.

1.3 Formal Consultation

1.3.1 In accordance with The Local Authorities' Traffic Orders (Procedure) (England & Wales) Regulations 1996, formal consultation was undertaken between 5th - 28th February 2016. The consultation sought views on the Council's intention to an amendment to its off-street parking Traffic Regulation Order. The consultation included an advert in the Kent Messenger newspaper, notices placed in the car parks and letters to the Parish Council, interested landowners and those with properties adjacent to the car park.

1.3.2 A total of 24 responses were received which have been summarised at **Annex 1** to this report. Five responses were received from the Parish Council or its members. Full copies of the responses received will be available for Members to view at the meeting. The most frequent comment made by the public (11 responses) was that parking charges should not be introduced as this will deter shoppers, visitors and users of the community facilities.

1.3.3 A copy of the Parish Council's formal response is attached in full at **Annex 2**.

1.4 Legal Implications

1.4.1 The powers allowing the Borough Council to carry out parking management activity are contained in the Road Traffic Regulation Act 1984, supplemented by formal agreement with Kent County Council as the Local Highway Authority, in respect of its powers under the Traffic Management Act 2004. In particular,

section 122 of the Road Traffic Regulation 1984 Act imposes a general duty on local authorities exercising functions under the Act to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of safe and adequate parking facilities on and off the highway.

1.5 Financial and Value for Money Considerations

- 1.5.1 The report to the Planning & Transportation Advisory Board reviewed the fees and charges within a set of guiding principles, the cost of the parking service to the Council and ongoing investment in the Parking Management Service.

1.6 Risk Assessment

- 1.6.1 There are both operational and financial risks linked to the consideration of parking fees & charges.

1.7 Equality Impact Assessment

- 1.7.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.8 Conclusion

- 1.8.1 The potential introduction of parking charges in West Malling has clearly created significant debate both locally and more widely across the Borough. The local Parish Council is strongly opposed to the proposal and petitions have been received from both the public and traders.
- 1.8.2 The original aim of the proposal was to support trade in the town by allowing more flexibility in the management of the car park and optimising availability and to address the significant costs of running the car park. The proposed charges were set at a level to continue to support local businesses and no charges are being proposed for evenings or Sundays. On street parking in the High Street for an hour will continue to be available free of charge for those people just needing to pop into local shops or community facilities. Clearly there is local concern that the introduction of charges will damage trade and create problems in residential roads. However, the alternative case underpinning the proposed introduction of charging is that such a regime will increase turnover, enable effective enforcement and sustain the management and maintenance of the car park in financial terms.
- 1.8.3 Members have had the benefit of hearing directly from the local Parish Council and the traders and listening to their concerns at first hand. The Cabinet Member for Planning & Transportation and the local Members have discussed the issue face to face with the West Malling Steering Group and the matter was considered by the Planning & Transportation Advisory Board in January.

- 1.8.4 Cabinet will need to carefully consider all the issues raised in coming to a view. It remains the views of your Officers that the proposal to introduce charges remains the best way forward to support traders by addressing current parking problems in the town and offset the cost of the car park to the Council. If Members are minded to support the recommendation it is the intention to significantly enhance the level of parking enforcement in West Malling, and also undertake a review after 12 months of any implications to parking in the surrounding residential areas.

1.9 Policy Considerations

1.9.1 Asset Management

1.9.2 Community

1.9.3 Customer Contact

1.10 Recommendations

Subject to Member discussion at the meeting it is **RECOMMENDED** that the schedule of short stay parking in West Malling as outlined in the report be introduced as soon as is practicable.

Background papers:

contact: Robert Styles

Nil

Robert Styles

Director of Street Scene, Leisure & Technical Services

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**CAR PARKING CHARGES IN WEST MALLING
FORMAL CONSULTATION – SUMMARY OF RESPONSES**

Response Received	Number of times mentioned	Officer Comment
Parking times should be limited to 2 hours	2	Operational experience of the car park would support a limit of 3 hours.
Parking charges should be introduced as this will free-up short-stay parking	2	This is a core objective of the proposal.
Parking in West Malling car park for £5 a day will allow station commuters	1	The proposed maximum stay for parking would be for 3 hours.
The public notice proposes charging to 6pm, but the Council's lease is only until 5:30pm	1	This is correct and the proposal will be amended to reflect operating hours between 8am - 5.30pm.
It is noted that the formal consultation on the proposals for a residents parking scheme on Offham Road ran from 22nd Jan to 21st Feb - a longer period of consultation - the truncated period of consultation is contrary to the Gunning principle that adequate time is given for consultation and response.	1	The consultation period was in accordance with statutory guidance (minimum of 21 days).
Parking charges should not be introduced into Snodland as this will deter shoppers	1	This is not part of the proposal to amend the Off-street parking Traffic Regulation Order.
Parking charges should not be introduced into Larkfield as this will deter shoppers	1	This is not part of the proposal to amend the Off-street parking Traffic Regulation Order.
Parking charges should not be introduced in to West Malling as this will deter shoppers, visitors and users of the community facilities	11	The proposals aim to improve accessibility in the short stay car park as fewer spaces should be occupied by long-stay parking.
Parking charges in the Tesco car park will displace parking to the residential streets	2	It is felt that the level of charges proposed should not deter shoppers from using the car park.

**CAR PARKING CHARGES IN WEST MALLING
FORMAL CONSULTATION – SUMMARY OF RESPONSES**

It is unclear whether the introduction of charges is to manage parking or to raise income	1	The purpose of the charges is to both manage parking and assist in off setting costs.
It is against Government advice to ask Councils to look at mitigating car parking charges to help towns thrive	1	The purpose of the charges is to manage parking, where other methods have failed to be effective.
There has been no consultation with the surrounding parishes	1	The consultation was advertised in the Kent Messenger which covers surrounding Parishes.
Introducing charges could lead to further charges at weekends, night-time etc.	1	It is not the Borough Council's intention to introduce evening or Sunday charges at this time, but this could be subject to future review.
The documentation states "the decisions have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users" but this is disputed.	1	The proposals should improve accessibility as fewer spaces should be occupied by long-stay parking. The proposals do not reduce the level of provision provided and do not disadvantage any particular group.
The car parking charges paper to PTAB on 16 Jan 2016 stated there was abuse of the short-stay parking time limits, but reviewing the TPT cases this does not seem correct.	1	The high number of PCNs issued for "no correct ticket" (which includes tickets with wrong registrations) supports the Council's view.
The Council says that the existing registration number "take and display" system is open to abuse but this should not be the case as repeat offenders can be easily penalised.	1	The system cannot prevent similar registrations from being entered as they may be for different vehicles.
The Council has not considered any alternatives to the proposed course of action, and the Council has refused to allow the Parish Council adequate time to consider and formulate alternatives they may wish to propose.	1	Alternative approaches have been considered and implemented in the past but have not been effective. The views of the Parish Council have been incorporated into the consultation.
Despite requests from the Parish Council, facts, figures and costs in relation to the short stay car park have not been provided to the consultees, making it impossible for them to properly judge the Council's proposal and suggest alternative courses of action	1	A significant number of requests have been received from the Parish Council and its individual members, all of which have been/are being responded to in a timely manner.

**CAR PARKING CHARGES IN WEST MALLING
FORMAL CONSULTATION – SUMMARY OF RESPONSES**

The Borough's proposals have come out of the blue, having not been discussed or developed by the Parking Review Steering Group.	1	The Council has fully consulted on the proposals including a meeting with the Steering Group and presentations at full Council by the Parish Council and Chamber of Commerce.
The Council's PTAB resolved to recommend to the Cabinet that the charges for long and short-stay parking in West Malling be introduced from 1st April. This was before the consultation had even started.	1	Cabinet agreed that the schedule of charges for short stay parking in West Malling be deferred.
The amount of money that would be raised by the proposals is contested	1	The income raised will help off-set the cost of the parking service. The Council has also committed to increase the level of parking enforcement in the future.
Response referencing 3190 signatures against introduction of charges.	1	Petitions referred to in main report.
Introducing charges may lead to congestion in neighbouring roads as drivers wait for free spaces	2	The Council has committed to review any impact on neighbouring roads. The level of charges proposed should not deter shoppers from using the car park.
West Malling CofE Primary School has limited off-street parking and a "walking bus" operated from the Tesco car park - parents may not pay to drop off their children.	2	The Council has a commitment to discuss this with the school should the proposal be agreed.
West Malling GP practice has no on-site patient parking, the charges may mean that patients will opt to attend branch surgeries or transfer to other practices.	2	The proposals should improve accessibility as fewer spaces should be occupied by long-stay parking. The level of charges proposed should not deter patients from using the car park.
Staff at Boots chemists are concerned over their viability if surgeries move due to charges.	1	The proposals should improve accessibility as fewer spaces should be occupied by long-stay parking. The level of charges proposed should not deter customer from using the car park.
There may be effects of charge on people attending church services as the churches have no on-site parking.	1	The proposals should improve accessibility as fewer spaces should be occupied by long-stay parking. The level of charges proposed should not deter worshippers using the Church. There are no charges on Sundays.
The Library has no on-site parking, and charge may deter library users.	1	The proposals should improve accessibility as fewer spaces should be occupied by long-stay parking. The

**CAR PARKING CHARGES IN WEST MALLING
FORMAL CONSULTATION – SUMMARY OF RESPONSES**

		level of charges proposed should not deter people from using the library.
The Borough Council has had a policy of not charging for short-stay parking in rural areas except where commuters would otherwise fill them.	1	The Borough Council is reviewing its approach on all services and facilities where no charge is currently made.
If the Council is considering charges at other centres (Snodland, Aylesford and Martin Square) then this should all be done at the same time, as this would ensure West Malling businesses are not at an unfair disadvantage.	1	Cabinet has agreed that charging in these other areas will be reviewed over the coming year.
The PTAB report states that there is a need for charging because of costs of unsuccessful prosecutions of drivers.... But this seems to be misleading.	1	The high number of PCNs issued for "no correct ticket" (which includes tickets with wrong registrations) supports the Council's view.
KCC have introduced automatic number plate recognition within the Manor Park car park - this should be considered.	1	This is not possible in our car parks that are managed under the Traffic Management Act.
KMBC lease the car park and some traders have reserved spaces as part of that lease.	1	This statement is correct.
The proposals for changes to on-street parking arrangements in Offham Road and Norman Road should be implemented and monitored before any changes are introduced in the High Street car park.	1	This is not considered to be a justified reason to delay the proposal being introduced.
Parking charges are likely to encourage inconsiderate / illegal / unsafe parking elsewhere	1	If this occurs it will be addressed through enforcement which is being enhanced as part of the proposals.
Do not charge residents to park and issue free permits.	1	This would not help address the aims of the proposals.
Make Norman Road one way only, away from the High Street	1	This is not within the Borough Council's remit and would be for Kent County Council (as the Highway Authority) to consider.
Parking in the car park should be free for the first hour	1	Free parking would still be available for 1 hour in the on-street parking bays in the High Street.

**CAR PARKING CHARGES IN WEST MALLING
FORMAL CONSULTATION – SUMMARY OF RESPONSES**

OAPs will be the hardest hit by parking charges	1	Free parking would still be available for 1 hour in the on-street parking bays in the High Street, and blue badge holders would be able to park in the car park for free.
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Subject: THE TONBRIDGE AND MALLING BOROUGH COUNCIL (OFF-STREET PARKING PLACES) (AMENDMENT NO.1) ORDER 2014.

Dear Mr Styles

Consultation on the Introduction of Charged car parking in the short stay car park in West Malling.

Please accept this as the official response of West Malling Parish Council to the Borough Council's proposals for our short stay car park. In order to reply within your consultation period, I am replying on the Parish Council's behalf in advance of its being approved by a Full meeting of the Council. This will occur on March 7th prior to our public meeting, which I hope you are attending, on March 8th. I will write to again if there are further changes as a consequence of those meetings.

We were pleased to hear in the questions and answer session at the KALC Conference of Parish Council Chairmen on Friday Feb 26th at East Malling Conference Centre, the Secretary of State spoke on the issue of rural car parking. He said that of course this was an issue for local resolution, but he personally thought that Borough Councils needed to consider carefully the impact on footfall of imposing charges. He suggested that it was against the interests of both rural shopping centres and councils if charges resulted in lower footfall, loss of trade and closure of businesses which in turn resulted in loss of business rate income to the council. He suggested this would become even more important as councils' income becomes increasingly dependent on business rates. We agree.

Since I wrote to you last on February 4th prior to the meeting of TMBC Full Council on February 16th, we have received responses to a number of questions. I am therefore now sending a revised response to take account of this new information. I have also indicated where we are still awaiting information we have requested.

WMPC response is divided into three sections. We discuss below procedural concerns in section one, our practical points of concern in section two, followed by the Council's proposals for an alternative cooperative way forward in section three.

1. PROCEDURAL CONCERNS.

Thank you for alerting members of the West Malling Parish Council who are our representatives on the Parking Steering Group of the proposal for parking charges to be imposed on our short stay car park for the first time.

My members were extremely dismayed at the short notice they have been given to address this complex issue so fundamental to the survival of our town. The Council wishes to consider a range of alternative options to meet the Borough, Parish and Chamber of Commerce needs. These range from provision of a two hour free period followed by higher charges, perhaps including into the evening, to the Parish Council using the Localism Act to bid for the operation of the service. In order to consider in particular the latter, we need to see the Borough Council's Business Case for the operation of the car park, and a copy of the

terms of the lease which we requested on Feb 4th, but which is currently being withheld from us pending legal advice. We would be grateful if both documents can now be provided.

My councillors are also disappointed that this proposal has once more come forward to meet one aspect of the parking problem in West Malling rather than addressing the problem holistically and finding a suitable solution. My councillors believe that they, and indeed any other responsible body, would require a longer period than the three weeks consultation process to give proper consideration to your proposals and to develop our alternatives in consultation with partners such as the Chamber of Commerce.

- a. For many years, proposals for changes to parking arrangements have begun with discussion at the West Malling Steering Group. The Steering Group was bypassed on this consultation and so the recommendation to PTAB was not considered by them.
- b. As members of that Steering Group, WMPC received notice of the PTAB meeting on Jan 8th at approximately 10.45am ie we received less than three working days notice of the PTAB meeting and were therefore not able to meet the requirement even for an emergency meeting to discuss the issue and prepare arguments for the PTAB.
- c. We note that the report to the Council's Planning and Advisory Committee concerned primarily increases in charges and time limits in areas where charges already existed. Only West Malling was singled out for new charges, and we believe this justifies additional time to properly consider your proposals.
- d. The Statutory Notices of the intention to apply charges were posted in the car park on February 5th, just one month after the first announcement of any proposal for charging was made, for implementation as soon as possible after April 1st - less than three months after the first suggestion of charges was made. Compared to the current proposals for residential parking in Offham Road which have taken over 12 months for only the last two rounds of consultation, this is a very compressed timetable.
- e. We note that the 21 day statutory consultation was authorised before a decision was taken to approve such consultation by any committee of the Council. Indeed, the recommendation from PTAB, approved by Full Council, was not to consult on the introduction of charges, but to proceed with the implementation of charges. In my previous letter, my members therefore asked to be advised under what powers officers authorised the commencement of the statutory consultation, in the form of one option only, in advance of any council meeting with executive powers. We have not received a reply and would like to do so now please.
- f. My members are concerned that the consultation period had not expired before the Full Council meeting took place. Whilst both the Leader and Cabinet Member expressed support for the recommendation that the proposal to impose charges should be considered by Cabinet, taking into account the results of the consultation, they nevertheless both expressed their personal support for charging proposals. This was taken by many observers to indicate that the Council had predetermined its course of action.

My members are currently examining the procedure used from the point of view of its conformity to the Gunning Principles and will write to you again on this issue.

2. PRACTICAL POINTS OF CONCERN

The members of the Council strongly oppose the Borough Council's current proposals as we believe it will damage trade for our shops and businesses, and cause congestion in our streets as people search for free parking.

A. Members believe it will result in a loss of trade to shops and businesses as customers take

their business to surrounding centres to avoid charges. The evidence for this can be found in the comments of the currently 3,582 petitioners responses to the consultation.

Which can be accessed at www.westmalling.info.

87.8 % of West Mallings 99 traders have signed a paper petition opposing charging because they believe it will reduce their trade as shoppers go to centres where parking is free.

West Malling Chamber of Commerce and a number of individual businesses including the operator of our Farmers' Market have written separately to the council expressing their opposition for the same reason. West Malling is 20 minutes from Bluewater and is surrounded by large supermarkets with free parking at ASDA Kings Hill, Sainsbury at Quarry Wood, Waitrose at Allington soon to expand into a Quarry Wood store double the size of the existing Allington store, and Tesco and Morrisons at Larkfield,

B. Councillors believe that the proposal will cause congestion in the High Street, Swan Street and West Street as drivers wait and search for free parking spaces. In response to our concern, officers have responded that on street parking charges would then be considered! Is there any rural market town of our size in the county with on street parking meters?

C. Congestion will also occur as shoppers will search and compete for free parking in nearby residential areas.

D. West Malling is not only a retailing centre, but also provides a number of community services. In many cases, these are free services which bring residents into the town, generating associated business for our shops and nearly 200 businesses. However, West Malling was established in Mediaeval period and many of these shops businesses and services occupy listed buildings with no on-site parking for staff, deliveries or customers. WMPC believes car park charges will affect all of these activities and result in the loss of this associated trade as customers opt for the next nearest facilities which are free of charge.

i) West Malling Church of England Primary School has extremely limited parking and restricted access. A walking bus currently operates from the Tesco car park. Parents will not pay to drop off their children, and in the absence of a suitable alternative which has not so far been found, pupils will be dropped off at the congested school gate where their safety will be at increased risk.. Matthew Clarke, headteacher, has written under separate cover on this issue requesting a meeting with officers, but this has only been acceded to in the event that a charging regime is introduced. This is not an acceptable substitute since prior to the decision being made the Headteacher has an influence over the decision. Once it has been made, he no longer has that level of influence.

The impact of this proposal on the road safety of children should have been flagged up within the EqIA but the committee report merely records that there is "no perceived impact on end users" of these proposals . This is not the case with regard to the West Malling proposals.

My members would therefore like to see the EQIA carried out in regard to West Malling car park proposals please.

ii) West Malling GP practice has no patient on-site parking. The imposition of parking charges is likely to mean that patients will opt to attend at the branch surgeries, or transfer to other practices such as Thornhills Martin Square where parking is free. Charges for patients will be unpopular and patients have spoken to councillors about the difficulty of predicting how long a wait there might be in the surgery. Therefore there is a risk that clinic services will increasingly be moved to those branch surgeries at Leybourne and Kings Hill, where parking

is free. . Flu vaccinations have already been moved away from the West Malling Surgery to Kings Hill apparently because of difficulties of parking in the town. When this occurs it leaves West Malling residents with mobility problems or without cars severely affected. Once again this potential impact on the frail, elderly and disabled should have been considered in the EQIA but there is no evidence that this was done.

Staff at Boots Pharmacy have discussed with us their concerns for the continued viability of this very small branch of the national company should there be any diminution of this pharmacy trade as a result of activity moving to branch surgeries owing to car parking charges. The Pharmacy currently receives direct delivery of pre ordered prescriptions from the West Malling Practice. It would leave the community at a severe disadvantage if no replacement provider of pharmacy could be found and again I this should appear within the EqIA assessment.

iii) Rev David Green has written to the Council with his objections concerning the effect on the congregation attending services, particularly weddings baptisms and funerals, as neither the Norman Parish Church of St Mary's in West Malling nor the associated churchyard has on-site parking. The same applies to the Swan Street Baptist Chapel which has no on site parking. Once again, the impact of the proposals on the congregations of these churches should appear within the EqIA.

A loss of services at these churches would mean a loss of associated trade including receptions and catering businesses will be lost to the town.

iv) West Malling Library on the High Street has no on-site parking. The next nearest Library is Larkfield Martin Square where parking is free. Having to pay parking charges there would have a direct impact on those using the computers to aid their learning and career advancement.

v) West Malling Post Office has no on-street parking. The next nearest post offices are at Twisden Road, East Malling and Martin Square, Larkfield and parking is free in both these locations. Loss of trade risks closure and again this would impact disproportionately on the elderly infirm and vulnerable.

E. The Borough Council has had a long held policy not to charge for short stay parking in rural areas except where commuters would otherwise fill them, as at Borough Green and Holly Hill.

At the PTAB meeting, it was stated that free parking currently provided by the council at Snodland, Aylesford and Martin Square are also to be reviewed. If the Council is to abandon this policy of protecting rural shopping centres then it should implement charges to all the rural car parks together, so that West Malling businesses are not unfairly competitively disadvantaged by being the first, or perhaps the only, rural shopping centre to which new charges are applied.

F. The PTAB report at paragraph 1.8.8 also states that there is a need for charging because of costs of unsuccessful prosecutions of drivers purposely punching in the incorrect registration to extend their stay in the car park. The report says “ this has resulted in the Council having the high costs of running a town ... but with no effective means of applying an appropriate management system”.

My members on Feb 4th asked for details of how many such cases have occurred in West Malling and whether the Borough Council has approached the Tribunal on the reasons for its

decisions, since this fault in the Borough Council's system must also affect other authorities, and repeat offenders must be easily identifiable.

We are still awaiting this information and one of our members Stephen Harriott has filed an FoI as a result.

We have, however, been made aware of data provided to Mr Dean. This indicates that the Council had a throughput of 230,000 cars per year in the car park and issued 602 parking tickets as a result of face down ticket, no ticket or invalid ticket. The council is unable to say how many of these were issued because of errors in the registration number inserted, although the report described them as 'numerous'. Of the penalty tickets issued the council received 314 appeals of which it allowed 143. A total of 455 accepted their liability and paid the fine. Only 4 drivers appealed to the Parking Tribunal.

In one case, the driver in question had inserted a letter o rather than a figure zero. The Tribunal accepted that the two were identical on the registration plate and found in favour of the appellant. In this case, TMBC did not suggest abuse of the system, but accepted that Mrs E had committed a genuine and honest error.

This case therefore had no bearing on the efficient operation of the car park, as pointed out by the Tribunal..

TMBC did not offer a defence in two cases.

In the fourth case, the Tribunal upheld the Borough Council's case as it was clear that a breach of the parking rules had occurred.

It is therefore misleading to assert, as the council did in its reports to PTAB and to Full Council and in its Statement of Reasons supporting the formal statutory consultation, that a lack of support from the Parking Tribunal made the operation of the car park regime unenforceable or difficult.

In any event, the council has not explained how the imposition of charges will avoid this situation in future.

G My members note that KCC has posted notices in Manor Park West Malling advising that the system of existing charges is in future to be enforced by an automatic number plate recognition system. This provides more accurate monitoring with reduced ongoing costs. My members would like to know if the Borough Council has considered reducing its costs by becoming a partner in this or similar contract. We would like to see capital and running costs of an ANPR system compared with the current costs please..

H. TMBC lease the car park, and we understand that some traders have reserved spaces within it as part of that lease. We asked to be advised what effect Tesco opposition to the plan for charging would have on the proposal, and we still await a reply. .

We have received the requested map of the land which is leased, but not a copy of the lease or of the management agreement between the Borough Council and Whitbread or their successors.

I. The proposal for changes to the car parking regimes in Offham Road and Norman Road and in changes to residents permit use zones should be implemented and properly monitored before any changes are introduced in the High Street car park to avoid the existing congestion being made even more intolerable and dangerous as any new system beds down..

J. We are aware of the claim that parking is charged in Tonbridge. In practice, for many residents, this is not true. Approximately 30% of the parking tickets are redeemed by an adjacent supermarket on production of the ticket. Though this would be possible in West

Malling, it has always been discarded as an option because it would concentrate trade towards our single small supermarket at Tesco to the detriment of independent traders who sell the same products including flowers, chocolate and confectionary, newspapers, magazines and stationery, wine and spirits and prepared take away food.

3. THE WAY FORWARD.

3.1 WMPC has pointed out that it has not benefitted from additional car parking to accommodate shoppers generated from considerable new housing development in North Larkfield, Leybourne Chase, and Kings Hill. In the latter case, we wrote to the Borough Council asking that our traffic and parking problems be considered for assistance by the developer, and we have been advised that this was not possible within the current planning regime. If this is correct, then the only source of funding available for us to assist in expanding parking to meet the needs of these very welcome new customers is via the Borough Council which receives the Council Tax from these new homes. Without these additional spaces, the constant friction in searching for spaces as we already know results in customers going elsewhere.

3.2 WMPC members point out the lack of a Parish Rate equivalent for Tonbridge residents in respect of concurrent functions including Street Lighting, Churchyard and Recreation Grounds. We would like to know the cost of providing those facilities provided in Tonbridge from the general Borough rate but which are met elsewhere by parish rates. Whilst WMPC receives funds under Special Arrangements with Parish Councils, this meets only a proportion of our total costs on these functions, and is likely to be a diminishing amount. The removal of capital grants and support for parish loans has further increased the unfairness. My members believe that the provision of free parking should be considered part of the rebalancing of fair taxation throughout the Borough. We welcome the forthcoming review of financial arrangements which will include the possibility of applying a special rate to Tonbridge which would redress this unfairness, though in practice it will be overtaken in time by the reliance in future of the council on income from business rates.

3.3 The members of WMPC are keen to continue working productively with the Borough Council through the Steering Group on this issue. My members are not opposed to parking charge increases in the business car park, though we regret the rate of increase in trebling of costs is far greater than any other proposal in the Borough, and for residents' permits. We do, however, believe that the current operation is not sufficiently effective. In particular, we are keen to see enforcement enhanced to a level where current widespread abuses in particular of on street spaces can no longer exist.

We therefore renew our offers made prior to these latest proposals:-

- to fund to a maximum of £15k a pilot project enhancing current enforcement levels to 9 till 5 weekday cover for West Malling. Such a project would establish how far current parking arrangements can meet the costs of provision. This is a scheme working effectively in Cornwall. In the light of the resulting information, the Parish Council would consider future funding contributions.

During the project, the Parish Council will work on producing options for alternative funding of parking costs in West Malling. My members have already had a meeting with Chamber of Commerce members which produced options to be explored including

- 2 free hours of parking followed by higher charges for the third hour
- extending parking charges to the night time economy

- a business subscription to deliver free parking for customers, perhaps managed by the Chamber of Commerce,
- purchase of dedicated spaces in the business car park, including shared use of a single space by part time workers
- transfer of the lease to the Parish Council to manage the car park.

-
- to discuss with the Borough Council the refinement of our research project to assist in identifying business parking demand and supply in West Malling, to which an experienced researcher has been appointed.

The underlying and urgent need in West Malling for many years has been for additional parking and this need will not be addressed merely by making better use of existing spaces. We expect this to assist the Borough Council in arriving at a more equitable allocation of business permits and therefore increase the effective use of the current spaces in the business car park.

We also anticipate that it will evidence the need for a third car park. We appreciate this would need to be commercially provided and is most likely to be achieved through the release of development land. We wish to identify potential sites with the Borough Council's assistance, through the local Plan process. One option might be to re-designate the Ryarsh Lane Car Park for shoppers, after facilitating a new larger site for workers.

- to assist in any practical way possible with the administration of the Borough Council's residential and business permit administration.

The expenditure we have set aside to meet the above commitments is equivalent to almost a third of our annual expenditure and we hope that this demonstrates our commitment to working with the Borough Council towards a mutually satisfactory solution which does not endanger the fragile nature of the recovery of West Malling businesses from a long and difficult recession.

Trudy Dean
Chairman.

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TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

22 March 2016

Report of the Director of Central Services and Monitoring Officer

Part 1- Public

Executive Non-Key Decision

1 ONLINE COMMUNITY LOTTERY

1.1 Introduction

1.1.1 As a result of the ongoing financial challenges facing the Council, we are considering how we might do things differently, more efficiently and with increased income opportunities where these exist. Members will be aware that a Savings and Transformation Strategy was adopted by Council on 16 February 2016, which set out a framework for addressing our financial challenges. One of the objectives set out in that Strategy was to be open to accept 'cultural' change in the ways we work and offer services to the public in order to release efficiencies and savings.

1.1.2 In pursuance of that objective, this report seeks the approval of Members to proceed with the launch of an online lottery for Tonbridge and Malling to provide discretionary support to local voluntary and community groups.

1.2 Lottery Market place

1.2.1 As Members will be aware, there are a number of lotteries running in the UK. Details of these are summarised below.

Provider	Odds of Jackpot win	Odds of any prize	% share to good causes
Euromillions	1:116 million	1:13	28%
National Lottery	1:45 million	1:9	28%
Health Lottery	1:2 million	1:108	20%
People's Postcode Lottery	Not available		27.5%

- 1.2.2 To the best of our knowledge there are no Borough-wide lotteries being delivered within Tonbridge and Malling at the present time. There are however 78 small society lotteries registered with the Borough Council.
- 1.2.3 Non-commercial or society lotteries are an established way to raise money for charities and other not-for-profit good causes. A non-commercial organisation is defined under the Gambling Act 2005 as one established –
- For charitable purposes
 - For the purpose of enabling participation in, or of supporting sport, athletics or a cultural activity; or
 - For any other non-commercial purpose other than that of private gain.
- 1.2.4 Lotteries of this type are small-scale and raise sums of money for charities and other good causes within the Borough. They may be promoted through face to face sales, over the counter, by post and via remote means e.g. online, over the phone or via email. Generally speaking, however, we believe that the majority of small society lotteries in the Borough are promoted through face to face sales i.e. by selling physical tickets in advance of a lottery/ draw. This will inevitably result in high administration costs for the good causes in question e.g. through production and distribution of physical tickets.
- 1.2.5 As an alternative to the traditional approach, we believe that an opportunity exists within the market place for the Borough Council to consider delivery of an online lottery, which would maximise the return of funds to the local community whilst minimising the administration for local voluntary and community groups. This report sets out a proposal for delivery of such a lottery.

1.3 **Local Authority Lotteries**

- 1.3.1 In simple terms, a lottery is a type of gambling that has 3 essential elements: one has to pay to take part, one or more prizes are awarded and those prizes are awarded by chance.
- 1.3.2 The Gambling Commission places specific requirements upon the proceeds of lotteries and other monetary limits through licence conditions and codes of practice. These reflect specific limits imposed by the Gambling Act 2005, which creates 2 broad classes of lottery – (1) the small society lottery and (2) large society lotteries and lotteries run for the benefit of local authorities.
- 1.3.3 In respect of local authority lotteries, the requirements include the following –
- There is no maximum price of a lottery ticket
 - Every ticket in the lottery must be the same price

- A local authority lottery must apply a minimum of 20% of the gross proceeds of each lottery directly to a purpose for which the authority has power to incur expenditure. Up to a maximum of 80% of the gross proceeds of each lottery may be divided between prizes and the expenses of the lottery.
- In a single local authority lottery the maximum value of tickets that can be sold is £4 million. The maximum aggregate value of lottery tickets that can be sold in any calendar year is £10 million.
- The maximum prize in a single local authority lottery is £25,000 or 10% of the proceeds (gross ticket sales), whichever is greater.
- No lottery organised by a local authority may operate in such a way that a player can win a prize greater than £400,000
- Rollovers are permitted provided the single maximum single prize is not breached.

1.4 **Delivery Options**

1.4.1 Traditionally, lotteries have operated through sales of physical tickets. This has served local causes well for a number of years, but with the increasing use of the internet it is considered that the most efficient way to both administer a lottery, and attract players, is through the development of an online lottery.

1.4.2 The Council may either look to deliver a lottery in-house or through an External Lottery Manager (ELM). These 2 options are evaluated below –

- **In-house**

The Council does not presently have the necessary software systems that would enable it to run an online lottery. It is estimated that the initial set up costs alone could be considerable, potentially up to £50,000. On top of this we would also have the staffing costs of running the lottery.

- **External Lottery Manager (ELM)**

There are a number of existing providers of lotteries in the market place. These ELMs are capable of delivering all aspects of the lottery, including ticket payments, prize management and marketing. There would of course be a cost to a partnership with an ELM.

1.4.3 An important consideration in whether to deliver a lottery in-house or through an ELM is the element of risk. Until a lottery is 'live', there can be some uncertainty about the number of players, which need to be set against the potential set up costs were the Council to progress a lottery in-house. Given this uncertainty

together with the other considerations set out in this report, the preferred option is to use an ELM.

1.4.4 Preliminary discussions have taken place with 3 ELMs, which for reasons of commercial confidentiality are set out in the restricted **Annex 1**.

1.4.5 For the reasons set out in Annex 1 it is recommended that Capen Ltd is appointed as the ELM.

1.5 Structure of lottery

1.5.1 It is proposed that the lottery would be structured as follows

- Ticket price - £1 per week, Participants are able to sign up online or via mobile and pay by direct debit or payment card
- Draw frequency – once per week (Saturday)
- Players can choose to buy a ticket to support a specific good cause (50% to the ticket price to the chosen good cause and 18% to central fund administered by Council) or if purchased directly i.e. without specifying a good cause (68% of ticket price to central fund)
- Good causes can apply to join the lottery via the website. The process will be designed to be as simple as possible. All such applicants would then need to be approved by the Council before they are provided with their own branded page within the site. The cause keeps 50% of all ticket sales generated through their page, and paid their income automatically on a monthly basis. Good causes would be provided with marketing material to help promote/ grow the lottery. Any monies due under the central fund would be paid automatically to the Borough Council.

Allocation of proceeds: see table below

Proceeds Apportionment				
	Specific Good Cause		Central Fund	
	<i>% Allocation</i>	<i>£ Allocation per ticket</i>	<i>% Allocation</i>	<i>£ Allocation per ticket</i>
Specific Good Cause	50	£0.50	-	-
Prizes	20	£0.20	20	£0.20
Central Fund	18	£0.18	68	£0.68
External Lottery Provider	12	£0.12 (inc VAT)	12	£0.12 (inc VAT)
Totals	100	£1.00	100	£1.00

Player Modelling analysis*

Number of players	Receipts per annum
1000	£35,360
2000	£70,720
3000	£106,080
4000	£141,440
5000	£176,800

* This modelling assumes a ticket price of £1, with the players buying 1 ticket per week and continuing to play for 52 weeks. It also makes no distinction between players selecting individual good causes and those playing without specifying a particular good cause i.e it assumes a return £0.68 in the pound.

Number selection and prize structure

- 1.5.2 Players are provided with a unique 6 number entry into the lottery. To win the jackpot the ticket must match these 6 numbers. Multiple tickets are able to be purchased, with each ticket having a unique set of 6 numbers. Each player is also entered into a free bonus draw for a guaranteed £1000 prize, and 'Bolt on' prizes are also possible. The jackpot is an insured prize. It is a guaranteed pay out of £25,000 per jackpot, plus £25,000 to the good cause supplying the winner.

Number Selection and Prize Structure		
	<i>Winning Odds</i>	<i>£ Prize</i>
6 numbers	1:1,000,000	£25,000 (plus £25,000 to good cause supplying the winner)
5 numbers	1:18,220	£1,000
4 numbers	1:823	£100
3 numbers	1:69	3 free plays

- 1.5.3 The central fund would be administered by the Borough Council. It is proposed that the fund would be used in the first instance to support existing commitments to voluntary sector bodies and community organisations, thus ensuring that all of the proceeds go to good causes within the Borough.

1.6 **Responsible Gambling**

- 1.6.1 It is recognised that gambling can lead to a range of problems for a small minority of individuals and their families. Lotteries are a form of gambling and as such we are required to ensure that children and other vulnerable people are not exploited by the proposed lottery.
- 1.6.2 The minimum age for participation in a local authority lottery is 16 years of age. A person commits an offence if they invite or allow a child to enter such a lottery.
- 1.6.3 The Council must take all reasonable steps to ensure that information about how to gamble responsibly and how to access information and help in respect of problem gambling is readily available.
- 1.6.4 The Gambling Commission have set out specific social responsibility requirements in their licence conditions and Codes of Practice. These would apply to any licence held by the Borough Council for the purposes of operating this lottery.

1.7 **Legal Implications**

- 1.7.1 Lotteries are illegal unless they fall into one of the categories specifically permitted by law. The relevant law for the purposes of the proposals in this report is the Gambling Act 2005, which creates a number of categories of permitted lottery. One of these is a local authority lottery.
- 1.7.2 All local authority lotteries must be run under an operating licence issued by the Gambling Commission. A local authority lottery must apply a minimum of 20% of the gross proceeds of each lottery directly to a purpose for which the authority has power to incur expenditure.
- 1.7.3 A local authority may employ an ELM to manage all or part of its lottery. All ELMs must hold a lottery manager's operating licence issued by the Commission before they can manage a local authority lottery. ELMs must also hold a remote gambling licence if they intend to sell tickets by means of remote communication e.g. internet.
- 1.7.4 The employment of a licensed ELM does not absolve the Council from its responsibility to ensure that the lottery is conducted in such a way as to ensure that it is lawful and fully complies with all licence conditions and relevant codes of practice. The Council would still require an operating licence of its own from the Gambling Commission.
- 1.7.5 Provisional discussions have already taken place with the Gambling Commission, in order to ensure that the proposed lottery meets with any requirements it may have. A number of further requirements will be addressed as part of the application process.

1.8 **Project timeline**

1.8.1 Subject to the agreement of Members, a proposed timeline is set out below

22 March 2016 – Decision by Cabinet

w/e 1 April 2016 – Application submitted to Gambling Commission

w/c 23 May 2016 – Launch event (subject to approval of licence)

4 June 2016 – First draw

1.9 **Financial and Value for Money Considerations**

1.9.1 The costs of operating the lottery are set out below

- £10,000 initial payment to Capen Ltd for setting up the lottery, website design, branding support, digital strategy support and campaign management.
- £3,000 marketing costs (estimated) for launch of lottery
- £488 – cost of applying for operating licence from Gambling Commission
- £244 – annual licensing fees payable to Gambling Commission
- Ongoing staff time in marketing the lottery and approving applications from community groups.

1.9.2 Income from the lottery would be distributed as set out in paragraph 1.5 above.

1.9.3 It is intended that the lottery website would be designed so as to allow for secondary revenue income opportunities from advertising.

1.9.4 The Gambling Commission imposes a number of financial requirements for local authority lotteries. These include a requirement that accounting records must be kept for a minimum of 3 years and must be made available to the Commission on request.

1.10 **Risk Assessment**

1.10.1 The proposed lottery offers a low risk opportunity for voluntary and community groups to raise funds for their causes. It will allow such groups to reduce/eliminate the overheads associated with running a traditional lottery whilst at the same time receiving a guaranteed share of receipts from supporters who play the online lottery.

1.10.2 The financial risk to the Borough Council will be limited to the initial start-up costs, licence fees payable to the Gambling Commission plus the ongoing staffing costs of marketing and approving applications from voluntary and community groups.

1.10.3 The prize fund will be fully insured, with the premiums payable by the External Lottery Manager. There will therefore be no financial risk to the Borough Council in the event that a player is successful in winning the jackpot or any other of the prizes on offer.

1.11 **Equality Impact Assessment**

1.11.1 The proposed lottery will deliver benefits to voluntary and community groups. As such, the scheme will provide a positive contribution to promoting equality.

1.12 **Recommendation**

1.12.1 It is **RECOMMENDED** that

- (1) An online community lottery be launched as detailed in the report;
- (2) The Director of Central Services be authorised to apply to the Gambling Commission for a licence to operate a remote local authority lottery and to make consequential amendments to any documentation in order to meet the requirements of the Commission;
- (3) Capen Ltd be engaged as an External Lottery Manager for the purposes of the lottery. The costs of appointing Capen, and the initial marketing costs, to be met from the invest to save reserve;
- (4) The draft criteria at **Annex 2** be approved for acceptance of good causes into the lottery and the Director of Central Services be authorised to approve or reject applications
- (5) Authority be delegated to the Director of Central Services to approve the final arrangements for launch of the lottery;

Background papers:

Nil

contact: Adrian Stanfield/
Anthony Garnett

Adrian Stanfield
Director of Central Services and Monitoring Officer

Criteria for acceptance into the Lottery scheme

As part of the proposed lottery we are enabling good cause groups to sign up under our lottery scheme. Set out below are a set of criteria that will be used in deciding whether or not to allow groups to operate under Tonbridge & Malling's Lottery Licence.

Criteria for joining the Lottery:

We want to enable as many organisations as possible to join the lottery. As you will be joining under our overall gambling licence (Gambling Act 2005) we have to ensure that organisations meet certain criteria. There is no application fee.

Your organisation must either be a Parish Council or meet the following criteria:

- Provide local community activities or services which are of benefit to residents of your area
- Have a formal constitution or set of rules
- Have a bank account requiring at least 2 unrelated signatories
- Operate with no undue restrictions on membership

And be either :

- A constituted group with a volunteer management committee with a minimum of three unrelated members that meets on a regular basis (at least 3-4 times per year)
- A registered charity, with a board of trustees; or
- Is a registered Community Interest Company (CIC), and provides copies of their Community Interest Statement, details of the Asset Lock included in their Memorandum and Articles of Association, and a copy of their latest annual community interest report.

We will not permit applications that:

- promote activities/groups promoting a particular religious or political belief
- are from individuals
- are from organisations which aim to distribute a profit
- are from organisations with no established management committee/board of trustees (unless a CIC)
- are incomplete

The council reserves the right to reject any application.

The council will reserve its rights to not accept or cease to license any organisation with a minimum of 7 days' notice for any reason, unless where fraudulent or illegal activity is suspected where cessation will be immediate.

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TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

22 March 2016

Report of the Director of Planning Housing & Environmental Health

Part 1- Public

Executive Non Key Decisions

1 LOWER THAMES CROSSING

Summary

This report outlines a proposed response to the Lower Thames Crossing (LTC) route options consultation launched by Highways England (HE) on 24 January 2016. It is proposed that TMBC responds in general support of a new crossing at HE's preferred location (a bored tunnel east of Gravesend). However, there are significant concerns about the impact of the proposed LTC on the highway network and some communities in the northern part of the Borough, particularly the A229 and the A228, following the elimination of the previous 'C Variant' option which included upgrades to the A229 (Bluebell Hill) and related key junctions.

It is recommended that the Borough Council should join Kent County Council and others in reiterating the absolute necessity for HE and the Department for Transport to carefully reconsider the consequent impact of traffic movements, in particular the connection between the M20 and M2, and bring forward investment proposals in parallel with the LTC to address these matters.

Endorsement of this report and annex is sought so that it may be provided to Highways England before the consultation deadline of 11:45 pm on 24 March 2016. It is hoped that can be a platform for further discussion with HE.

1.1 Background

- 1.1.1 Following a series of studies and a public consultation in 2013, the Government commissioned Highways England to consider options for a new Thames crossing at two locations. These are Location A, at the site of the current crossing at Dartford and a new crossing location east of Gravesend known as Location C. Both of these locations have been developed and assessed by Highways England in terms of their economic, traffic, environmental and community impacts. The assessment has also taken into account the significant growth and development plans for the region. At Location C, three potential route options have been

identified north of the river in Essex and two south of the river in Kent. The two options on the Kent side of the Thames include a direct link into the M2 motorway at Junction 1 (the Eastern Southern Link) and an alternative that joins the A2 further to the West (the Western Southern Link).

- 1.1.2 Earlier consultations included a 'C Variant Option' to improve connections between the M2 and M20 via the A229 at Bluebell Hill. This option has now been dropped on the grounds that it does not assist with the delivery of the LTC project objectives.
- 1.1.3 The purpose of the consultation that commenced on 24 January is to advise stakeholders, businesses and the general public of Highways England's preferred route based on their assessment of which route best meets the objectives for the LTC and to seek views on the southern link options on the Kent side and the route options in Essex linking the road to the M25.

1.2 Highways England Preferred Route

- 1.2.1 The preferred route is shown in **Annex 1** comprises Route 3 with the Eastern Southern Link (ESL) connecting to junction 1 of the M2. The status of the road is yet to be decided (motorway, dual carriageway or express way) and work is ongoing, but it is proposed to be two lanes in each direction. Public transport features will not be designed in at this stage, the design aiming for high speed operation of the road. The ESL is said to be preferred for its ability to provide a strategically important and more direct link, aid high speed operations and create additional capacity in the network. The economic case for the ESL is shown to be stronger and is concluded to create greater general improvements along the existing corridor (A2/ M2). The Western Southern Link is more constrained and impacts on High Speed 1.
- 1.2.2 The preferred route proposed has been recommended by HE on the grounds that it:
- Provides the best economic benefits of all the shortlisted routes evaluated and reduces traffic at Dartford and therefore reduces congestion.
 - Can largely be constructed off-line, avoiding the disruption that would be caused by works at Location A
 - Provides the most network resilience through a second independent crossing of the Thames
 - Provides a high speed operation for drivers, i.e. motorway to motorway
 - Reduces air and noise pollution along the existing corridor at Dartford, whilst recognising that there are environmental and community impacts in the vicinity of the new scheme, including noise and air quality on communities alongside the preferred route

- Will provide a new strategic link to the local, regional and strategic road network, increasing resilience and addressing future increases in traffic demand.

1.3 Impacts of the Preferred Route on Tonbridge & Malling Borough

- 1.3.1 There are some significant potential advantages to the preferred route for the Borough outlined below in terms of general improved accessibility and economic growth.
- 1.3.2 Equally, there are some factors that present a degree of risk in terms of impact if they are not properly addressed and it is important that the Council draws attention to these and seeks some commitment from HE to addressing them.
- 1.3.3 The previous 'C Variant' option has been dismissed on the grounds that this upgrade would have limited economic benefits, high environmental impact, a high cost and would have little additional benefit in transferring traffic from Dartford onto Location C routes.
- 1.3.4 However, there is significant concern that without investment to improve key points in the highway network severe and unacceptable impacts on the A229 Bluebell Hill and the Lord Lees roundabout, junction 6 of the M20 and to some extent, the A228 will result.
- 1.3.5 As Local Highway Authority, Kent County Council's Transport Strategy Team are preparing their own draft response and have recently obtained the traffic modelling data used by Highways England for this project. This will be scrutinised to ensure full comprehension of the impacts on the A229 and on the roads around the ESL and WSL.
- 1.3.6 The A229 is the main route between Maidstone and the Medway Towns and is the shortest link between the M2 and the M20. It is therefore the most likely route that will be taken by drivers using the Eurotunnel at Folkestone or the port at Dover with starting points or destinations north via the LTC. The A229 is expected to take the brunt of the additional traffic flows. It is also possible that some drivers may choose to use the A228. There is no real prospect that the A228 could be enhanced practically, but it may pose as an attractive alternative if the A229 cannot adequately cope with the additional traffic. This places even greater need to make improvements to the A 229 itself and related junctions.
- 1.3.7 In some quarters the A249 link from junction 7 of the M20 to junction 5 of the M2 is being promoted as the preferred route between the new crossing and Dover/Eurotunnel, in order to attract the prospect of improvement invests to that route. However, that presents a considerably longer travelling time than the A229 and seems highly unlikely to be the choice for drivers.
- 1.3.8 The information available shows that the A229 will have an increase in traffic. It can be inferred that a high proportion of the decrease in traffic volumes on the

M20 through the Borough would have diverted to the M2, via the A229. This is in the order of 5,000 vehicles a day.

- 1.3.9 Not addressing the junctions at either end of the A229 but nevertheless encouraging increase traffic will have possible safety implications, with the slip roads blocking back on the A229. Information on how the junctions have been modelled is not available in the consultation documents and until KCC have been able to fully assess the recently received modelling data, it is unknown if this has been fully taken account of. Some good working relationships have been developed with KCC colleagues to enable us to understand this situation in more detail.
- 1.3.10 In conclusion, whilst the consultation is focused on route options, the impact on the existing local road network and junctions are not adequately considered. As a result of the changing traffic flows created by the LTC, improvements to the A229, the Lord Lees roundabout, M20 junction 6 and M2 junction 3 should be given serious consideration, designed and funded in parallel with the LTC scheme to avoid future problems and to provide the most comprehensive and agreeable solution to strategic traffic movement through the area.
- 1.3.11 In terms of the route choices south of the river, the ESL would seem to produce slightly greater benefits in terms of traffic mitigation on the M20 through the Borough. This is based on the traffic data produced by HE and arises principally due to the more direct nature of the route and the ability to maintain a high speed traffic regime. However, concerns have been raised about the likely high impact levels arising from the design of the junction (with M2 junction 1), the local traffic movements that might arise from the constraints on that junction, and the higher local impact on communities, albeit outside of Tonbridge and Malling. In addition the WSL might also give rise to further potential 'rat running' bringing the A227 readily into play.
- 1.3.12 KCC seem likely to support the WSL based on some of the reasons outlined in the preceding paragraph and other matters that are related to local issues in and around Gravesend. For Tonbridge and Malling the choice is rather more balanced and it is difficult to come to a final view at this stage without knowing what the realistic prospects might be of securing the 'C Variant type' improvements mentioned in this report.

1.4 Economic Benefits

- 1.4.1 The economic case supporting the preferred option sets out that whilst construction will cost in the region of £4.3-5.9 billion it could add £7 billion into the economy, creating over 5,000 jobs, and has the potential to unlock investment, housing and regeneration and will stimulate apprenticeships and training both during the construction and in the longer term. The strategic transport case is based upon improving transport connections at a critical part of the road network

supporting both local businesses, national companies and international trade through the Channel and Thames Estuary ports.

1.4.2 Although the local economic benefits of this scheme are not explicitly quantified, there seems to be potential for the Tonbridge & Malling economy to benefit in the following ways:

- Employment and training opportunities during the construction phase – both Mid-Kent College and West Kent College have courses in Construction.
- Potential for travel savings (reduced congestion and accident levels) along the M20 corridor for both commuters and HGVs.
- Providing strategic accessibility improvements and alleviating the M20 corridor could help to improve the viability of some of the emerging proposals in the Borough, such as the Aylesford Newsprint site.
- Key existing employment sites, such as Kings Hill and Quarry Wood could benefit from improved marketability through actual and perceived increase in accessibility.

1.5 Environmental Issues

1.5.1 It is probable, based upon the evidence available to date, that the LTC will divert some traffic, particularly freight heading north, away from the M20 to the M2 with the potential to reduce air pollutants and mitigate congestion levels along the M20 through the borough and particularly between junctions 4 and 5 where there is an existing Air Quality Management Area.

1.5.2 However, this benefit could be negated by the potential harm to air quality and noise on the A229 if adequate proposals are not taken forward to address congestion and impact as part of an overall package of road improvements linked to the LTC preferred route.

1.6 Public Consultation and the Consultation Questionnaire

1.6.1 The public consultation was launched unexpectedly on 24 January without prior stakeholder notification. By the time the consultation period ends, Highways England will have held 24 Public Information Events and a number of targeted presentations for elected Members and the business community.

1.6.2 Highways England has created a specific consultation website including an online consultation questionnaire. The consultation was advertised in the local and national press, on local radio stations and reported on locally and nationally by the media. The opportunity was taken at the last Parish Partnership Panel to draw attention to the outline proposals and encourage Parish Councils to submit their own submissions.

- 1.6.3 The Council's proposed response is set out in the completed questionnaire in **annex 2**.

1.7 Next Steps

- 1.7.1 The consultation closes at 11:45 pm on Thursday 24 March 2016. The results will be analysed and presented to Government along with the report of Highways England setting out the preferred route and the justifications for this.
- 1.7.2 Formal consultation on a final route will need to be carried out in the future under a formal Development Commencement Order, likely to take place during 2018. As a project of national importance, the planning application would be determined under NSIP. Funding is yet to be agreed but will be either publicly financed or funded through a PFI. The estimated programme for completion of the LTC is between 2025/ 2027.
- 1.7.3 It will be our intention to work with KCC and others to analyse the detailed impact of the proposals and liaise with Highways England in order to continue to seek improvements as described in this report.

1.8 Legal Implications

- 1.8.1 None arising from this consultation matter.

1.9 Financial and Value for Money Considerations

- 1.9.1 None related to this report.

1.10 Conclusion and Risk Assessment

- 1.10.1 The principal risks related to the proposed LTC lie within the balance between the level of traffic and environmental impact on the one hand and the accessibility and potential economic benefits that this major infrastructure investment could bring on the other. That is why the focus for this consultation response and our ongoing interest is on securing adequate investment on key parts of the existing highway network and junctions to run hand in hand with the LTC project.
- 1.10.2 Overall, it is considered that location C for the proposed crossing is supported as the most advantageous location in strategic transport and economic terms. In terms of the route choices south of the river, in the absence of any commitment to local improvements and more detail on traffic movements on the existing highway network, it is recommended that no final indication be given at this stage.

1.11 Recommendations

- 1.11.1 The issues and conclusions raised in this report be endorsed and be forwarded to Highways England along with the comments included in annex 2 as the Council's response to the public consultation

1.11.2 The Director of Planning, Housing and Environmental Health be requested to work with KCC in making a case to the Department of Transport and Highways England for a commitment to investment in the existing highway network referred to in this report.

contact: Ian Bailey
Jill Peet

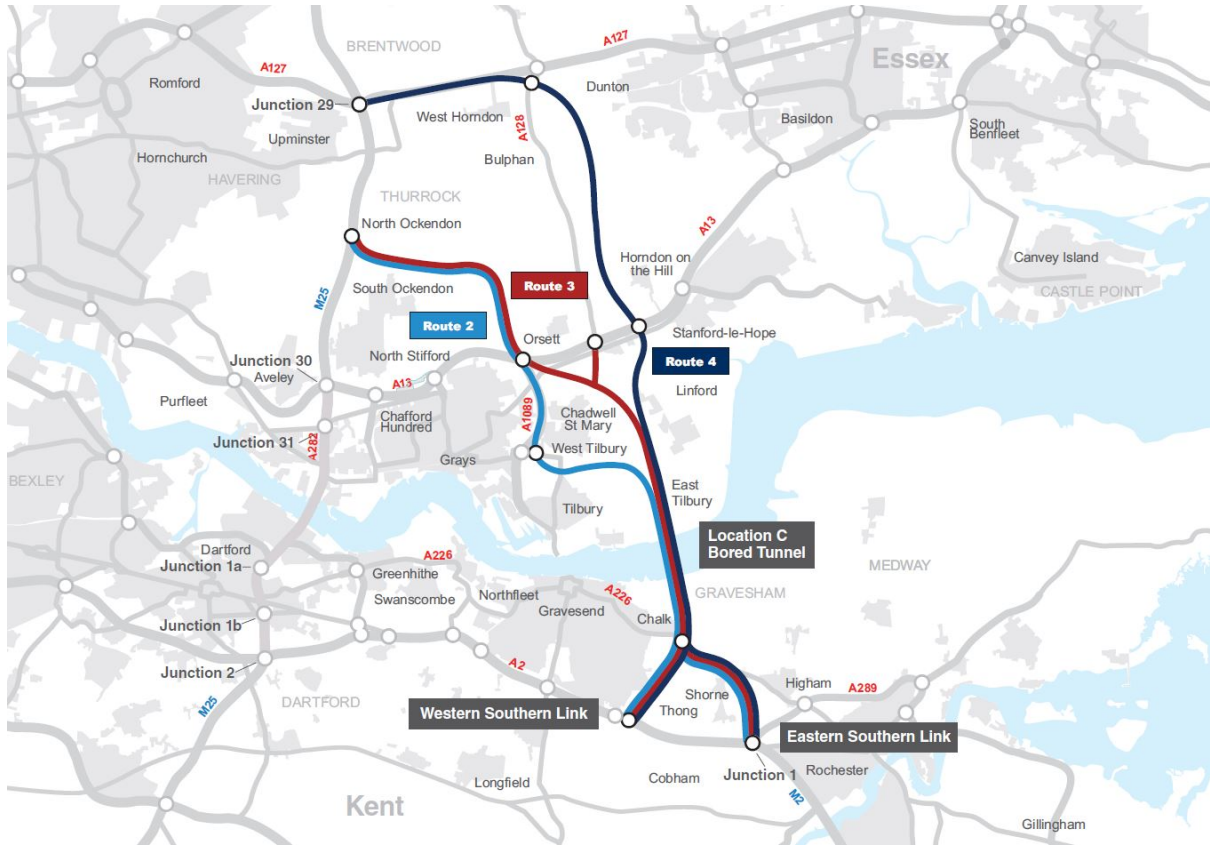
Steve Humphrey
Director, Planning, Housing and Environmental Health

Background papers:
Highways England Lower Thames Crossing Route
Consultation Documents 2016.

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ANNEX 1

Highways England Preferred Route for the Lower Thames Crossing, Route 4 and the Eastern Southern Link



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Annex 2

Lower Thames Crossing Consultation Questionnaire: TMBC Response

Crossing Location

5. Our proposal is a crossing at Location C, east of Gravesend and Tilbury.

On balance, do you agree or disagree with our proposals for the location of a crossing, at Location C?

Agree

Please provide the reason for your response to question 5.

Tonbridge and Malling Borough Council support Location C as it represents the most transport benefits for the region in terms of creating extra capacity and resilience across the strategic network and has the potential to add economic benefits for the Borough. Location C offers the relief from congestion at Dartford and mitigates traffic growth on the M20 corridor through Tonbridge and Malling.

However, the 'C Variant' proposals should be reinstated to ensure greater resilience in the Kent network and avoid future problems of congestion, potential accidents, air quality and noise issues along the A229 and at the M2 junction 3/ Lord Lees roundabout and junction 6 of the M20. It will also dissuade rat running on other routes such as the A228. This additional investment is directly related to the LTC proposals and should be advanced in parallel and as an integral part of the overall project.

Routes north of the river

6. There are three route options north of the river in Essex – Routes 2, 3 and 4.

Where do you think the route should be located north of the river?

There are no direct impacts of the route north of the river on this Borough and therefore the Council has no specific view.

Routes south of the river

8. There are two route options south of the river in Kent – the Western Southern Link and the Eastern Southern Link.

Western Southern Link

Eastern Southern Link

Another route

None of these

Don't know (in the absence of further traffic data)

Please provide the reasons for your response to question 8.

In terms of supporting a preferred southern route, there is not enough detail provided in terms of traffic impact, precise route and road layout and indicative access onto the surrounding network.

It is difficult to come to a final view at this stage without knowing what the realistic prospects might be of securing the road and junction improvements needed on the A229 between the M2 junction 3 and the M20 junction 6 and also to assess the detailed impact on the A228 and A227.

The Borough Council is mindful of the constraints and impact of the proposed junction arrangements of the preferred ESL route with the M2. Equally, it is concerned that the traffic impact of the WSL is uncertain at this stage and will in itself depend on the level of commitment to other network improvements contained in a 'C Variant' package.

We wish to work with HE and KCC to establish a clearer picture of these vital issues before a final design is selected.

9. Thinking about the two route options south of the river, on balance do you agree or disagree with our proposal for each of these?

Western Southern Link

Eastern Southern Link

The proposed scheme

10. Having evaluated the options, our proposed scheme is a new bored tunnel road crossing at Location C, following Route 3 north of the river and the Eastern Southern Link south of the river.

On balance, do you agree or disagree with our proposed scheme?

Tend to agree

Please provide the reasons for your response to question 10.

The C Variant (upgrade of the A229) has not been included as a result of an assessment which has concluded that "...this upgrade would have limited economic benefits, high environmental impact, a high cost and would have little benefit in transferring traffic from Dartford onto Location C routes". This means that some of the local economic benefits derived from the LTC could be negated by current traffic issues being accentuated along this route, including at key junctions.

The A229 is the main route between Maidstone and the Medway Towns and is the shortest link between the M2 and the M20. It is therefore the most likely route that will be taken by drivers using the Eurotunnel at Folkestone and the port at Dover with starting points or destinations north via the LTC. Given the existing congestion around Junctions 5/6 of the M20 and Blue Bell Hill/ Lord Lees roundabout (M2 junction 3), the opening of the Lower Thames Crossing without upgrades to one of the most direct routes to it from the south will only exacerbate congestion issues, resulting in a damaging impact on the local economy.

In addition to the above, it is highly likely that the additional traffic will result in an unacceptable deterioration in noise levels and has the potential to harm air quality and compromise road safety. It is also likely that in the absence of 'C Variant' more localised rat running will occur on the A228 and A227 with detrimental impacts on communities along those corridors.

The Council strongly urges Highways England to revisit the impacts of the LTC on the A229 and environs and ensure that highway improvements are in place at the same time as the LTC opens to ensure safe and free flowing traffic in this area.

Additional Junctions

11. We are proposing to create junctions with existing roads including the M2/A2, A226, A13 and M25. We would like to hear your views on whether you believe additional junctions would be beneficial.

We would welcome any comments you may have on our proposals for junctions.

The Council supports the principle of investment in the connecting and nearby infrastructure to ensure road safety and free flowing traffic that limits impacts on residential amenity.

Any other comments

We would welcome any other comments you may have on our proposals. (Please continue on a separate sheet if necessary).

Proposals should progress with the C Variant as an essential element of the LTC project. Without appropriate measures put in place to address the growth in traffic along this route, Highways England is failing in their duty.

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

22 March 2016

Report of the Management Team

Part 1- Public

Matters for Information

1 REVIEW OF FUNDING ARRANGEMENTS WITH PARISH COUNCILS

This report updates on progress with detailed research into funding for parish councils as commissioned by Cabinet at its meeting on 11 February. Unfortunately, at the time of writing, the work is still being finalised and is not ready to circulate with this agenda. Arrangements are being made for a special meeting of the Cabinet in April.

1.1 Funding Streams to be Reviewed

1.1.1 At the last meeting of Cabinet on 11 February, Members agreed an outline timetable to commence a review of funding to parish councils. Members are reminded that funding to parish councils is made up of two streams:

- 1) the Financial Arrangements with Parish Councils (FAPC) Scheme (currently circa £226,000 in total); and
- 2) the Council Tax Reduction Scheme (CTRS) contribution (currently circa £175,000 in total).

1.2 Objectives

1.2.1 At the outset, the main reason for commencing this review was to assist the Borough Council in making savings required through the Savings and Transformation Strategy (STS). This is, therefore, a key objective of this review.

1.2.2 However, there is a risk that simply reducing the funding to parish councils could generate 'inequity' across the borough. This is because 'all other things being equal', parish councils would need to levy additional precepts on residents in their areas to maintain the status quo; or alternatively cut local service provision to those residents.

- 1.2.3 This point has been touched upon during discussions at Cabinet (11 February – see minute CB16/6) and the recent meeting of the Parish Partnership Panel (PPP) on 18 February. An extract from the minutes of PPP is attached at **[Annex 1]**.
- 1.2.4 It is very important, therefore, that a second objective of this review must be to promote equity in terms of how much residents in different parts of the borough have to pay towards the cost of services.
- 1.2.5 The key objectives of this review are, therefore, twofold:
- 1) Make savings in the Borough Council's revenue budget; and
 - 2) Promote 'equity' across the borough in terms of how much residents in different parts of the borough have to pay towards the cost of services.

1.3 Progress

- 1.3.1 Work began in earnest by a cross-service team of officers immediately after the Cabinet decision on 11 February. However, the review has been extremely challenging and unfortunately, despite the priority that has been afforded, it has not been possible to complete the research and significant project work at this point in time given the complexity.
- 1.3.2 Having spoken with the Leader and Deputy Leader, it has been agreed that a special meeting of the Cabinet will be convened in April to consider this matter. At the time of writing, 20 April is being favoured as the date for the special meeting.
- 1.3.3 Members will appreciate that this slight delay will have an impact on the project plan, and we intend to bring an updated timetable to the meeting in April. It may be necessary to programme a special meeting of the Cabinet in July; but otherwise we believe the programme can still be delivered by the ultimate target date of 1 November (Full Council).
- 1.3.4 We appreciate that this is unfortunate, but hope that Cabinet will understand the significance and complexity of this project.

1.4 Parish Partnership Panel (PPP)

- 1.4.1 Members will note from the minutes of the PPP set out at [Annex 1] that members of the PPP (including the local branch of KALC) were advised that the 'options' report would be presented to Cabinet on 22 March.
- 1.4.2 Given the significance for parish councils, we propose to write to chairmen and clerks to advise that work has been slightly delayed, and it is intended to hold a special meeting of the Cabinet in April to consider the matter.

1.5 Legal Implications

- 1.5.1 None at this stage

1.6 Financial and Value for Money Considerations

1.6.1 One of the Council's objectives is to deliver savings in the context of the STS. However, it is acknowledged that promoting 'equity' across the borough in terms of how much residents in different parts of the borough have to pay towards the cost of services, is also an objective.

1.7 Risk Assessment

1.7.1 If the programme cannot be progressed and culminate in a decision by November, we would not be able to effect any savings for 2017/18.

1.8 Policy Considerations

1.8.1 Customer Contact; Community

Background papers:

contact: Sharon Shelton

Nil

Sharon Shelton
Director of Finance
& Transformation

Robert Styles
Director of Street Scene,
Leisure & Technical Services

Julie Beilby
Chief Executive

For Management Team

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Extract from Minutes of PARISH PARTNERSHIP PANEL on 18 February 2016**PPP 16/8 FINANCIAL ARRANGEMENTS WITH PARISH COUNCILS**

The Director of Finance and Transformation reported that the final Local Government Finance Settlement received by the Borough Council meant a funding reduction in respect of the Settlement Funding Assessment of 65.1% over a four year period. This equated to a loss of funding of £2.4M, and the impact needed to be addressed urgently.

2016/17 was the last year that Tonbridge and Malling would receive Revenue Support Grant (RSG), and in 2019/20 would have to give Government £1M as a 'tariff adjustment' out of the Council's local share of business rates income.

Following a decision by the Secretary of State, which allowed local authorities to raise Council Tax by £5 or 2.6%, whichever was the higher, without triggering a referendum, the Borough Council had resolved to raise Council Tax by £5.

The Borough Council faced a significantly difficult and challenging financial position and needed to achieve savings of circa £1.9M over the next 3-4 years. It was indicated that efficiency savings alone were no longer sufficient to address the budget position and all other measures would be explored, including a review of the provision of services.

Reference was made to a draft timetable, presented to Cabinet on 11 February, for commencing a review of partnership funding with parish councils including the Scheme of Financial Arrangements and the issue of funding passed to parish councils in respect of the council tax reduction scheme (CTRS). It was clarified that parish councils had already been advised of their allocations for 2016/17 so any new arrangement would impact in 2017/18 or later.

The Director of Finance and Transportation advised that it was the intention that a more detailed 'options' report be presented to Cabinet on 22 March, and she anticipated that the consultation process regarding financial arrangements and the CTRS grant would be finalised and approved at that meeting. She commented that whilst it was very important to receive views from parish councils, she hoped that parish councils would recognise that the Borough Council had an objective to alleviate significant financial pressure.

The Director of Finance & Transformation added that New Homes Bonus remained an area of significant risk. It could not be assumed that the funding would continue in its current form as this was currently out for consultation with the prospects of significant reductions in funding being made available.

KALC and the Parish Councils present thanked the Borough Council for the financial support offered to them in the past and understood the challenging circumstances being faced.

In response to a concern raised around the need to hold a referendum if parish precepts were raised, it was confirmed that, currently, the trigger did not affect parish councils.

A member of the Panel commented that it should not be forgotten that the reason the Borough Council awards grants to parish councils is because there is no town council in Tonbridge, and therefore the Borough Council has to pay directly for the 'local' services in Tonbridge. Tonbridge residents do not have to pay a local 'precept' and perhaps this should be considered if grants are to be reduced or withdrawn. The Chairman advised that all options were open and this would be explored in the context of this review.

All present recognised the difficult financial position faced by both borough and parish councils, especially in the light of reduced incomes and funding streams. The Vice-Chairman encouraged parishes to put forward any suggestions they had for improved efficiencies, savings and better ways of working.

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Agenda Item 13

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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Agenda Item 14

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT
INFORMATION**

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Agenda Item 18

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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