

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

Gibson Building
Gibson Drive
Kings Hill, West Malling
Kent ME19 4LZ
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To: MEMBERS OF THE COUNCIL

Dear Sir/Madam

I hereby summon you to attend a meeting of the Tonbridge and Malling Borough Council which will be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 12th April, 2016 at 7.30 pm, when the following business is proposed to be transacted:-.

PART 1 - PUBLIC

- | | | |
|----|---|---------|
| 1. | Apologies for absence | 3 - 4 |
| 2. | Declarations of interest | 5 - 6 |
| | To declare any interests in respect of recommended items | |
| 3. | Minutes | 7 - 20 |
| | To confirm as a correct record the Minutes of the meeting of Council held on 16 February 2016 | |
| 4. | Mayor's Announcements | 21 - 22 |
| 5. | Questions from the public pursuant to Council Procedure Rule No 5.6 | 23 - 24 |
| 6. | Questions from Members pursuant to Council Procedure Rule No 5.5 | 25 - 26 |
| 7. | Leader's Announcements | 27 - 28 |

8. Reports, Minutes and Recommendations 29 - 30

To receive and consider reports, minutes and recommendations from the meetings of the Cabinet and Committees set out in the Minute Book and officers' reports on any matters arising from them, and to receive questions and answers on any of those reports. Matters for recommendation to the Council are indicated below at items 9 to 11.

9. Proposed Licence Conditions for the Homeboarding of Dogs 31 - 58
and Cats and Dog Day Care Establishments

Item LA 16/16 referred from Licensing and Appeals Committee minutes of 16 March 2016

10. Haysden Country Park - Site Improvements 59 - 68

Item CB 16/27 referred from Cabinet minutes of 22 March 2016

11. Audit Committee Annual Report

Item referred from Audit Committee minutes of 5 April 2016

12. Changes to the Constitution 69 - 70

13. Appointments to Outside Bodies 71 - 72

14. Sealing of Documents 73 - 74

To authorise the Common Seal of the Council to be affixed to any Contract, Minute, Notice or other document requiring the same.

JULIE BEILBY
Chief Executive
Monday, 4 April 2016

Apologies for absence

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Agenda Item 2

Declarations of interest

To declare any interests in respect of recommended items.

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TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 16th February, 2016

At the meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 16th February, 2016

Present: His Worship the Mayor (Councillor O C Baldock), the Deputy Mayor (Councillor M R Rhodes), Cllr Mrs J A Anderson, Cllr M A C Balfour, Cllr Mrs S M Barker, Cllr M C Base, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr P F Bolt, Cllr J L Botten, Cllr V M C Branson, Cllr Mrs B A Brown, Cllr T I B Cannon, Cllr M A Coffin, Cllr D J Cure, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean, Cllr B T M Elks, Cllr Mrs S M Hall, Cllr S M Hammond, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr S R J Jessel, Cllr D Keeley, Cllr Mrs F A Kemp, Cllr S M King, Cllr R D Lancaster, Cllr D Lettington, Cllr Mrs S L Luck, Cllr B J Luker, Cllr D Markham, Cllr P J Montague, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr M Parry-Waller, Cllr H S Rogers, Cllr R V Roud, Cllr Miss S O Shrubsole, Cllr C P Smith, Cllr Ms S V Spence, Cllr A K Sullivan, Cllr M Taylor, Cllr F G Tombolis, Cllr B W Walker and Cllr T C Walker

Apologies for absence were received from Councillors Ms J A Atkinson, Mrs P A Bates, T Edmondston-Low, S C Perry and Miss J L Sergison

PART 1 - PUBLIC

C 16/1 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct. However, as Chairman of West Malling Parish Council, Councillor Mrs Dean declared an interest in the item relating to the Petition in respect of the proposed introduction of car parking charges in West Malling.

C 16/2 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 3 November 2015 be approved as a correct record and signed by the Mayor.

C 16/3 MAYOR'S ANNOUNCEMENTS

The Mayor reported that since the last meeting he had attended numerous Christmas Carol Services and Nativity Plays at local schools which had been entertaining and interesting in their variety and content.

He thanked the Deputy Mayor for representing the Borough at several events, including attending the Nikolausmarkt in Heusenstamm.

The Mayor advised that he had received a letter from Mr Neil Charlesworth, Chairman of Tonbridge Lions Club, following the Remembrance Parade and the Service held at the Watergate Memorial commending the young people and representatives of the Armed Services who had participated in these events. He advised that the letter would be circulated to all Members.

**C 16/4 QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL
PROCEDURE RULE NO 5.6**

No questions were received from members of the public pursuant to Council Procedure Rule No 5.6.

**C 16/5 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL
PROCEDURE RULE NO 5.5**

No questions were received from Members pursuant to Council Procedure Rule No 5.5.

**C 16/6 PETITION IN RESPECT OF PROPOSED INTRODUCTION OF
CAR PARKING CHARGES IN WEST MALLING**

The joint report of the Director of Street Scene, Leisure and Technical Services and the Director of Central Services and Monitoring Officer set out details of a petition presented by Mr R Selkirk, on behalf of West Malling Parish Council, at the Planning and Transportation Advisory Board held on 12 January 2016. The petition, which contained 2,500 signatures at that stage but had increased to 3,093 by the date of publication of the Council agenda, objected to the proposed introduction of car parking charges for the West Malling short stay car park. Members were reminded that, in accordance with the Council's Petition Scheme, any petition containing more than 1,500 signatures had to be discussed at a meeting of the Council.

The Council heard from Mr R Selkirk, as the organiser of the petition and from Mr R Meader of West Malling Chamber of Commerce, who was allowed to speak on the matter in accordance with Council Procedure Rule No 5.17.4. The Mayor reminded Members that their debate on the matter was limited to fifteen minutes and that, as the issue which had given rise to the petition was a matter for the Executive, any recommendation of the Council should inform that debate.

It was proposed by Councillor N Heslop and seconded by Councillor M Coffin that Cabinet be requested to consider the proposed introduction of car parking charges in West Malling at its next meeting, taking into account both the petition received from West Malling Parish

Council and the outcome of the formal public consultation exercise currently being undertaken.

Upon receipt of the necessary requisition under Council Procedure Rule 8.4 voting on the motion was recorded as follows:

Members voting for the motion:

Cllr Mrs J A Anderson, Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs S M Barker, Cllr M C Base, Cllr Mrs S Bell, Cllr R P Betts, Cllr P F Bolt, Cllr J L Botten, Cllr V M C Branson, Cllr Mrs B A Brown, Cllr T I B Cannon, Cllr M A Coffin, Cllr D J Cure, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr B T M Elks, Cllr Mrs S M Hall, Cllr S M Hammond, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr S R J Jessel, Cllr D Keeley, Cllr Mrs F A Kemp, Cllr S M King, Cllr R D Lancaster, Cllr D Lettington, Cllr Mrs S L Luck, Cllr D Markham, Cllr P J Montague, Cllr L J O'Toole, Cllr M Parry-Waller, Cllr M Rhodes, Cllr H S Rogers, Cllr C P Smith, Cllr Ms S V Spence, Cllr A K Sullivan, Cllr F G Tombolis, Cllr B W Walker and Cllr T C Walker

Total 41

Members voting against the motion:

Cllr T Bishop, Cllr Mrs T Dean, Cllr Mrs A S Oakley, Cllr R V Roud, Cllr Miss S O Shrubsole and Cllr M Taylor

Total 6

Members abstaining:

Cllr B J Luker

Total 1

The motion was accordingly declared carried.

C 16/7 LEADER'S ANNOUNCEMENTS

The Leader indicated that, as this was the budget meeting of Council, Councillor Coffin would be making recommendations for setting the Budget and the level of Council Tax later in the meeting. The Leader acknowledged that the financial challenges facing the Council were familiar across the whole of local government. He stated that the strategic approach taken by the administration to meet the financial challenge was to recommend the adoption of a Savings and Transformation Strategy by the Council to help guide decisions which would enable the delivery of the savings to be achieved by 2019/20. He noted that this was the first occasion that the Council had taken such an approach.

He advised that, while at a very early stage, a further strand was being developed which related to more joined up working on two key fronts. Firstly, the Borough Council was in discussion with the County Council on a 'District Deal' which would seek opportunities for more local service delivery and better use of property assets. Secondly, along with fellow West Kent district councils, discussions were being held on the development of a closer working relationship with the County Council over common issues affecting these authorities. As an example, the Leader indicated that this built on closer working on Economic Development and Tourism through the West Kent Partnership. He advised that he would report back on progress made in these areas in due course.

The Leader advised Members that he had pressed for a clear timetable for the improvements to be made to the Leigh Flood Storage Area (FSA). He recalled that, in announcing that funding would be made available to increase capacity at the Leigh FSA and to bring the programme forward from 2035 to 2017, the Government had stated that improvements would be made at key locations on the River Medway and the rivers Beult and Teise. In response the Environment Agency had established a project team and employed consultants to undertake technical work, including catchment modelling. The Leader expressed the belief that the works required to improve the Leigh FSA were well understood and capable of early implementation and that the Environment Agency's position was that work on the Medway Flood Storage Areas project was proceeding on time and on budget. He advised that the Environment Agency officials would be presenting the findings of the Initial Assessment to the project's Executive Group on 19 February 2016. The Leader advised that he would be attending a Flood Forum meeting hosted by the County Council in early March at which he would be making it clear that the Leigh Scheme should be progressed.

The Council was reminded that it regularly held meetings with a number of housing associations at the Housing Associations Liaison Panel which were chaired by Councillor Mrs Anderson and noted that a detailed report on the most recent round of meetings would be considered by the Housing and Environment Services Advisory Board on 22 February 2016. The Leader indicated that two notable concerns had emerged from the meetings. Firstly, that the housing associations were looking to make substantial operational efficiencies in light of recent changes in the sector such as the 1% rent reduction announced in the Budget. Secondly, although the housing associations continued to actively seek opportunities to provide new affordable housing within the Borough, this had become a greater challenge. He advised that the reduction on capital funding overall and the focus on Shared Ownership could lead to a significant reduction in the provision of Social Rent and Affordable Rent. He stated that some housing associations saw delivery for outright sale as a means to cross subsidise the provision of more units for rent and as part of a broader offer to meet housing need.

The Leader was pleased to inform the Council that the Chief Environmental Health Officer, Jane Heeley, had been nominated to the shortlist for the Better Business for All Awards. He invited Members to join him in congratulating her on this nomination which recognised the hard work and dynamic leadership she had shown in leading the programme in Kent.

Finally, the Leader announced that three sets of external funding had been secured for outdoor leisure projects. The SITA Trust had made an award of £50,000 to the Borough Council for improvements to play facilities at Haysden Country Park; the Rangers at Leybourne Lakes had received confirmation of a successful bid to TESCO funded by the introduction of the 5p carrier bag charge which guaranteed a minimum of £8,000 to be used to enhance the existing dipping pond area; and a joint bid with Tonbridge Round Table to Sport England had secured funding for the construction of two concrete table tennis tables at Tonbridge Racecourse sportsground.

C 16/8 SAVINGS AND TRANSFORMATION STRATEGY

Item CB 15/64 referred from Extraordinary Cabinet minutes of 17 November 2015

RESOLVED: That the recommendations at Minute CB 15/64 be approved.

C 16/9 LOCALISM ACT - PAY POLICY

Item GP 16/4 referred from General Purposes Committee minutes of 1 February 2016

RESOLVED: That the recommendations at Minute GP 16/4 be approved.

C 16/10 SETTING THE BUDGET FOR 2016/17

Item CB 16/4 referred from Cabinet minutes of 11 February 2016

It was proposed by Councillor M Coffin and seconded by Councillor N Heslop that the recommendations at Minute CB 16/4 be adopted. In accordance with Council Procedure Rule No 8.5 voting was recorded as follows:

Members voting for the motion:

Cllr Mrs J A Anderson, Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs S M Barker, Cllr M C Base, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr P F Bolt, Cllr J L Botten, Cllr V M C Branson, Cllr Mrs B A Brown, Cllr T I B Cannon, Cllr M A Coffin, Cllr D J Cure, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean,

Cllr B T M Elks, Cllr Mrs S M Hall, Cllr S M Hammond,
Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr S R J Jessel, Cllr D Keeley,
Cllr Mrs F A Kemp, Cllr S M King, Cllr R D Lancaster, Cllr D Lettington,
Cllr Mrs S L Luck, Cllr B J Luker, Cllr D Markham, Cllr P J Montague,
Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr M Parry-Waller,
Cllr M R Rhodes, Cllr H S Rogers, Cllr R V Roud,
Cllr Miss S O Shrubsole, Cllr C P Smith, Cllr Ms S V Spence,
Cllr A K Sullivan, Cllr M Taylor, Cllr F G Tombolis, Cllr B W Walker and
Cllr T C Walker

Total 48

Members voting against the motion:

None

Members abstaining:

None

RESOLVED: That the recommendations at Minute CB 16/4 be approved.

C 16/11 SETTING THE COUNCIL TAX 2016/17

Item CB 16/5 referred from Cabinet minutes of 11 February 2016

It was proposed by Councillor M Coffin and seconded by Councillor N Heslop that the recommendations at Minute CB 16/5 be adopted. In accordance with Council Procedure Rule No 8.5 voting was recorded as follows:

Members voting for the motion:

Cllr Mrs J A Anderson, Cllr O C Baldock, Cllr M A C Balfour,
Cllr Mrs S M Barker, Cllr M C Base, Cllr Mrs S Bell, Cllr R P Betts,
Cllr T Bishop, Cllr P F Bolt, Cllr J L Botten, Cllr V M C Branson,
Cllr Mrs B A Brown, Cllr T I B Cannon, Cllr M A Coffin, Cllr D J Cure,
Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Mrs T Dean,
Cllr B T M Elks, Cllr Mrs S M Hall, Cllr S M Hammond,
Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr S R J Jessel, Cllr D Keeley,
Cllr Mrs F A Kemp, Cllr S M King, Cllr R D Lancaster, Cllr D Lettington,
Cllr Mrs S L Luck, Cllr B J Luker, Cllr D Markham, Cllr P J Montague,
Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr M Parry-Waller,
Cllr M R Rhodes, Cllr H S Rogers, Cllr R V Roud,
Cllr Miss S O Shrubsole, Cllr C P Smith, Cllr Ms S V Spence,
Cllr A K Sullivan, Cllr M Taylor, Cllr F G Tombolis, Cllr B W Walker and
Cllr T C Walker

Total 48

Members voting against the motion:

None

Members abstaining:

None

RESOLVED: That the recommendations at Minute CB 16/5 be approved and the Council Tax Resolution 2016/17, as set out as an Annex to these Minutes, be adopted.

C 16/12 SAVINGS AND TRANSFORMATION STRATEGY UPDATE

Item CB 16/6 referred from Cabinet minutes of 11 February 2016

RESOLVED: That the recommendations at Minute CB 16/6 be approved.

C 16/13 EQUALITY POLICY STATEMENT AND OBJECTIVES 2016-20

Item CB 16/7 referred from Cabinet minutes of 11 February 2016

RESOLVED: That the recommendations at Minute CB 16/7 be approved.

C 16/14 TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY 2016/17

Item CB 16/8 referred from Cabinet minutes of 11 February 2016

RESOLVED: That the recommendations at Minute CB 16/8 be approved.

C 16/15 TECHNICAL CHANGES TO COUNCIL TAX

Item CB 16/9 referred from Cabinet minutes of 11 February 2016

RESOLVED: That the recommendations at Minute CB 16/9 be approved.

C 16/16 DRAFT SAFEGUARDING POLICY

Item CB 16/10 referred from Cabinet minutes of 11 February 2016

RESOLVED: That the recommendations at Minute CB 16/10 be approved.

C 16/17 RECOMMENDATION TO COUNCIL FOLLOWING HEARING OF JOINT STANDARDS COMMITTEE ON 4 JANUARY 2016

Consideration was given to the report of the Director of Central Services and Monitoring Officer regarding the recommendations of the Hearing Panel of the Joint Standards Committee which had met on 4 January 2016 to determine an allegation that Councillor Mike Taylor had breached the Codes of Conduct of Borough Green Parish Council and Tonbridge and Malling Borough Council.

The Panel had found that there had been a breach in respect of the obligation set out at paragraph 1 of the Borough Green Parish Council Code of Conduct which required members to “behave in such a way that a reasonable person would regard as respectful”. The Panel had found that there had been a breach of the Borough Council’s Code in respect of obligation 3(2)(f): “You must not conduct yourself in a manner which would reasonably be regarded as bringing your office or the Authority into disrepute” and the full reasons for the decision were contained in the Decision Notice set out at Annex 3 to the report.

Details were given of the sanctions agreed by the Panel, one of which was recommended to the Council for ratification; the remainder, relating to the Panel writing a formal letter to Councillor Taylor, reporting the Panel’s findings to Borough Green Parish Council, publication of the Panel’s findings on the TMBC website and emailing the findings to all Borough Councillors and Borough Green Parish Councillors, the local press and all Parish Clerks, had been implemented.

It was proposed by Councillor D Davis, seconded by Councillor D Cure and

RESOLVED: That the recommendations of the Hearing Panel be adopted as follows:

- (1) Councillor M Taylor be formally censured.

C 16/18 APPOINTMENTS TO OUTSIDE BODIES

Consideration was given to the report of the Director of Central Services regarding the re-nomination of a representative to serve as a Trustee of Sir Thomas Smythe’s Charity for a further term of office.

RESOLVED: That Mrs Betty Keywood be re-nominated as a Trustee of Sir Thomas Smythe’s Charity for the parish of St Stephen for a further four year term of office.

C 16/19 SEALING OF DOCUMENTS

RESOLVED: That authority be given for the Common Seal of the Council to be affixed to any instrument to give effect to a decision of the Council incorporated into these Minutes and proceedings.

The meeting ended at 8.46 pm

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COUNCIL TAX

DRAFT RESOLUTION

1. It be noted that on 16th February 2016 the Council calculated:
- (a) the Council Tax Base 2016/17 for the whole Council area as 47,629.13 [Item T in the formula in Section 31B(1) of the Local Government Finance Act 1992, as amended (the "Act")] and,
- (b) for dwellings in those parts of its area to which a Parish precept relates as follows:

Addington	382.75
Aylesford	3,934.33
Birling	195.89
Borough Green	1,531.89
Burham	440.86
Ditton	1,738.72
East Malling & Larkfield	4,849.82
East Peckham	1,263.22
Hadlow	1,483.85
Hildenborough	2,164.42
Ightham	1,094.58
Kings Hill	3,855.49
Leybourne	1,510.94
Mereworth	417.70
Offham	373.70
Platt	855.89
Plaxtol	573.16
Ryarsh	283.08
Shipbourne	250.74
Snodland	3,413.09
Stansted	243.45
Trottscliffe	263.04
Wateringbury	885.48
West Malling	1,096.26
West Peckham	173.32
Wouldham	468.55
Wrotham	826.42

2. £9,169,057 being the Council Tax requirement for the Council's own purposes for 2016/17 (excluding Parish Precepts). [Item R in the formula in Section 31B(1) of the Local Government Finance Act 1992 (as amended)].

(h)

Valuation Bands

<u>Part of the Council's area</u>	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Tonbridge	128.34	149.73	171.12	192.51	235.29	278.07	320.85	385.02
Addington	161.31	188.19	215.08	241.96	295.73	349.50	403.27	483.92
Aylesford	158.39	184.79	211.19	237.59	290.39	343.19	395.98	475.18
Birling	158.19	184.56	210.92	237.29	290.02	342.75	395.48	474.58
Borough Green	195.13	227.65	260.17	292.69	357.73	422.77	487.82	585.38
Burham	157.74	184.03	210.32	236.61	289.19	341.77	394.35	473.22
Ditton	208.24	242.95	277.65	312.36	381.77	451.19	520.60	624.72
East Malling & Larkfield	160.27	186.99	213.70	240.41	293.83	347.26	400.68	480.82
East Peckham	187.95	219.28	250.60	281.93	344.58	407.23	469.88	563.86
Hadlow	164.39	191.78	219.18	246.58	301.38	356.17	410.97	493.16
Hildenborough	145.01	169.17	193.34	217.51	265.85	314.18	362.52	435.02
Ightham	193.09	225.28	257.46	289.64	354.00	418.37	482.73	579.28
Kings Hill	169.92	198.24	226.56	254.88	311.52	368.16	424.80	509.76
Leybourne	179.00	208.83	238.67	268.50	328.17	387.83	447.50	537.00
Mereworth	147.41	171.97	196.54	221.11	270.25	319.38	368.52	442.22
Offham	157.83	184.13	210.44	236.74	289.35	341.96	394.57	473.48
Platt	176.63	206.07	235.51	264.95	323.83	382.71	441.58	529.90
Plaxtol	157.03	183.20	209.37	235.54	287.88	340.22	392.57	471.08
Ryarsh	161.99	188.99	215.99	242.99	296.99	350.99	404.98	485.98
Shipbourne	151.32	176.54	201.76	226.98	277.42	327.86	378.30	453.96
Snodland	178.39	208.12	237.85	267.58	327.04	386.50	445.97	535.16
Stansted	172.15	200.85	229.54	258.23	315.61	373.00	430.38	516.46
Trottscliffe	161.29	188.17	215.05	241.93	295.69	349.45	403.22	483.86
Wateringbury	210.79	245.93	281.06	316.19	386.45	456.72	526.98	632.38
West Malling	173.34	202.23	231.12	260.01	317.79	375.57	433.35	520.02
West Peckham	139.87	163.19	186.50	209.81	256.43	303.06	349.68	419.62
Wouldham	167.73	195.68	223.64	251.59	307.50	363.41	419.32	503.18
Wrotham	180.77	210.89	241.02	271.15	331.41	391.66	451.92	542.30

being the amounts given by multiplying the amounts at 3(f) and 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. That it be noted that for the year 2016/17 The Police & Crime Commissioner for Kent, the Kent & Medway Fire & Rescue Authority and the Kent County Council have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

<u>Precepting Authority</u>	<u>Valuation Bands</u>							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
The Police & Crime Commissioner for Kent	101.43	118.34	135.24	152.15	185.96	219.77	253.58	304.30
Kent & Medway Fire & Rescue Authority	48.00	56.00	64.00	72.00	88.00	104.00	120.00	144.00
Kent County Council	755.70	881.65	1,007.60	1,133.55	1,385.45	1,637.35	1,889.25	2,267.10

5. That, having calculated the aggregate in each case of the amounts at 3(h) and 4. above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2016/17, for each of the categories of dwellings shown below:

<u>Part of the Council's area</u>	<u>Valuation Bands</u>							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Tonbridge	1,033.47	1,205.72	1,377.96	1,550.21	1,894.70	2,239.19	2,583.68	3,100.42
Addington	1,066.44	1,244.18	1,421.92	1,599.66	1,955.14	2,310.62	2,666.10	3,199.32
Aylesford	1,063.52	1,240.78	1,418.03	1,595.29	1,949.80	2,304.31	2,658.81	3,190.58
Birling	1,063.32	1,240.55	1,417.76	1,594.99	1,949.43	2,303.87	2,658.31	3,189.98
Borough Green	1,100.26	1,283.64	1,467.01	1,650.39	2,017.14	2,383.89	2,750.65	3,300.78
Burham	1,062.87	1,240.02	1,417.16	1,594.31	1,948.60	2,302.89	2,657.18	3,188.62
Ditton	1,113.37	1,298.94	1,484.49	1,670.06	2,041.18	2,412.31	2,783.43	3,340.12
East Malling & Larkfield	1,065.40	1,242.98	1,420.54	1,598.11	1,953.24	2,308.38	2,663.51	3,196.22
East Peckham	1,093.08	1,275.27	1,457.44	1,639.63	2,003.99	2,368.35	2,732.71	3,279.26
Hadlow	1,069.52	1,247.77	1,426.02	1,604.28	1,960.79	2,317.29	2,673.80	3,208.56
Hildenborough	1,050.14	1,225.16	1,400.18	1,575.21	1,925.26	2,275.30	2,625.35	3,150.42
Ightham	1,098.22	1,281.27	1,464.30	1,647.34	2,013.41	2,379.49	2,745.56	3,294.68
Kings Hill	1,075.05	1,254.23	1,433.40	1,612.58	1,970.93	2,329.28	2,687.63	3,225.16
Leybourne	1,084.13	1,264.82	1,445.51	1,626.20	1,987.58	2,348.95	2,710.33	3,252.40
Mereworth	1,052.54	1,227.96	1,403.38	1,578.81	1,929.66	2,280.50	2,631.35	3,157.62
Offham	1,062.96	1,240.12	1,417.28	1,594.44	1,948.76	2,303.08	2,657.40	3,188.88
Platt	1,081.76	1,262.06	1,442.35	1,622.65	1,983.24	2,343.83	2,704.41	3,245.30
Plaxtol	1,062.16	1,239.19	1,416.21	1,593.24	1,947.29	2,301.34	2,655.40	3,186.48
Ryarsh	1,067.12	1,244.98	1,422.83	1,600.69	1,956.40	2,312.11	2,667.81	3,201.38
Shipbourne	1,056.45	1,232.53	1,408.60	1,584.68	1,936.83	2,288.98	2,641.13	3,169.36
Snodland	1,083.52	1,264.11	1,444.69	1,625.28	1,986.45	2,347.62	2,708.80	3,250.56
Stansted	1,077.28	1,256.84	1,436.38	1,615.93	1,975.02	2,334.12	2,693.21	3,231.86
Trottscliffe	1,066.42	1,244.16	1,421.89	1,599.63	1,955.10	2,310.57	2,666.05	3,199.26
Wateringbury	1,115.92	1,301.92	1,487.90	1,673.89	2,045.86	2,417.84	2,789.81	3,347.78
West Malling	1,078.47	1,258.22	1,437.96	1,617.71	1,977.20	2,336.69	2,696.18	3,235.42
West Peckham	1,045.00	1,219.18	1,393.34	1,567.51	1,915.84	2,264.18	2,612.51	3,135.02
Wouldham	1,072.86	1,251.67	1,430.48	1,609.29	1,966.91	2,324.53	2,682.15	3,218.58
Wrotham	1,085.90	1,266.88	1,447.86	1,628.85	1,990.82	2,352.78	2,714.75	3,257.70

Mayor's Announcements

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Agenda Item 5

Questions from the public pursuant to Council Procedure Rule No 5.6

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Agenda Item 6

Questions from Members pursuant to Council Procedure Rule No 5.5

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Leader's Announcements

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Agenda Item 8

<u>Meeting</u>	<u>Date</u>	<u>Page Nos. in Minute Book</u>	<u>Recommendations to Council</u>
Licensing and Appeals Panels (x3)	24 February	103 – 108	-
Licensing and Appeals Panel	15 March	109 – 111	-
Licensing and Appeals Committee	16 March	112 – 113	LA 16/16
Cabinet	22 March	114 – 117	CB 16/27
Audit Committee	5 April	To follow	
Area 3 Planning Committee	4 February	AP 32 – 33	-
Area 2 Planning Committee	2 March	AP 34 – 37	-
Area 3 Planning Committee	17 March	AP 38 – 40	-

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Item LA 16/16 referred from Licensing and Appeals Committee of 16 March 2016

**LA 16/16 PROPOSED LICENCE CONDITIONS FOR THE
HOMEBOARDING OF DOGS AND CATS AND DOG DAY
CARE ESTABLISHMENTS**

Further to Minute LA 15/90, the report of the Director of Central Services and Monitoring Officer gave details of proposed licensing conditions in respect of the home boarding of dogs and cats. The Annexes to the report set out proposed standards and controls for the regulation of home boarding of dogs and cats and day care dog boarding establishments carried out within a business premises and, alternatively, the home environment. Consideration was also given to proposed licensing fees and recovery of costs of additional veterinary inspections.

Members requested that the need for maximum permitted numbers of animals be made clear in the publicity for the scheme. They also raised questions about accepting stage payments for fees and exploring tendering for veterinary services.

RECOMMENDED: That

- (1) the licence conditions detailed in Annexes 1, 2 and 3 to the report be adopted subject in each case to the deletion of the word “always” in paragraph 6.8.1 in the section on Supervision;
- (2) the annual fee of £150 be approved to cover the costs associated with the administration and inspection regime; and
- (3) the cost of additional veterinary fees be recovered from the applicant on the basis set out at paragraph 1.3.1 of the report.

***Referred to Council**

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TONBRIDGE & MALLING BOROUGH COUNCIL

LICENSING & APPEALS COMMITTEE

16 March 2016

Report of Director of Central Service and Monitoring Officer

Part 1- Public

Matters for Recommendation to Council

1 PROPOSED LICENCE CONDITIONS FOR THE HOMEBOARDING OF DOGS AND CATS AND DOG DAY CARE ESTABLISHMENTS

This report details proposals to adopt licensing conditions in respect of the home boarding of dogs and cats.

1.1 Background

- 1.1.1 Section 1 of the Animal Boarding Establishments Act 1963 requires that any person keeping a boarding establishment for other people's dogs or cats must be licensed by the Local Authority. This applies to traditional boarding establishments (i.e. kennels and catteries).
- 1.1.2 A new style of boarding is becoming increasingly popular whereby pet animals are home boarded in a domestic environment for a traditional holiday period or for the day. Recently the Council has become aware of one home boarder who would like to be licensed.
- 1.1.3 Existing animal boarding licence conditions are not wholly suited to the home boarding environment.
- 1.1.4 The proposed licence conditions (**Annex 1, 2 and 3**) are based on the Local Government Regulation and British Kennel and Cattery Association model conditions and provide a relevant set of standards and controls for the regulation of home boarding of cats and dogs and dog day care establishments.
- 1.1.5 The applicant would be required to re-apply for their licence annually.
- 1.1.6 If non-compliances are found, the Licensing Authority would have the following enforcement options:
- i) To advise the license holder in writing of non-compliances and encourage necessary improvements;
 - ii) If the matter is serious, to consider taking legal proceedings against the licence holder;

- iii) If the matter is very serious or if there is repeated non-compliance, to make representation to have the licence revoked.

1.2 Legal Implications

- 1.2.1 As set out above

1.3 Financial and Value for Money Considerations

- 1.3.1 The current annual licensing fee for an Animal Boarding Establishment is £262. The proposed fee for new home boarding, dog day care licences and for annual renewals is £150 to cover licensing administration and inspection costs. For first time applicants a veterinary inspection will be conducted at an additional cost to the applicant. Otherwise veterinary inspections would be undertaken at the officer's request and the applicant would be charged an additional fee.

1.4 Risk Assessment

- 1.4.1 Failure to regulate home boarding and dog day care establishments will mean that people choosing to board their animals in a domestic setting are not covered by similar controls governing traditional kennels and catteries.

1.5 Equality Impact Assessment

- 1.5.1 See 'Screening for equality impacts' table at end of report

1.6 Recommendations

- 1.6.1 The Committee is **RECOMMENDED** to:
 - i) adopt the licence conditions detailed in Annex 1 & 2 and 3;
 - ii) agree the annual fee of £150 to cover the costs associated with the administration and inspection regime; and
 - iii) agree to cost recovery of additional veterinary fees.

Background papers:

Nil

contact:

Melanie Henbest 6192

Anthony Garnett 6151

Adrian Stanfield

Central Services Director and Monitoring Officer

Animal Boarding Establishment Act 1963

Conditions for home boarding of cats and dogs

GENERAL

- 1.1 Unless otherwise stated, these conditions shall apply to all buildings and areas to which dogs and/or cats *{delete as appropriate}* have access and/or which are used in association with the home boarding of dogs and/or cats *{delete as appropriate}*.
- 1.2 No dog breed as defined under the Dangerous Dogs Act 1991(as amended) must be accepted for home boarding.
- 1.3 The Licensee must not knowingly accept any dog, which has been subject to successful action under Section 3 of the Dangerous Dogs Act 1991(as amended).
- 1.4 Dog hybrids registered under the Dangerous Wild Animal Act 1976 (e.g. Wolf Hybrids) are not to be accepted for home boarding.
- 1.5 Entire males and bitches in season or bitches due to be in season during boarding, including resident dogs, must not be boarded together.
- 1.6 Entire males and queens in season must not be boarded with other cats. Kittens under 6 months of age must not be boarded with any other cats unless it is their mother.
- 1.7 Puppies under 6 months must not be boarded with other dogs unless they have been suitably vaccinated and no difficulties identified during a documented trial socialisation period.
- 1.8 The local authority must be satisfied that the licensee is not disqualified from keeping animals under any relevant legislation and has experience as a dog or cat *{delete as appropriate}* owner.
- 1.9 The appointed officer of the Licensing Authority can, at any reasonable time, have a right of entry onto the premises for the purpose of carrying out any of the relevant statutory provisions. To enable these provisions to be carried out, the appointed officer may take any other person authorised by the Council that may be considered necessary.
- 1.10 The Licensee must ensure that the establishment is covered by adequate and suitable public liability insurance and, where necessary, adequate and suitable employers liability insurance. Certificates of insurance must be produced on request to clients or the Licensing Authority.

2. **LICENCE DISPLAY**

- 2.1 A copy of the licence and its associated conditions must be suitably displayed to the public in a prominent position in, on or about the premises or made available to each boarder.

3. **NUMBERS OF ANIMALS**

- 3.1 The maximum number of dogs or cats *{delete as appropriate}* to be boarded at any one time is *(enter number)*
- 3.2 Only cats from one family may be boarded at any one time.
- 3.3 Dogs or cats *{delete as appropriate}* must not be boarded with any dog or cat *{delete as appropriate}*, unless they normally live together in the same household.
- 3.4 Only dogs from the same household may be boarded at any one time unless the licence holder has:
- Secured the specific written consent of each household to confirm that they are content for their dogs to be boarded with others
 - A mandatory, documented trial familiarisation session takes place for all dogs prior to their stay
 - Where dogs from different households are boarded together, safe behavioural integration must be established and documented before being left unsupervised. In cases of unexpected unsafe integration, separation of the appropriate dog(s), must occur immediately and must be maintained when left unattended.
 - Dogs are fed separately to minimise the likelihood of dispute and aggression.
- 3.5 Where there is a resident cat or dog kept in the household, written consent from the owners of the boarded dog/cat *{delete as appropriate}* must be gained following a trial familiarisation session.

4. **CONSTRUCTION**

- 4.1 Dogs or cats *{delete as appropriate}* must live in the home as family pets. There must be no external construction of buildings, cages or runs.
- 4.2 The premises shall have its own entrance and must not have shared access e.g. communal stairs.

- 4.3 There must be adequate space, light, heat and ventilation for the dogs or cats *{delete as appropriate}*.
- 4.4 As far as reasonably practicable all areas/rooms within the home to which boarded dogs or cats *{delete as appropriate}* have access, must have no physical or chemical hazards that may cause injury to the dogs or cats *{delete as appropriate}*.
- 4.5 There must be sufficient space available to be able to keep the dogs or cats *{delete as appropriate}* separately if required.

5 EXERCISE FACILITIES

- 5.1 Dogs must be exercised in accordance with their owner's wishes. If dogs are taken off the premises, they must be kept on leads unless with the owners written permission.
- 5.2 There must be direct access to a suitable outside area. The area/garden must only be for the home owner (not shared with other residents). The area must be kept clean.
- 5.3 The exercise area/garden area of the premises and any other area to which boarded dogs may have access, must be totally secure and safe. Fencing must be adequate to offer security to prevent escape and be safe, with no dangerous sharp objects or protrusions. Gates must be able to be locked.
- 5.4 If there is a pond or pool, it must be covered by a fixed cover or fenced to avoid drowning.
- 5.5 Dogs or cats *{delete as appropriate}* must wear a collar and identity tag during their time in boarding. The tag must display the name, address and telephone number of the boarding premises.
- 5.6 Cats must not be allowed outside unless they are on leads, or with the owner's written permission.
- 5.7 Where cats are boarded a double door system must be employed so that no cat has direct access to any external door in regular use.
- 5.8 The Licensing Authority must be informed on the next working day if a dog or cat *{delete as appropriate}* is lost.

6 MANAGEMENT

6.1 TRAINING

6.1.1 The Licensee must be able to demonstrate that they are competent to care for their boarders.

6.1.2 Where applicable, a written training policy for staff must be provided. Staff must be trained in the safe handling of animals, emergency procedures and all relevant licence conditions that are applicable to their work. Staff should also be regularly vaccinated against Tetanus.

6.2 CLEANLINESS

6.2.1 All areas where the dogs or cats *{delete as appropriate}* have access to, including the kitchen, must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and dog or cat *{delete as appropriate}* comfort.

6.2.2 All excreta and soiled material must be removed from all areas used by dogs or cats *{delete as appropriate}* at least daily and more often if necessary. Disposal facilities for animal waste must be agreed with the Licensing Authority.

6.2.3 Where cats are boarded suitably sized impermeable litter trays, which are easy to clean and disinfect must be provided at all times. These must be emptied and cleansed at least once a day and as necessary at any time during the day if found to be unduly soiled. A suitable material for litter must be provided.

6.2.4 All bedding areas must be kept clean and dry.

6.2.5 Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs or cats *{delete as appropriate}* with infectious diseases. The final route for all such waste shall comply with current waste regulations.

6.2.6 Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.

6.3 FOOD AND WATER SUPPLIES

- 6.3.1 All dogs or cats *{delete as appropriate}* shall have an adequate supply of suitable food as directed by the client.
- 6.3.2 Fresh drinking water must be available at all times (unless advised otherwise by a veterinary surgeon) and the drinking vessel cleaned daily. The water must be changed at least twice a day.
- 6.3.3 Suitable bedding, bowls, grooming materials etc must be provided. Clients may be encouraged to provide their own items. These items must be cleaned regularly to prevent cross-infection. The Licensee must also be able to provide extra materials.
- 6.3.4 Where necessary, eating and drinking vessels must be provided, and where so, they must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must also be maintained in a clean condition. Feeding bowls must be cleaned or disposed of after each meal and each dog or cat *{delete as appropriate}* must be provided with its own bowl.

6.4 KITCHEN FACILITIES

- 6.4.1 Airtight containers must be provided for the storage of dry foods. Uncooked food and the remains of opened tins must be stored in covered, non-metal, leak proof containers in the fridge.
- 6.4.2 All bulk supplies of food shall be kept in vermin proof containers. These must be stored in a separate area from where the dogs or cats *{delete as appropriate}* are kept.

6.5 DISEASE CONTROL AND VACCINATION

- 6.5.1 Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs or cats *{delete as appropriate}*, staff and visitors.
- 6.5.2 Proof must be provided that boarded and resident dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagicae*) and Canine Parvovirus and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturer's instructions. A record that this proof has been supplied must be kept on-site throughout the period that the dog is boarded.

- 6.5.3 Proof must be provided that boarded and resident cats have current vaccinations against infectious feline enteritis, feline respiratory disease and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturer's instructions. A record that this proof has been supplied must be kept on-site throughout the period that the cat is boarded.
- 6.5.4 Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog or cat *{delete as appropriate}* is sick or injured, any instructions for its treatment, which have been given by a veterinary surgeon, must be strictly followed.
- 6.5.5 A well-stocked first-aid kit suitable for use on dogs or cats *{delete as appropriate}* must be available and accessible on site.
- 6.5.6 The Licensee must be registered with a veterinary practice that can provide 24-hour help and advice. The clients own veterinary practice must be known and consulted if necessary.
- 6.5.7 Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in premises, boarded and resident dogs or cats *{delete as appropriate}*. Proof must be maintained for all routine and emergency treatments for parasites.
- 6.5.8 The premises shall be treated for fleas and parasites with an effective product as necessary.

6.6 ISOLATION AND CONTAGIOUS DISEASE OUTBREAK.

- 6.6.1 Dogs or cats *{delete as appropriate}* showing signs of any disease or illness shall be isolated from any other dogs or cats *{delete as appropriate}* and kept within the premises until veterinary advice is obtained. There must be sufficient facilities within the licensed premises to ensure effective separation of any sick animal.
- 6.6.2 Upon veterinary diagnosis, the Licensee shall inform the Council without delay if a dog or cat *{delete as appropriate}* is diagnosed with an infectious disease.
- 6.6.3 Following an episode of infectious disease during any stay, the premises must undergo a reasonable quarantine period before new boarders are admitted. This period will be specified by the Licensing Authority with advice from a veterinary surgeon.

6.6.4 The Council must be informed of any animal death on the premises. The Licensee must make arrangements for the body to be stored at a veterinary surgeon's premises until the owners return unless directed otherwise by the owner or their representative.

6.7 **REGISTER**

6.7.1 A register must be kept of all dogs or cats {delete as appropriate} boarded. The information kept must include the following:

- Date of arrival
- Name of dog or cat {delete as appropriate},
- Microchip
- Description, breed, age and gender of dog or cat {delete as appropriate}
- Name, address and telephone number of owner or keeper
- Name, address and telephone number of contact person whilst boarded
- Name, address and telephone number of veterinary surgeon
- Anticipated and actual date of departure
- Proof of current vaccinations, medical history and requirements
- Details of any treatment administered whilst the animal is being boarded
- Health, welfare nutrition and exercise requirements
- Copy of written consent from the owner regarding boarding their animal with other dogs or cats {delete as appropriate}.

6.7.2 Such a register is to be available for inspection at all times by an authorised officer of the Licensing Authority and/or a veterinary surgeon.

6.7.3 The register must be kept readily available for a minimum of 2 years and kept in such a manner as to allow an authorised officer easy access to such information.

6.7.4 If medication is to be administered, this must be recorded.

6.7.5 Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

6.8 **SUPERVISION**

6.8.1 A fit and proper person with relevant experience must always be available to exercise supervision and deal with emergencies whenever dogs or cats {delete as appropriate} are boarded at the premises. This person must not have any conviction or formal Cautions for any animal welfare related offence.

6.8.2 Dogs or cats {delete as appropriate} must not be left unattended for longer than 3 hours at a time and then not on a regular basis.

- 6.8.3 No home where there are children under 5 years of age will be licensed.
- 6.8.4 Only people over 16 years of age are allowed to walk the dogs unsupervised in public places.

6.9 FIRE / EMERGENCY PRECAUTIONS

- 6.9.1 Appropriate steps must be taken for the protection of the dogs or cats {delete as appropriate} in case of fire or other emergencies.
- 6.9.2 Careful consideration needs to be given to the sleeping area for dogs or cats {delete as appropriate} to ensure that they can be easily evacuated in the event of a fire, without putting the occupiers of the property at risk.
- 6.9.3 A fire warning procedure and emergency evacuation plan – including details of where dogs or cats {delete as appropriate} are to be evacuated to in the event of a fire or other emergency - must be drawn up, brought to the attention of those involved in the home boarding arrangements and/or displayed in a prominent place on the premises. The Licensee must have suitable arrangements for the temporary boarding of dogs or cats {delete as appropriate} in the event that the licensed premises is rendered uninhabitable.
- 6.9.4 Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer. The home must have at least 2 working smoke detectors located at the top & bottom of the staircase, or other appropriate location.
- 6.9.5 All doors to unoccupied rooms must be kept shut at night.
- 6.9.6 All electrical installations and appliances must be maintained in a safe condition. All cables and wires must be secured.
- 6.9.7 All heating appliances must be free of risk of fire as is reasonably practicable. There must be no use of freestanding gas or unsealed oil appliances. Any other freestanding appliances must be kept in a safe, secure manner and should not be easily knocked over by boarding dogs or cats {delete as appropriate}.
- 6.9.8 A relative, friend or neighbour within 5 minutes travelling time must have a spare set of keys and access to the premises in case of emergency. These details must be made available to the Licensing Authority.

6.10 TRANSPORT

- 6.10.1 A suitable vehicle with a dog guard, cage or other suitable restraint must be used for all transportation purposes.

Animal Boarding Establishment Act 1963

Conditions for a licence for a day care dog boarding establishment carried out within a business premises

GENERAL

- 1.1 Unless otherwise stated, these conditions shall apply to all buildings and areas to which dogs have access and/or are used in association with the boarding of dogs.
- 1.2 Dogs are not permitted to be boarded overnight.
- 1.3 The Licensee must not knowingly accept any breed of dog defined as a dangerous dog or which has been subject to successful action under Section 3 of the Dangerous Dogs Act 1991(as amended).
- 1.4 Dog hybrids registered under the Dangerous Wild Animal Act 1976 (e.g. Wolf Hybrids) are not to be accepted for boarding.
- 1.5 Entire males and bitches in season or bitches due to be in season during boarding, including resident dogs, must not be boarded together.
- 1.6 Written consent must be received from every dog owner before any dog is placed into the establishment for the first time, confirming that they agree that their dog(s) may socialise with other dogs.
- 1.7 Pre-screening of dogs must be undertaken prior to them being accepted into the boarding establishment to ensure they will be comfortable in the presence of other dogs and will not be a danger to dogs, staff or other visitors.
- 1.8 The licensee must not be disqualified from keeping animals under any legislation.
- 1.9 The appointed officer of the Licensing Authority can, at any reasonable time, have a right of entry onto the premises for the purpose of carrying out any of the relevant statutory provisions. To enable these provisions to be carried out, the appointed officer may take any other person authorised by the Council that may be considered necessary.
- 1.10 The Licensee must ensure that the establishment is covered by adequate and suitable public liability insurance and, where necessary, adequate and suitable employers liability insurance. Certificates of insurance must be produced on request to clients or the Licensing Authority.

2. LICENCE DISPLAY

- 2.1 A copy of the licence and its associated conditions must be suitably displayed to the public in a prominent position in, on or about the boarding establishment.

3. NUMBERS OF ANIMALS

- 3.1 The maximum number of dogs to be kept at any one time is #
- 3.2 No animals other than dogs are to be boarded within the licensed facilities without the written approval of an authorised officer from Tonbridge & Malling Borough Council.

4. CONSTRUCTION

- 4.1. The establishment must at all times, be laid out and operated in accordance with an approved plan of the premises, to be attached to the licence. Before carrying out any alterations, plans must be submitted to and approved by an authorised officer of Tonbridge & Malling Borough Council.
- 4.1.1 The construction of the premises must be such that the security of the dog is ensured and that it is safe.
- 4.1.2 Any exterior wood must be properly treated against wood rot. Only products which are not toxic to dogs must be used.
- 4.1.3 All internal surfaces such as walls, floors, partitions, doors and door frames are to be durable, smooth, impervious and capable of being easily cleaned. There must be no projections or rough edges liable to cause injury.
- 4.1.4 Junctions between wall and floor sections should be coved. If impractical in existing premises, all joints must be sealed.
- 4.1.5 Floors must have effective means of drainage where necessary.
- 4.1.6 Doors must be capable of being effectively secured.
- 4.1.7 A double gate system must be provided at all entrances and exits to the premises to prevent the escape of dogs.
- 4.1.8 All windows that pose a security risk must be escape-proof at all times and where necessary windows must be suitably protected against contact and breakage by dogs.

- 4.1.9 The establishment must be connected to mains drainage or an approved, localised sewage disposal system.
- 4.2 Adequate lighting must be provided in all areas which are, or may be, used in connection with the establishment so that all parts are clearly visible at all times that the business is in operation. Where practicable this must be natural light.
- 4.2.1 Adequate ventilation must be provided to all interior areas.
- 4.2.2 Suitable and safe means shall be provided for heating, to an appropriate temperature, of all common indoor areas.
- 4.2.3 Maintenance and repair of the whole establishment must be carried out regularly so as to maintain it in a suitable condition.

5 EXERCISE FACILITIES

- 5.1 Dogs must be exercised in accordance with their owner's wishes. If dogs are taken off the premises, they must be kept on leads unless with the owners written permission.
- 5.2 There must be direct access to a suitable outside area. The area/garden must only be for the business (not shared with others). The area must be kept clean.
- 5.3 The exercise area/garden area of the premises and any other area to which boarded dogs may have access, must be totally secure and safe. Fencing must be adequate to offer security to prevent escape and be safe, with no dangerous sharp objects or protrusions. Gates must be able to be locked.
- 5.4 If there is a pond or pool, it must be covered by a fixed cover or fenced to avoid drowning.
- 5.5 Dogs must wear a collar and identity tag during their time in boarding. The tag must display the name, address and telephone number of the boarding premises.

6 MANAGEMENT

6.1 TRAINING

- 6.1.1 Where appropriate, staff must receive the necessary training and instruction in their duties relating to dog care. All records of training must be kept for inspection by an authorised officer of Tonbridge & Malling Borough Council.

6.2 CLEANLINESS

- 6.2.1 All areas where the dogs have access must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and dog comfort.
- 6.2.2 All excreta and soiled material must be removed from all areas at least daily and more often if necessary. Disposal facilities for animal waste must be agreed with the Licensing Authority.
- 6.2.3 All bedding must be kept clean and dry.
- 6.2.4 Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs with infectious diseases. The final route for all such waste shall comply with current waste regulations.
- 6.2.5 Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.

6.3 FOOD AND WATER SUPPLIES

- 6.3.1 All dogs shall have an adequate supply of suitable food as directed by the owner.
- 6.3.2 Fresh drinking water must be available at all times (unless advised otherwise by a veterinary surgeon) and the drinking vessel cleaned daily. The water must be changed at least daily.
- 6.3.3 Where necessary, eating vessels must be provided, and where so, they must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must also be maintained in a clean condition. Feeding bowls must be cleaned or disposed of after each meal.

6.4 KITCHEN FACILITIES

- 6.4.1 If food is provided, exclusive facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs.
- 6.4.2 Airtight containers must be provided for the storage of dry foods. Uncooked food and the remains of opened tins must be stored in covered, non-metal, leak proof containers in the fridge.

- 6.4.3 All bulk supplies of food shall be kept in vermin proof containers. These must be stored in a separate area from where the dogs are kept.
- 6.4.4 A sink with hot and cold running water must be provided for the washing of food equipment and eating and drinking vessels. A separate wash-hand basin with hot and cold (or appropriately mixed warm) running water must be provided for staff with soap and hygienic hand drying facilities.

6.5 DISEASE CONTROL AND VACCINATION

- 6.5.1 Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.
- 6.5.2 Dogs attending the day care facility must have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagicae*) and Canine Parvovirus, Bordatella Kennel Cough and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of attendance or in accordance with manufacturer's instructions. A record that this proof has been supplied must be kept on-site.
- 6.5.3 Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog is sick or injured, any instructions for its treatment, which have been given by a veterinary surgeon, must be strictly followed.
- 6.5.4 A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site.
- 6.5.5 The Licensee must be registered with a veterinary practice that can provide 24-hour help and advice. The clients own veterinary practice must be known and consulted if necessary.
- 6.5.6 Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in premises and boarded dogs.
- 6.5.7 The premises shall be treated for fleas and parasites with an effective product as necessary.
- 6.5.8 A suitable range of muzzles of varying sizes and a suitable dog catching device must be kept on site.

6.6 ISOLATION AND CONTAGIOUS DISEASE OUTBREAK.

- 6.6.1 Dogs showing signs of any disease or illness shall be isolated from any other dogs and kept within the premises until veterinary advice is obtained. There must be suitable and sufficient facilities within the licensed premises to ensure effective separation of any sick animal.
- 6.6.2 Upon veterinary diagnosis, the Licensee shall inform the Council without delay if a dog is diagnosed with an infectious disease.
- 6.6.3 Following an episode of infectious disease during any stay, the premises must undergo a reasonable quarantine period before new boarders are admitted. This period will be specified by the Licensing Authority with advice from a veterinary surgeon.
- 6.6.4 The Council must be informed of any animal death on the premises.
- 6.6.5 The isolation facilities should be maintained at a temperature suitable for the dog, dependent on veterinary advice.
- 6.6.6 Hands must be washed and where appropriate, clothing changed, after leaving the isolation facility and before handling other dogs.

6.7 REGISTER

- 6.7.1 A register must be kept of all dogs attending the licensed establishment. The information kept must include the following:
- Times and days of boarding
 - Name of dog,
 - Microchip
 - Description, breed, age and gender of dog
 - Name, address and telephone number of owner or keeper
 - Name, address and telephone number of contact person if different to owner or keeper
 - Name, address and telephone number of veterinary surgeon
 - Proof of current vaccinations, medical history and requirements
 - Details of any treatment administered whilst the animal is being boarded
 - Health, welfare nutrition and exercise requirements
- 6.7.2 Such a register is to be available for inspection at all times by an authorised officer of the Licensing Authority and/or a veterinary surgeon.
- 6.7.3 The register must be kept readily available for a minimum of 2 years and kept in such a manner as to allow an authorised officer easy access to such information.

- 6.7.4 If medication is to be administered, this must be recorded.
- 6.7.5 Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

6.8 SUPERVISION

- 6.8.1 A fit and proper person with relevant experience must always be available to exercise supervision and deal with emergencies whenever dogs are boarded at the premises. This person must not have any conviction or formal Cautions for any animal welfare related offence.
- 6.8.2 Adequate staffing must be provided to ensure continual supervision and safety of all the dogs. The ratio of dogs to staff at any one time shall not exceed 6:1.
- 6.8.3 Dogs must not be left unattended.
- 6.8.4 Only people over 16 years of age are allowed to walk the dogs unsupervised in public places.
- 6.8.5 No business where there are children under 5 years of age will be licensed.

6.9 FIRE / EMERGENCY PRECAUTIONS

- 6.9.1 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.
- 6.9.2 A fire warning procedure and emergency evacuation plan – including details of where dogs are to be evacuated to in the event of a fire or other emergency - must be drawn up, brought to the attention of those involved in boarding and/or displayed in a prominent place on the premises. The Licensee must have suitable arrangements for the temporary boarding of dogs in the event that the licensed premise is rendered un-useable.
- 6.9.3 Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer and in-accordance with the business's Fire Risk Assessment.
- 6.9.4 All electrical installations and appliances must be maintained in a safe condition. All cables and wires must be secured.

- 6.9.5 All heating appliances must be free of risk of fire as is reasonably practicable. There must be no use of freestanding gas or unsealed oil appliances. Any other freestanding appliances must be kept in a safe, secure manner and should not be easily knocked over by dogs.
- 6.9.6 There must be adequate means of raising an alarm in the event of a fire or other emergency.

Animal Boarding Establishment Act 1963

Conditions for a licence for a day care dog boarding establishment carried out within the home environment

GENERAL

- 1.1 Unless otherwise stated, these conditions shall apply to all buildings and areas to which dogs have access and/or are used in association with the boarding of dogs.
- 1.2 Dogs are not permitted to be boarded overnight.
- 1.3 The Licensee must not knowingly accept any breed of dog defined as a dangerous dog or which has been subject to successful action under Section 3 of the Dangerous Dogs Act 1991(as amended).
- 1.4 Dog hybrids registered under the Dangerous Wild Animal Act 1976 (e.g. Wolf Hybrids) are not to be accepted for boarding.
- 1.5 Entire males and bitches in season or bitches due to be in season during boarding, including resident dogs, must not be boarded together.
- 1.6 Written consent must be received from every dog owner before any dog is placed into the establishment for the first time, confirming that they agree that their dog(s) may socialise with other dogs.
- 1.7 Pre-screening of dogs must be undertaken prior to them being accepted into the boarding establishment to ensure they will be comfortable in the presence of other dogs and will not be a danger to dogs, staff or other visitors.
- 1.8 The licensee must not be disqualified from keeping animals under any legislation.
- 1.9 The appointed officer of the Licensing Authority can, at any reasonable time, have a right of entry onto the premises for the purpose of carrying out any of the relevant statutory provisions. To enable these provisions to be carried out, the appointed officer may take any other person authorised by the Council that may be considered necessary.
- 1.10 The Licensee must ensure that the establishment is covered by adequate and suitable public liability insurance and, where necessary, adequate and suitable employers liability insurance. Certificates of insurance must be produced on request to clients or the Licensing Authority.

2. LICENCE DISPLAY

- 2.1 A copy of the licence and its associated conditions must be suitably displayed to the public in a prominent position in, on or about the boarding establishment.

3. NUMBERS OF ANIMALS

- 3.1 The maximum number of dogs to be kept at any one time is #
- 3.2 No animals other than dogs are to be boarded within the licensed facilities without the written approval of an authorised officer from Tonbridge & Malling Borough Council.

4. CONSTRUCTION

- 4.1. The construction of the premises must be such that the security of the dog is ensured and that it is safe.
- 4.1.1 Any exterior wood must be properly treated against wood rot. Only products which are not toxic to dogs must be used.
- 4.1.2 All internal surfaces such as walls, floors, partitions, doors and door frames are to be durable, smooth, impervious and capable of being easily cleaned. There must be no projections or rough edges liable to cause injury.
- 4.1.3 Doors must be capable of being effectively secured.
- 4.1.4 All windows that pose a security risk must be escape-proof at all times and where necessary windows must be suitably protected against contact and breakage by dogs.
- 4.1.5 The establishment must be connected to mains drainage or an approved, localised sewage disposal system.
- 4.1.6 Adequate lighting must be provided in all areas which are, or may be, used in connection with the establishment so that all parts are clearly visible at all times that the business is in operation. Where practicable this must be natural light.
- 4.1.7 Adequate ventilation must be provided to all interior areas.
- 4.1.8 Suitable and safe means shall be provided for heating, to an appropriate temperature, of all common indoor areas.

- 4.2. Maintenance and repair of the whole establishment must be carried out regularly so as to maintain it in a suitable condition.

5 EXERCISE FACILITIES

- 5.1 Dogs must be exercised in accordance with their owner's wishes. If dogs are taken off the premises, they must be kept on leads unless with the owners written permission.
- 5.2 There must be direct access to a suitable outside area. The area/garden must only be for the home owner (not shared with other residents). The area must be kept clean.
- 5.3 The exercise area/garden area of the premises and any other area to which boarded dogs may have access, must be totally secure and safe. Fencing must be adequate to offer security to prevent escape and be safe, with no dangerous sharp objects or protrusions. Gates must be able to be locked.
- 5.4 If there is a pond or pool, it must be covered by a fixed cover or fenced to avoid drowning.
- 5.5 Dogs must wear a collar and identity tag during their time in boarding. The tag must display the name, address and telephone number of the boarding premises.

6 MANAGEMENT

6.1 TRAINING

- 6.1.1 Where appropriate, staff must receive the necessary training and instruction in their duties relating to dog care. All records of training must be kept for inspection by an authorised officer of Tonbridge & Malling Borough Council.

6.2 CLEANLINESS

- 6.2.1 All areas where the dogs have access to, including the kitchen, must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and dog comfort.
- 6.2.2 All excreta and soiled material must be removed from all areas at least daily and more often if necessary. Disposal facilities for animal waste must be agreed with the Licensing Authority.

- 6.2.3 All bedding must be kept clean and dry.
- 6.2.4 Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs with infectious diseases. The final route for all such waste shall comply with current waste regulations.
- 6.2.5 Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.

6.3 FOOD AND WATER SUPPLIES

- 6.3.1 All dogs shall have an adequate supply of suitable food as directed by the client.
- 6.3.2 Fresh drinking water must be available at all times (unless advised otherwise by a veterinary surgeon) and the drinking vessel cleaned daily. The water must be changed at least daily.
- 6.3.3 Where necessary, eating vessels must be provided, and where so, they must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must also be maintained in a clean condition. Feeding bowls must be cleaned or disposed of after each meal.

6.4 KITCHEN FACILITIES

- 6.4.1 Airtight containers must be provided for the storage of dry foods. Uncooked food and the remains of opened tins must be stored in covered, non-metal, leak proof containers in the fridge.
- 6.4.2 All bulk supplies of food shall be kept in vermin proof containers. These must be stored in a separate area from where the dogs are kept.

6.5 DISEASE CONTROL AND VACCINATION

- 6.5.1 Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.
- 6.5.2 Dogs attending the day care facility must have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagicae*) and Canine Parvovirus, Bordatella Kennel Cough and other relevant diseases. The course of vaccination must have been completed at least four weeks before

the first date of attendance or in accordance with manufacturer's instructions. A record that this proof has been supplied must be kept on-site.

- 6.5.3 Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog is sick or injured, any instructions for its treatment, which have been given by a veterinary surgeon, must be strictly followed.
- 6.5.4 A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site.
- 6.5.5 The Licensee must be registered with a veterinary practice that can provide 24-hour help and advice. The clients own veterinary practice must be known and consulted if necessary.
- 6.5.6 Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in premises and boarded dogs.
- 6.5.7 The premises shall be treated for fleas and parasites with an effective product as necessary.
- 6.5.8 A suitable range of muzzles of varying sizes and a suitable dog catching device must be kept on site.

6.6 ISOLATION AND CONTAGIOUS DISEASE OUTBREAK.

- 6.6.1 Dogs showing signs of any disease or illness shall be isolated from any other dogs and kept within the premises until veterinary advice is obtained. There must be sufficient facilities within the licensed premises to ensure effective separation of any sick animal.
- 6.6.2 Upon veterinary diagnosis, the Licensee shall inform the Council without delay if a dog is diagnosed with an infectious disease.
- 6.6.3 Following an episode of infectious disease during any stay, the premises must undergo a reasonable quarantine period before new boarders are admitted. This period will be specified by the Licensing Authority with advice from a veterinary surgeon.
- 6.6.4 The Council must be informed of any animal death on the premises.

6.7 REGISTER

6.7.1 A register must be kept of all dogs attending the licensed establishment. The information kept must include the following:

- Times and days of boarding
- Name of dog,
- Microchip
- Description, breed, age and gender of dog
- Name, address and telephone number of owner or keeper
- Name, address and telephone number of contact person if different to owner or keeper
- Name, address and telephone number of veterinary surgeon
- Proof of current vaccinations, medical history and requirements
- Details of any treatment administered whilst the animal is being boarded
- Health, welfare nutrition and exercise requirements

6.7.2 Such a register is to be available for inspection at all times by an authorised officer of the Licensing Authority and/or a veterinary surgeon.

6.7.3 The register must be kept readily available for a minimum of 2 years and kept in such a manner as to allow an authorised officer easy access to such information.

6.7.4 If medication is to be administered, this must be recorded.

6.7.5 Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

6.8 SUPERVISION

6.8.1 A fit and proper person with relevant experience must always be available to exercise supervision and deal with emergencies whenever dogs are boarded at the premises. This person must not have any conviction or formal Cautions for any animal welfare related offence.

6.8.2 Dogs must not be left unattended for longer than 3 hours at a time and then not on a regular basis.

6.8.3 No home where there are children under 5 years of age will be licensed.

6.8.4 Only people over 16 years of age are allowed to walk the dogs unsupervised in public places.

6.9 FIRE / EMERGENCY PRECAUTIONS

- 6.9.1 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.
- 6.9.2 A fire warning procedure and emergency evacuation plan – including details of where dogs are to be evacuated to in the event of a fire or other emergency - must be drawn up, brought to the attention of those involved in the home boarding arrangements and/or displayed in a prominent place on the premises. The Licensee must have suitable arrangements for the temporary boarding of dogs in the event that the licensed premise is rendered uninhabitable.
- 6.9.3 Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer. The home must have at least 2 working smoke detectors located at the top & bottom of the staircase, or other appropriate location.
- 6.9.4 All electrical installations and appliances must be maintained in a safe condition. All cables and wires must be secured.
- 6.9.5 All heating appliances must be free of risk of fire as is reasonably practicable. There must be no use of freestanding gas or unsealed oil appliances. Any other freestanding appliances must be kept in a safe, secure manner and should not be easily knocked over by dogs.
- 6.9.6 There must be adequate means of raising an alarm in the event of a fire or other emergency.

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Item CB 16/27 referred from Cabinet of 22 March 2016

CB 16/27 HAYSDEN COUNTRY PARK - SITE IMPROVEMENTS

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

The Cabinet received the recommendations of the Communities Advisory Board at its meeting of 1 March 2016 in relation to the Capital Plan project for site improvements at Haysden Country Park.

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 Council**

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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 66	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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TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

12 April 2016

Report of the Director of Director of Central Services and Monitoring Officer

Part 1- Public

Matters For Decision

1 CHANGES TO THE CONSTITUTION

To consider an amendment to the delegations to the Director of Central Services to deal with short term property arrangements in the interests of the efficient running of the Council.

1.1 Background

1.1.1 At the meeting of the Cabinet on 22 March 2016 consideration was given to a number of property agreements due to be entered into prior to the next meeting of the Finance, Innovation and Property Advisory Board. It was noted that the current delegation to the Director of Central Services to agree terms and complete licences/leases was restricted to those under one year in duration. However, in view of the gaps between meetings it would be beneficial to the operational effectiveness of the Council to enable officers to negotiate and complete other short term licences and leases without having to delay lettings until the appropriate meeting.

1.1.2 The Cabinet therefore agreed to recommend to the Council a change under Part 3 of the Constitution in respect of delegation DCS 105 to read: "To approve terms for granting leases and licences of five years or less for land or premises owned by the Council".

1.2 Legal Implications

1.2.1 Under Part 3 of the Constitution the Director of Central Services currently has delegated authority to sign off property licences or leases which are under one year in duration. The proposal is to extend that authority to those of five years or less.

1.3 Financial and Value for Money Considerations

1.3.1 The extension to the delegation would reduce delay in completing property agreements and improve the Council's ability to secure lettings and consequently income.

1.4 Risk Assessment

- 1.4.1 There is a risk that if formal agreements are not in place at the commencement of the term the Council's future security of tenure and control of its land would be affected.

1.5 Equality Impact Assessment

- 1.6 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.

1.7 Recommendations

- 1.7.1 RECOMMENDED that the Monitoring Officer be authorised to amend Part 3 of the Constitution to give effect to the following change to the Director of Central Services' delegation DCS 105 to read: "To approve terms for granting leases and licences of five years or less for land or premises owned by the Council".

Background papers:

contact: Adrian Stanfield

Nil

Adrian Stanfield

Director of Central Services and Monitoring Officer

TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

12 April 2016

Report of the Director of Central Services

Part 1- Public

Matters For Decision

1 APPOINTMENTS TO OUTSIDE BODIES

To consider the reappointment of Miss J Browne, Dr G Court and Mr D Davis as Town Wardens for further terms of office.

1.1 Introduction

1.1.1 The period of office of Miss J Browne, Dr G Court and Mr D Davis as Town Wardens of the Tonbridge Town Lands and Richard Mylls Charity expires in October 2016. All are willing to continue to serve and the Clerk to the Town Wardens has invited the Council to consider reappointing Miss Browne for a further two year term to October 2018 and Dr Court and Mr Davis for a further four year term to October 2020. Members may recall the Charity's arrangements for reviewing the terms of office of the four Trustees (Town Wardens) reported to the meeting on 14 April 2015.

1.1.2 The terms of the Charity require its income to be applied for the benefit of the inhabitants of the former Urban District of Tonbridge and it is necessary for persons appointed to be residents or to have extensive knowledge of the area. The Charity has indicated that it would be of considerable benefit if the current Town Wardens were reappointed.

1.2 Legal Implications

1.2.1 None.

1.3 Financial and Value for Money Considerations

1.3.1 Not applicable.

1.4 Risk Assessment

1.4.1 Not applicable.

1.5 Equality Impact Assessment

1.6 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.

1.7 Recommendations

1.7.1 RECOMMENDED that the Council consider the reappointment of Miss J Browne, Dr G Court and Mr D Davis as Town Wardens for the periods of office indicated at paragraph 1.1.1.

Background papers:

contact: Claire Fox

Letter dated 18 March 2016 from Clerk to the Town Wardens

Adrian Stanfield
Director of Central Services

Sealing of Documents

To authorise the Common Seal of the Council to be affixed to any Contract, Minute, Notice or other document requiring the same.

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