

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
committee.services@tmbc.gov.uk

5 September 2016

To: MEMBERS OF THE OVERVIEW AND SCRUTINY COMMITTEE
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Overview and Scrutiny Committee to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 13th September, 2016 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

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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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MEMBERSHIP

Cllr A K Sullivan (Chairman)
Cllr Mrs A S Oakley (Vice-Chairman)
Cllr Ms S V Spence (Vice-Chairman)

Cllr Mrs J A Anderson
Cllr Ms J A Atkinson
Cllr M C Base
Cllr P F Bolt
Cllr J L Botten
Cllr T I B Cannon
Cllr R W Dalton
Cllr Mrs S M Hall
Cllr S R J Jessel

Cllr Mrs F A Kemp
Cllr Mrs S L Luck
Cllr P J Montague
Cllr M Taylor
Cllr F G Tombolis
Cllr T C Walker

Mr P J Drury (Co-opted Member)
Mr D Still (Co-opted Member)

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Apologies for absence

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 14th June, 2016

Present: Cllr A K Sullivan (Chairman), Cllr Mrs A S Oakley (Vice-Chairman), Cllr Mrs J A Anderson, Cllr M C Base, Cllr P F Bolt, Cllr J L Botten, Cllr T I B Cannon, Cllr R W Dalton, Cllr Mrs S M Hall, Cllr Mrs F A Kemp, Cllr Mrs S L Luck, Cllr P J Montague, Cllr M Taylor, Cllr F G Tombolis, Cllr T C Walker and Mr D Still (co-opted Member)

Councillors O C Baldock, N J Heslop, D Lettington and S C Perry were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Ms S V Spence, Ms J A Atkinson and S R J Jessel and Mr P J Drury (co-opted Member)

PART 1 - PUBLIC

OS 16/10 DECLARATIONS OF INTEREST

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

OS 16/11 MINUTES

RESOLVED: That the Minutes of the meeting of the Overview and Scrutiny Committee held on 26 January 2016 be approved as a correct record and signed by the Chairman.

OS 16/12 APPOINTMENT OF CO-OPTED MEMBERS

RESOLVED: That pursuant to Article 6.05 of the Council's Constitution Mr P Drury and Mr D Still be co-opted to the Overview and Scrutiny Committee for the current municipal year.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

OS 16/13 EQUALITY POLICY STATEMENT AND OBJECTIVES

The report of the Director of Central Services set out for consideration the Equality Policy Statement and Objectives 2016-2020.

It was reported that the three West Kent authorities, Sevenoaks District Council, Tunbridge Wells Borough Council and Tonbridge and Malling Borough Council, would in future determine their own objectives to replace the West Kent Equality Aims and commitments.

The Equality Objectives would be subject to regular reviews during the next four years to ensure they remained appropriate in the context of local priorities and demographics. The objectives for Tonbridge and Malling were set out at paragraphs 1.3.4 – 1.3.15 of the report.

Members felt that Equality Objective 1 did not accurately reflect the Borough Council's role as a community leader for the whole borough and asked for a slight change of emphasis as follows:

'As a community leader, we will advance equality of opportunity across the whole borough, particularly for those living within Snodland, East Malling and Trench, to achieve better outcomes in relation to health, employment and education.'

RECOMMENDED: That the Equality Policy Statement and Objectives, as attached at Annex 1 to the report, be recommended to Council for approval; subject to the minor change to Equality Objective 1 set out above.

***Referred to Council**

MATTERS FOR RECOMMENDATION TO THE CABINET

OS 16/14 REVIEW OF CONCESSIONARY PARKING PERMITS

Members considered the recommendations arising from the Scrutiny Panel review of the Council's current concessionary car parking permits. The review had been undertaken to assess whether any possible changes or improvements could be identified to make the system either more efficient and/or cost effective.

A schedule setting out a list of those currently in receipt of a concessionary car parking permit was assessed by the Panel at the meeting held on 26 May 2016. A number of recommendations for change were discussed. A copy of the schedule together with the Panel's agreed recommendations was attached as Annex 1 to the report.

Particular reference was made to the concessionary permits granted to local schools to allow parents to safely drop off and collect children and whether this represented value for money and equity across the borough. However, on balance Members felt that the priorities of the Borough Council around residents' health and wellbeing and looking after people were important values that outweighed any cost implications. In addition, these arrangements ensured a better flow of traffic around dangerous and restricted junctions which was beneficial to the community. Finally, it was noted that schools at both ends of the borough, in Tonbridge and West Malling, benefitted from this type of arrangement.

RECOMMENDED: That the recommendations of the Scrutiny Review Panel (Parking Concessions), as set out at Annex 1 of the report and summarised below, be endorsed:

- (1) An internal review should be undertaken to consider whether the current list of Borough Council staff receiving permits was correct;
- (2) An internal review should be undertaken to consider whether the current list of Leisure Trust staff receiving permits was correct;
- (3) That permits no longer continue for Tonbridge Junior Football Club but an adjustment to hire fees be made to reflect the parking arrangements;
- (4) That the parking concession permit for St Stephens Church, Tonbridge be removed when the current permit expired;
- (5) An audit of current users and Country Park volunteers be undertaken to ensure the current list was accurate;
- (6) That permits for Riverside Bowls Club, Tonbridge no longer continue but an adjustment to the hire fee be made to reflect the parking arrangements; and
- (7) That permits for Alderman and Freeman be discontinued in the future. However, one-off permits for Civic events could be offered to attendees as appropriate

DECISIONS TAKEN BY THE COMMITTEE

OS 16/15 REVIEW OF MAYORALTY FUNCTION

The report of the Director of Central Services and Monitoring Officer proposed a review of the Mayoralty function to ensure that the role was modern and fit for purpose, whilst respecting the traditions of the historic office of mayor; to consider whether the role should be redesigned so that it linked to the Council's Corporate Strategy and to review the expenditure supporting the function.

The scope of the review was set out at paragraph 1.3 of the report. In addition, given the range of possible consultees to the proposals, it was suggested that the review should be taken forward by the Overview and Scrutiny Committee itself rather than via a Scrutiny Review Group.

Members supported the need for a debate around the civic function as long as the emphasis was on the quality of the role, improving it and providing value for money and not just a cost cutting exercise.

Concern was also expressed that linking the mayor too closely to a political agenda could diminish the role and using the position for

political gain was to be avoided. The primary role should be to promote Tonbridge and Malling and its values.

In addition, it was suggested that the role of mayor's chaplain be included in the review to challenge whether it remained appropriate for faith to be brought into Council meetings where many Members might not share the same beliefs.

RESOLVED: That:

- (1) the proposed scope of the review of the mayoral and civic function be endorsed; and
- (2) a detailed report be brought forward to the next meeting of the Overview and Scrutiny Committee for further consideration

MATTERS SUBMITTED FOR INFORMATION

OS 16/16 SCRUTINY REVIEW PROGRAMME

Members were advised of the planned programme of reviews for the current municipal year and were invited to make further suggestions.

It was proposed that following completion of the Mayoral and Civic Function review a re-assessment of the Council's Constitution be undertaken. There was a need for a full update to be undertaken to take on board changes which had occurred since the previous review, and also to reflect the need to review and further streamline Council procedures and practices where appropriate.

One potential future review area into 'concessionary charges for room hire at Tonbridge Castle' was identified. Further suggestions could be sent to the Chief Corporate Policy Officer (Mark Raymond) for consideration.

MATTERS FOR CONSIDERATION IN PRIVATE

OS 16/17 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.15 pm

Agenda Item 4

Any Executive Decisions which have been “called in”

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TONBRIDGE & MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

13 September 2016

Report of the Chief Executive

Part 1- Public

Matters for Recommendation to Cabinet

1 DRAFT CORPORATE STRATEGY

To review the draft Strategy prior to its formal adoption by the Cabinet and Council.

1.1 Background

1.1.1 The Cabinet, at its meeting of the 29th June 2016, considered an initial draft of a new Corporate Strategy for the Council. The draft was approved subject to a number of minor textual amendments. A copy of the revised draft is attached as Appendix A to this report. The draft has now been referred to the Overview and Scrutiny Committee for further consideration prior to its formal adoption.

1.2 The Need for a New Strategy

1.2.1 Our previous approach, which involved the production of a highly detailed 'Corporate Performance Plan' covering all Council services and containing detailed assessments of performance against a large number of indicators and targets, is no longer considered appropriate. Such an approach was resource hungry. A team of two officers were dedicated to this work (both of whom have now retired) and considerable input from front-line staff from all council services was also needed. A new approach is now proposed.

1.2.2 The draft corporate strategy is a very different 'animal' to that of its predecessor. In a climate of reduced government grant support and resulting financial challenges, we believe such a document should focus on:

- A wider '**Vision**' of how the Council will focus over a three year period, supported by some adopted '**Key Values**';
- Clear information on the **challenges** we now face and a succinct statement on how we **intend to address** these;
- Our commitment to future **partnership working**;

- Some key **measures of success**, embracing a small number of performance indicators.

1.2.3 The Overview and Scrutiny Committee is invited to review the draft document and make any further recommendations to the Cabinet if it wishes prior to its formal adoption.

1.3 Legal Implications

1.3.1 None

1.4 Financial and Value for Money Considerations

1.4.1 As set out in the draft Strategy.

1.5 Risk Assessment

1.5.1 n/a

1.6 Equality Impact Assessment

1.6.1 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.

1.7 Recommendation

1.7.1 That the Draft Corporate Strategy **BE COMMENDED** to the Cabinet for formal adoption.

Background papers:

contact: Mark Raymond

Nil

Julie Beilby
Chief Executive

ANNEX 1

Tonbridge and Malling Borough Council

Corporate Strategy - DRAFT

2017 – 2019



www.tmbc.gov.uk

About our Corporate Strategy

The development of a new Corporate Strategy marks a significant change in approach for Tonbridge and Malling Borough Council when compared to previous years. Our previous Corporate Performance Plan sought to address a wide range of service issues and assessed performance using a myriad of indicators and targets. We now need to be more strategic in our approach. We are facing considerable financial challenges alongside changing and, in some cases, increasing demands on the services we provide. We have made good progress in addressing these challenges to date but we now need to continue to adopt and embed different and smarter ways of working to sustain our progress.

The strategy sets out how we intend to plan and deliver our services in the future and ensure they are relevant to our residents, businesses, visitors to the Borough, and our partners.

This Strategy sets out for the next three years :

- ***Our vision and values***

- ***Meeting the challenges ahead***

- ***The way forward***

- ***A commitment to working in partnership***

- ***Measuring Success.***

Our Vision and our Values

Our vision for the next three years is:

To be a financially sustainable Council that delivers good value services, provides strong and clear leadership and, with our partners, addresses the needs of our Borough.

We will be guided in the delivery of the above vision by the following core values:

- ***Taking a business-like approach*** - focusing on ensuring good value for money, continuously reviewing how our services are provided and funded, focusing our available resources where they will have most beneficial impact, and maximising commercial opportunities.
- ***Promoting Fairness*** - acting transparently at all times and being accountable for what we do, and promoting equality of opportunities.
- ***Embracing Effective Partnership Working*** - achieving more by working and engaging effectively with a wide range of local partners from the private, public, voluntary and community sectors.
- ***Valuing our environment and encouraging sustainable growth*** - keeping our towns, villages and countryside clean and well maintained, planning for our future homes and jobs and seeking investment in economic regeneration and infrastructure.

Meeting the Challenges Ahead

The Council is facing a period of considerable change and challenge over the next three years and beyond. Reducing financial support from Government will mean we need to target resources on delivering core services. At the same time we have to be agile in the way we manage these services to meet the rapidly changing demands and needs of our residents and businesses.

We have recently adopted a Savings and Transformation Strategy that sets out what we need to do over the next three years in terms of change and financial savings that total £1.8M. There are seven key themes:

- generating new income and cost recovery
- looking at ways of delivering retained services more efficiently
- reviewing discretionary services and delivering mandatory services at a lower cost
- reducing costs when service contracts are renewed and re-tendered
- realignment of services and reviewing our management structures
- reviewing our partnership arrangements and the funding we offer to those bodies
- Investing the proceeds gained from the release of assets.

To deliver this strategy successfully, we need to increase our pace of change and inject further fresh approaches to our business and the way we undertake it.

The Way Forward

With significant reductions in Government funding support over the next three years and changing demands on our services, we need to decide what is most important in ensuring our adopted vision is achieved and that we fully embrace our agreed values.

Building on our Savings and Transformation Strategy, we will seek to deliver the following **key actions**:

We need to continue to identify additional opportunities to **generate more income** to compensate for reductions in Government grant. This means being more commercial and imaginative about the way we operate than we have been previously, being bolder in our approach and less risk-averse. It could include selling services to others and developing new sources of income, such as our community lottery, and investing our money differently. We will also review how our existing property assets can be used to generate new revenue income streams that can then be invested in service delivery.

New income generation will help us sustain key services, but the scale and pace of change in Government funding will mean that the Council will need to **review some discretionary services and, in some cases, significantly reduce, discontinue, or do them differently**. We will identify annual savings and efficiencies, to supplement the themes set out in the Savings and Transformation Strategy, and set out the proposed changes to our services, the reasons for these changes, and how they will be implemented.

We will also seek to identify **new efficiencies** that could save money and allow key services to be developed. We will look at ways we can transform the organisation, for example, by reorganising our staff structures, adopting a 'one team approach' to meet the best needs of our residents and communities and reviewing how we work to deliver efficient and effective services.

A Commitment to Working in Partnership

Most of the work we undertake now involves joint working with a wide range of partners. The Borough Council remains fully committed to maintaining the close working relationships we already have in place and to develop stronger and wide-ranging jointly delivered initiatives and actions.

Working with our Borough Partners

We are committed to retaining and developing our close working relationships with our Borough partners. We will continue to support our Local Strategic Partnership, our main partnership which brings together key local partners from the public, private and voluntary sectors. We will continue to engage with our Parish Councils via a refreshed Parish Partnership Panel led by a new, jointly agreed Parish Charter. In addition, we remain committed to developing our dialogue with local businesses and traders' groups, with local housing providers, and other partners including those for health improvement, sports and recreation, community development and community safety. We will foster relationships with those agencies providing infrastructure to support our communities and facilitate growth where appropriate, working with the private development, investment and commercial sectors.

Working Across West Kent

The Borough Council works closely with Sevenoaks District Council, Tunbridge Wells Borough Council and Kent County Council. The West Kent Partnership, for example, has enabled us to work jointly on wider economic regeneration and transport issues and has enabled us to have a stronger collective voice helping to secure funding for key infrastructure projects. We now wish to develop those relationships even further. The new approach might include stronger Governance arrangements to underpin a wider range of shared services and closer working relationships between the two tiers of Local Government. Under this new arrangement, there might also be the potential to seek freedoms and flexibilities from Central Government and enable the West Kent authorities to deliver certain national services on a more local basis.

Measuring Success

We will review this corporate strategy each year to evaluate what we have achieved so far and what new and redirected efforts we need to focus on. The key measures we intend to use for this review include the following:

- *Our progress towards meeting our financial targets as set out in the Savings and Transformation Strategy both in terms of the cost savings we have achieved and new income we have generated*
- *Adopting a culture of continuous improvement in change and efficiency through a small set of key indicators covering the core services we provide*
- *Assessing the pace of change we have achieved in rewiring our services to meet customer needs and to identify where positive changes could be accelerated further*
- *Engage with our key partners to challenge us on our progress and achievements*
- *Explore opportunities to receive feedback and comments via consultation with our residents, businesses, visitors, partners and staff.*

To ensure transparency and accountability, we will commit to publishing the results of our annual savings and will be open about the need for continuing change.

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TONBRIDGE & MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

13 September 2016

Report of the Management Team

Part 1- Public

Matters for Recommendation to Cabinet

1 SPECIAL EXPENSES SCHEME POLICY ('FAIRER CHARGING')

Members are asked to review the draft Special Expenses Scheme policy and make any appropriate recommendations to Cabinet prior to its meeting on 12 October 2016.

1.1 Introduction

1.1.1 Members will be aware that over the course of the last few months, Cabinet has considered, and consulted on, the potential introduction of a Special Expenses Scheme.

1.1.2 The consultation undertaken was headed 'Fairer Charging', and concluded on 20 June. Members may have noted that, in the documentation, we used the term '*Local Charge*' in place of the more technical term '*Special Expenses*'; although the two terms are interchangeable.

1.1.3 Details of the consultation, **including a short video explaining the background to it**, can still be found via our website at:

<http://www.tmbc.gov.uk/services/council-and-democracy/consultations/public-consultation-fairer-charging-in-tonbridge-and-malling>

1.1.4 If necessary, Members are asked to refresh their own memories of the consultation to aid their understanding of this issue, as it is not intended to repeat previous presentations at the meeting. **Viewing the short video** (less than five minutes long) may help in this regard.

1.1.5 Detailed reports, and supporting papers, were presented to Cabinet on 20 April and 28 July which Members may also wish to read in advance of the meeting:

<https://democracy.tmbc.gov.uk/documents/s15551/Report%20of%20Management%20Team.pdf>

<https://democracy.tmbc.gov.uk/documents/s17651/Report%20of%20Management%20Team.pdf>

1.2 Cabinet Recommendations

1.2.1 Cabinet considered the results of the consultation at its extraordinary meeting on 28 July.

1.2.2 Following detailed consideration and debate, Cabinet recommended at **CB 16/60** that, in respect of the potential Special Expenses scheme :

- 1) *the responses received in respect of the consultation regarding the potential introduction of Special Expenses and any potential equality impacts be noted and the introduction of such a Scheme from 1 April 2017 be commended to the Council;*
- 2) *the following concurrent services should be incorporated within the Scheme:-*
 - *Closed churchyards*
 - *Open spaces, parks and play areas maintained by TMBC in parished areas; excluding Leybourne Lakes Country Park (strategic site)*
 - *Open spaces, play areas, parks and sportsgrounds in Tonbridge; excluding Castle Grounds and Haysden Country Park (strategic sites)*
 - *Support given to Local Events*
 - *Allotments*
- 3) *and, in accordance with the agreed project timetable, the Overview and Scrutiny Committee review the Scheme, once it is drawn up, at its next meeting;*
- 4) *on the basis that a Special Expenses Scheme is to be introduced, the Scheme of Financial Arrangements cease with effect from 1 April 2017 and parish councils be notified accordingly.*

1.2.3 In addition to the above recommendations which are specific to the Special Expenses Scheme policy, Cabinet Members also requested that Overview & Scrutiny Committee undertake a review into the future funding of Christmas Lighting and High Street flower displays in readiness for 2017/18. This is referred to elsewhere on this agenda, and it is intended that it is programmed for review by a Scrutiny Panel during Autumn 2016.

1.3 Draft Policy

- 1.3.1 In accordance with the recommendations above, a draft policy **[Annex 1]** has been prepared for review by this Committee.
- 1.3.2 Members are, accordingly, invited to review the draft policy and make recommendations back to Cabinet, within the timetable approved by Cabinet.
- 1.3.3 For information, the timetable is set out below. Members will note that Full Council will need to take any final decisions at its meeting on 1 November.

28 July 2016	Special Cabinet considers responses, formulates preferred way forward and, if appropriate, commissions new policy to be drafted in respect of Special Expenses
July/August 2016	Draw up draft policy for Special Expenses
8th September 2016 and 12th September 2016	PPP and Tonbridge Forum updated verbally re Special Expenses /FAPC
13th September 2016	Overview and Scrutiny Committee (O&S) review draft policy for Special Expenses and make recommendations to Cabinet
12th October 2016	Cabinet considers policy, including any recommendations from O&S, and makes recommendation to Full Council
1st November 2016	Full Council adopts Special Expenses policy for 2017/18 and cessation of FAPC scheme
Early December 2016	Write to parish councils with information for budget setting
January 2017	Finance, Innovation and Property Advisory Board considers implications of adopted policy on budget setting process.

- 1.3.4 In order to meet the above timetable, this Committee will need to make recommendations to Cabinet prior to its meeting on 12 October.
- 1.3.5 If Full Council decides to adopt the Special Expenses Scheme with effect from 1 April 2017, it will at the same time revoke the Financial Arrangements with Parish Councils (FAPC) Scheme from the same date.

1.4 Legal Implications

- 1.4.1 Section 136 of the Local Government Act 1972 allows principal authorities to pay grants to local (parish) councils in respect of concurrent functions. The principal authority has discretion as to the amount, if any, it may decide to pay under these arrangements.
- 1.4.2 Provisions relating to special expenses are contained in the Local Government Finance Act 1992 at sections 34 and 35. These sections allow different amounts of council tax to be calculated for different parts of the district, depending on what, if any, special items relate to those parts.
- 1.4.3 The Council currently resolves to pay grants under s136 of the Local Government Act 1972, although the amount it pays is entirely at its discretion. By resolving to adopt a Special Expenses Scheme under sections 34 and 35 of the Local Government Finance Act 1992, the Council would no longer pay grants for those items of special expense under s136 of the 1972 Act.

1.5 Financial and Value for Money Considerations

- 1.5.1 If the Full Council were to resolve to adopt a Special Expenses Scheme as recommended by Cabinet and cease the FAPC grants Scheme as a result, the saving would be circa £226,000 per annum.

1.6 Risk Assessment

- 1.6.1 A full consultation with the public and parish councils has been undertaken, and the results considered and debated in detail by Cabinet at an extraordinary meeting on 28 July.
- 1.6.2 A Special Expenses scheme would establish 'equity' across the borough in terms of council tax paid towards the cost of local services. Whilst there is a risk of challenge to the introduction of such a scheme, the principles have been robustly tested.
- 1.6.3 If decisions are not made within the timescales set out in paragraph 1.3.3, the Council may not be able to implement savings (if any) in readiness for 2017/18.

1.7 Equality Impact Assessment

- 1.7.1 Cabinet considered the potential Equality Impacts at its meeting on 28 July.
- 1.7.2 It had regard to the fact that the consequential increases in council tax as a result of the implementation of a Special Expenses Scheme will be the same for all Tonbridge residents (proportionate to the council tax band) regardless of any protected characteristics.
- 1.7.3 Taking all this into account, Cabinet considered that there were no disproportionate effects that need to be addressed. However, Cabinet

acknowledged that this should be kept under review should we become aware of any unforeseen indirect impacts that may arise in future.

1.8 Policy Considerations

1.8.1 Customer Contact; Community; Equalities/Diversity

1.9 Recommendation

1.9.1 Members are **REQUESTED** to review the draft Special Expenses Scheme policy set out at Annex 1, and make appropriate recommendations to Cabinet prior to its meeting on 12 October 2016.

Background papers:

contact: Sharon Shelton

Nil

Sharon Shelton
Director of Finance & Transformation
For Management Team

Julie Beilby
Chief Executive

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TONBRIDGE & MALLING BOROUGH COUNCIL
SPECIAL EXPENSES ('LOCAL CHARGE') SCHEME

1. Introduction

- 1.1 The Provisions relating to “special expenses” are contained in the Local Government Finance Act 1992 at sections 34 and 35. These sections allow different amounts of council tax to be calculated for different parts of the district, depending on what if any “special items” relate to those parts. The legal background is set out in the Appendix.
- 1.2 In resolving to implement a Special Expenses Scheme, the Council revokes the Financial Arrangements with Parish Councils Scheme which was effective from 1 April 1992 made under s136 Local Government Act 1972 with effect from the same date (1 April 2017).

2. Objectives of the Scheme

- 2.1 The borough consists of 27 parished areas, and one unparished area. Parish councils exercise certain functions in their respective areas, which the Borough Council must exercise directly in the unparished area. These are known as concurrent functions.
- 2.2 The Council has historically awarded grants under s136 Local Government Act 1972 to parish councils in order to contribute towards the cost of concurrent functions. Due to significant financial pressures, the Council finds that it is unable to continue providing this level of financial support and must make savings.
- 2.3 The Council has resolved to adopt a Scheme of Special Expenses in order to provide a fairer system in terms of financial equity for taxpayers across the borough.

3. Function to be included in Scheme

- 3.1 Cabinet, at its meeting on 28 July, recommended that the following concurrent functions are included in the Scheme:
- Closed churchyards
 - Open spaces, parks and play areas maintained by TMBC in parished areas; excluding Leybourne Lakes Country Park (strategic site)
 - Open spaces, play areas, parks and sportsgrounds in Tonbridge; excluding Castle Grounds and Haysden Country Park (strategic sites)
 - Support given to ‘Local’ Events
 - Allotments

4. Calculation of Special Expenses

- 4.1 TMBC will calculate an average council tax across the whole of its area under section 31B of the Local Government Finance Act 1992. Included in that will be the amounts payable to parish councils under their precepts, plus the amounts TMBC will spend on performing functions which are performed in parts of its area by parish councils.
- 4.2 Under section 34 of the Local Government Finance Act 1992, TMBC must then deduct the total of any special items. For each part of its area, TMBC must then add back amounts for any relevant special items for that part of its area. The amount added back is calculated by dividing the special item (i.e. the authority's estimated cost of performing the function in that part of its area) by the tax base for the part of the area in which the authority performs the function.
- 4.3 Treating expenses as special expenses does not affect the overall amount that TMBC needs to raise through council tax, and does not, therefore, affect the average amount of council tax across the whole of the borough. It simply means that, compared with what would happen if the expenses were not treated by TMBC as special expenses, the council tax is:
- relatively lower for areas where the parish council performs the concurrent function, as it includes the parish's costs but not TMBC's costs of performing the function elsewhere; and
 - relatively higher for areas where TMBC performs the concurrent function, as all TMBC's costs of performing the concurrent function must be met by taxpayers in the area where TMBC performs it.

5. Implementation

- 5.1 This Scheme is effective from 1 April 2017, following resolution of Full Council on 1 November 2016.
- 5.2 The list of concurrent functions included within the Scheme will be reviewed from time to time and the Scheme updated as necessary.

November 2016

TONBRIDGE & MALLING BOROUGH COUNCIL
SPECIAL EXPENSES ('LOCAL CHARGE') SCHEME

LEGAL BACKGROUND

Section 34 of the Local Government Finance Act 1992, as amended by the Localism Act 2011, requires that certain items, which are referred to as 'special items', and which relate to a part only of a billing authority's area, be removed from the calculation of the overall basic amount of tax and added to that for the area concerned.

Section 35(1) defines these items as:

- Any precept issued to or anticipated by the authority which is, or is believed to be, applicable to a part of its area and was taken into account by it in making the calculation (or last calculation) in relation to the year under Section 31A(2) above (i.e. the parish precepts, as included in the calculation of the budget requirement).
- Any expenses which are its (the Council's) special expenses and were taken into account by it in making that calculation.

Section 35(2)(d) defines further 'Special Expenses' as:

“any expenses incurred by a billing authority in performing in a part of its area a function performed elsewhere in its area by the sub-treasurer of the Inner Temple, the under-treasurer of the Middle Temple, a parish or community council or the chairman of a parish meeting are the authority's special expenses unless a resolution of the authority to the contrary effect is in force”

In order for expenses incurred in performing any function of a district council to be special expenses the function must be carried out by the district in only part of its area, and the same function must be carried out in another part of the district by one or more parish councils. The detailed identification of concurrent functions is therefore essential for using this special expenses provision.

One of the reasons behind the special expenses regime is to allow a more equitable division of council expenses for council taxpayer funded services so that those receiving the benefit of certain services in a particular area are those who pay for them through their precept and do not pay twice for similar services carried out in any areas where there is not a parish or town council so as to avoid “double taxation” for the relevant services.

The power to charge special expenses is discretionary and in order for it to apply there must be a resolution of the billing authority in force. As the resolution has to refer to the matters which will be special expenses for these purposes the resolution will need to identify which function related activities will be included within the calculation.

Special Expenses must be applied consistently throughout a billing authority's area. There is no discretion to make selective application to some parts of the borough only.

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TONBRIDGE & MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

13 September 2016

Report of the Director of Central Services and Monitoring Officer

Part 1- Public

For decision

1 REVIEW OF MAYORALTY FUNCTION

1.1 Introduction

1.1.1 On 14 June 2016 Members approved a proposal to review the civic function of the Borough Council. It was agreed that the review should cover the following specific areas:

- Role of the Mayor – to consider how the role of Mayor can best promote the Borough and the local economy, whilst continuing to perform an important role in the local community.
- Mayoral engagements – to consider the appropriate emphasis for selection of Mayoral visits, both inside and outside of the Borough
- Mayoral transport – to consider the efficacy of the current arrangements
- The fundraising role of the Mayor
- The Mayoral budget
- The role of the Macebearer
- The Mayor and Deputy Mayor's allowance
- The Mayor's chaplain

1.1.2 Each of these areas is considered in turn below.

1.1.3 As part of the scrutiny process, Members may wish to consider inviting key stakeholders and partners to contribute to the discussions in all or any of the areas under review. For example, Members may wish to hear from former Mayors or members of the clergy before reaching a decision on specific areas contained within the report. It is therefore suggested that Members of the Committee consider as a preliminary matter whether the review would benefit from input from stakeholders/ partners.

1.2 **Role of Mayor**

- 1.2.1 Section 3 of the Local Government Act 1972 requires all local authorities to elect a Chairman. The only authorities who may use the alternative term ‘Mayor’ are those, like Tonbridge and Malling, which have been granted a Royal Charter and given the status of Borough or City. The functions of a Mayor and Chairman are however identical.
- 1.2.2 An equivalent requirement to appoint a Deputy Mayor/ Vice-Chairman exists under section 5 of the 1972 Act.
- 1.2.3 Tonbridge & Malling Borough Council has had a ceremonial Mayor since December 1983, having been granted a Royal Charter earlier that year. The Mayor is the borough’s First Citizen and is elected annually by fellow councillors for one year at the annual meeting of the Council in May. The Deputy Mayor is also appointed in May and has traditionally been elected to the office of Mayor in the following year.
- 1.2.4 The Mayor chairs the full Council meetings and, in common with most other ceremonial mayors, and unlike directly elected mayors, remains apolitical throughout their period of office. Indeed, the Mayor and Deputy Mayor are not eligible to serve on Cabinet during their tenure in these roles. This is a legal requirement contained in section 11 of the Local Government Act 2000.
- 1.2.5 The Mayor also represents the Council as the civic head of the borough at official functions where they take precedence over other citizens. The only exception to this is when Royalty or the Lord Lieutenant is visiting the borough.
- 1.2.6 The principal responsibilities of the Mayor (and in his/ her absence the Deputy Mayor) are set out in Article 5 of the Constitution as follows –
1. to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
 2. to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community;
 3. to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which members who are not on the executive are able to hold the executive to account;
 4. to promote public involvement in the Council’s activities;
 5. to act with impartiality when discharging all Mayoral roles and responsibilities;
 6. to attend such civic and ceremonial functions as the Council and he/she determines appropriate.

1.2.7 The responsibilities are very broadly drafted. No changes are currently proposed to these, although they can of course be revisited in light of any changes that arise from this review.

1.3 **Mayoral engagements**

1.3.1 The Mayor is frequently invited to attend functions or activities, arranged and organised in the Borough, where they will act as ambassador for the Council and provide community leadership and engagement with local residents. These range from meeting Royalty and welcoming overseas visitors to opening school fetes and attending productions by local amateur dramatic groups. It is this role with which most people are familiar.

1.3.2 The Mayor is an important symbol of an open society, as he/ she can come from any social class, gender or ethnic background and plays an important role in the Council's governance structure.

1.3.3 The Mayor undertakes a fundraising role during their mayoral year, having nominated their chosen charities/ good causes at annual council in May. Over the past 5 civic years this has raised over £37,000 for good causes within the Borough, including the Bridge Trust, Slide Away, Royal Agricultural Benevolent Institution (RABI), the Kenward Trust and the Royal British Legion Industries.

1.3.4 The Mayor currently attends a number of annual civic events. These are the Annual Council (held in May), the Civic Service (June) and the Garden Party (July).

1.3.5 The Mayor is also frequently invited to events outside of the Borough. These events include

- the Royal Garden Party at Buckingham Palace
- Twinning events at Heusenstamm and Le Puy-en-Velay
- Greenwich award ceremonies
- The annual blessing of the seas in Margate
- Invitations from other Mayors/ Chairmen within Kent.

1.3.6 During the previous 5 civic years i.e. from May 2011 to May 2016, the Mayor attended a total of 1499 engagements at an average of nearly 300 per year. Of these a total of 1133 (75.6%) were inside the Borough, with the remaining 366 (24.4%) outside of Tonbridge and Malling.

1.3.7 At an average of 300 events per year (on top of any Council meetings) the role of Mayor is undoubtedly demanding, both for the Mayor and his/ her Lady Mayoress/ Consort. The role is also much valued by our communities, schools and religious groups.

- 1.3.8 The scrutiny review provides an opportunity for Members to consider the extent to which the Mayor should focus on a structured programme of activities and events. Whilst the Mayor undoubtedly works tirelessly in performing the duties of the role, it is difficult to justify a mayoral programme without specific aims or goals and which may appear to some to exist as a means of raising money for good causes. Furthermore, with the launch of the Council run community lottery (Hive Lotto) it may be an opportune moment to consider whether the Mayor should continue to undertake this fundraising role.
- 1.3.9 One option would be to introduce a more structured scoring system for evaluating the nature of invitations to events and functions. For example, the National Association of Civic Officers (NACO) has produced a scoring system which classifies the full range of mayoral engagements into 7 main categories. Whilst the scoring system recognises that all types of engagements have their place, it has weighted and ranked the different categories to suggest an order of importance so as to help decide which activities a Mayor should focus on.
- 1.3.10 NACO has suggested that Mayors should aim to develop a proactive programme of activities for their period of office focused on 'quality engagements'. These are engagements which contribute directly to the Mayor's personal theme or goals and which are linked, in turn, to the Council's corporate objectives.
- 1.3.11 There is an expectation that a large proportion of events should be local, on the basis that it is local people that are funding the mayoralty and that they should receive the most benefit from the civic programme. NACO also recommends that authorities consider adopting a performance indicator to measure (as a percentage of the total) the number of engagements attended within the local authority boundary, and to work towards a target for this. Those Councils that have adopted this performance indicator have typically worked towards a target of 90% of engagements being 'within boundary', so Members may wish to consider whether such an approach would be appropriate for Tonbridge and Malling.
- 1.3.12 The NACO scoring system is set out in the table below.

TYPE OF EVENT	SCORE
Promoting e.g. Council initiatives, business opportunities	5
Community e.g. attending local events with local people	5
Civic Hosting e.g. offering hospitality to community groups	3
Council/statutory/traditional e.g. Council Meetings, events relating to Freeman of the City, Citizenship	3

Ceremonies, Remembrance Sunday etc	
Charities e.g. Charity Appeal fundraising events	2
Social e.g. work colleagues, ward members, family	1.5
Civic Circuit e.g. visiting other Civic Head's events	1

1.3.13 Within this scoring system it would be possible to link the mayoral programme to specific corporate objectives. So, for example, it would be possible to link the programme to the vision or core values set out in the adopted Corporate Strategy.

1.3.14 The NACO system is of course only one example of a scoring system and there is no legal requirement for this Council to adopt it or indeed to score events in the way proposed. However, it does represent one way of achieving best practice.

1.3.15 The options open to Members are as follows

(a) Make no changes to the current approach;

(b) Introduce a structured scoring system as recommended by NACO; and/ or

(c) Introduce a target for the number of engagements to be within the boundary of Tonbridge and Malling.

1.4 **Mayoral transport**

1.4.1 For a number of years transport to the Mayor has been provided by a chauffeur (Castle Cars of Tonbridge), who provides an executive vehicle as part of the chauffeur service.

1.4.2 For the year 2016/2017 the budget for mayoral transport was reduced from £19,000 to £15,000. This reduction was designed to match the budget to the average net spend on mayoral transport over the previous 5 mayoral years (£15,427 pa).

1.4.3 The fees paid for the chauffeur are split into 2 parts, namely mileage and waiting time. There has been no increase in these fees since 2012. For reasons of commercial confidentiality, details of the current rates are set out at **Annex 1**.

1.4.4 The extent to which the chauffeur is used can vary from year to year, and will depend upon a variety of factors. These can include the number of mayoral engagements attended, the location of the engagements (a significant proportion of work undertaken by the chauffeur tends to be for engagements outside of the

Borough) and the employment status of the Mayor i.e. those Mayors with a full time job tend to be able to attend fewer engagements and therefore make less use of the chauffeur.

1.4.5 For the assistance of Members I have set out below a summary of the work undertaken by the chauffeur during the past 5 civic years.

- Total number of engagements – 436
- Number of engagements within the Borough – 165 (37.8%)
- Number of engagements outside of the Borough – 271 (62.2%)

1.4.6 A total £77,139.08 (exc VAT) was spent on the chauffeur during the civic years 2011 to 2016. Of this a total of £51,636.96 (66.9%) was spent on engagements outside of the Borough, the remaining £25,502.96 (33.1%) being spent on engagements within Tonbridge & Malling.

1.4.7 It is of course important to bear in mind that the vast majority of mayoral engagements will be attended without using the services of the chauffeur. Indeed, only 436 (29.1%) of the total number of mayoral engagements over the past 5 years (1499) have involved the use of the chauffeur.

1.4.8 The use of a chauffeur is not however the only means by which mayoral transport may be provided. Indeed, there is a no 'one size fits all' approach to the provision of this support and other authorities approach it in a variety of ways. By way of comparison we have obtained information from other authorities within Kent as to the means by which mayoral transport is provided. Of the 11 authorities who provided information, the majority (9) employ an in-house driver (with a mix of full-time and part-time) with 1 using a private limousine company and 1 where the Mayor drives himself to engagements. Of the 9 who employ a driver, more than half (5) require their driver(s) to perform other duties e.g. civic officer, caretaker.

1.4.9 The various options are considered in more detail below.

Employment of driver

1.4.10 It is estimated that it would cost £19,110 plus on-costs to employ a full-time driver in-house to provide mayoral transport services as we do not have an existing member of staff with the capacity to undertake this additional role. This estimate is based upon employing a full-time member of staff at grade 2/3. The Council would then also need to meet the costs of acquiring (e.g. leasing) and servicing a suitable vehicle, which are estimated at £15,000 - £20,000 per annum. The vehicle costs could be minimised by exploring whether a sponsored vehicle could be provided.

1.4.11 However, given that the staffing costs alone are estimated to amount to £19,110 plus on-costs, this option would still cost more than the present approach of using

a chauffeur. Whilst any such post could also perform other duties e.g. Macebearer, the costs of pursuing this option are still in excess of the current arrangements. For this reason the option of employing a driver is not recommended.

Chauffeur/ limousine company

1.4.12 If Members were minded to continue with the use of a chauffeur, it is proposed that at least 3 written quotes are invited, at least one of which would need to be from a local supplier. Such an approach would be necessary in order to ensure that the Council receives value for money, and to comply with our contract procedure rules.

Mayor responsible for own travel

1.4.13 Members will have noted from paragraph 1.4.7 above that a significant majority of civic events are attended without using the services of a chauffeur. In such cases the Mayor has either used their own vehicle, taxi or public transport. The type of transport used will depend upon the nature and formality of the event being attended.

1.4.14 The Mayor is entitled to submit a mileage claim for any travel undertaken using their own vehicle. During the civic years 2011 to 2016 a total of £6810.15 was paid out in mileage claims.

1.4.15 One option may therefore be to provide the Mayor with a transport allowance, which they could use to commission transport from an external provider as and when the need arose. Should Members wish to pursue this option, it is suggested that an allowance of at least £7,500 be agreed. Any such payment would also be subject to tax and national insurance.

1.4.16 The options open to Members are

(a) Seek 3 competitive quotes for the provision of mayoral transport;

(b) Provide for an annual transport allowance to be made to the Mayor in lieu of a chauffeur

1.5 Budgets/ Mayoral support

1.5.1 Historically the Mayor at Tonbridge & Malling has been supported by the Mayor's office, which has reported to the Chief Executive or more latterly to the Director of Central Services. This office has performed a number of support functions, including

- Managing the civic diary and providing secretarial and administrative support
- Arranging travel

- Involvement in organising civic events/ ceremonies
- Receiving and processing invitations to events & functions
- Managing budgets
- Providing support for the Mayor's charity work

1.5.2 The resources within this team have been historically low, at 1.06 FTE costed at £33,352 (2016/17 estimate).

1.5.3 On 27 June 2016 the General Purposes Committee agreed a proposal to merge all existing administrative posts across Central Services into a single team. As part of this proposal the 2 existing posts of Mayor's Assistant were deleted, with the one remaining post holder (the other post being vacant) taking up the position of Administrative Officer in the newly created team. The consequence of this change is that support for the Mayor is now delivered across a wider administrative team, rather than through dedicated posts in the (former) Mayor's Office. This in turn will lead to greater efficiency savings across both Central and Executive Services.

1.5.4 In light of the above, no changes are proposed to the administrative support provided to the Mayor.

1.5.5 The other budgets applicable to the mayoral budget (for 16/17) are as follows

Insurance of chain - £50

Civic Hospitality - £7,000

Mobile phone - £150*

Sundries (e.g. photos, badge repairs & valuations, wreaths etc) - £1,500

Total £8,700

*The Mayor is now provided with a smartphone so that they may promote the mayoral role through social media e.g. Twitter.

1.6 **Role of Macebearer**

1.6.1 The mace is the most important of insignia at Council meetings, representing the power and dignity of the mayor and the symbol of authority. Indeed, the ceremonial mace in England began life as a weapon, but one designed to represent a higher authority. The Mace is carried before the Mayor to represent their authority as delegated from the crown.

1.6.2 As Members will be aware, the Macebearer precedes the Mayor when entering and leaving the Council Chamber and lays the Mace in front of the Mayor when

Council is sitting. The mace is reversed in the presence of the Sovereign. It is a symbol of the Royal authority delegated by the Sovereign to the Mayor and is therefore redundant in the Monarch's presence.

- 1.6.3 Unlike Parliament, the absence of a Mace will not invalidate the business of Council meetings. Its presence is symbolic rather than legal.
- 1.6.4 The role of Macebearer is undertaken by a part-time member of staff. The cost (which is exempt information) is detailed in **Annex 1** to this report.
- 1.6.5 The Macebearer will also accompany the Mayor to certain civic functions, both inside and outside the Borough. These include
- Annual Council and all other Council meetings
 - The Mayor's Civic Service
 - Remembrance Sunday Services at Tonbridge & West Malling
 - The Mayor's Garden Party
 - Alderman/ Freeman ceremonies
 - Events outside the Borough e.g. the Blessing of the Seas in Margate, the University of Greenwich awards ceremony, twinning receptions
- 1.6.6 No specific recommendations are made in respect of the Macebearer. However, it is appropriate that Members consider the role of the Macebearer alongside any broader review of the approach towards Mayoral engagements.

1.7 Allowances

- 1.7.1 In accordance with sections 3 & 5 of the Local Government Act 1972, the Council may pay the Mayor and Deputy Mayor such allowance as it thinks reasonable for the purpose of enabling him to meet the expenses of his office. These allowances are currently £5990 and £1420 respectively.
- 1.7.2 The Council does not include the allowances payable to the Mayor and Deputy Mayor in its scheme of allowances, as the relevant Regulations governing Members' Allowances (the Local Authorities (Members' Allowances)(England) Regulations 2003)) do not require councils to include mayoral allowances in any formal review. The most recent review of Members' Allowances undertaken by the Joint Independent Remuneration Panel (JIRP) undertaken in 2012 did not therefore review or make any recommendations in respect of mayoral allowances.
- 1.7.3 One option may be to ask the JIRP to look at mayoral allowances, to ensure that the allowances are subject to independent scrutiny.

1.8 Religious involvement in the Mayoralty

- 1.8.1 To date, the incoming Mayor has, at annual Council each year, appointed local Christian clergy as their Chaplain and thus conformed to the tradition of religious observance. For attendees of Council meetings this appointment manifests itself with the saying of Christian prayers before Council meetings.
- 1.8.2 There is no constitutional or legal requirement for the appointment of a Mayor's Chaplain, nor that the Chaplain should be of a particular Christian denomination or religion. Indeed the constitution is silent as to the Mayor's Chaplain. It would therefore be perfectly possible for a future Mayor to decide not to appoint a Chaplain, or to appoint one of a non-Christian denomination or religion.
- 1.8.3 Nevertheless, it is possible that the custom of appointing a Christian Chaplain may deter some Councillors who have no religious convictions or those Councillors who follow a non-Christian religion from putting themselves forward for possible nomination to the Mayoralty.
- 1.8.4 If Members are minded to continue to allow each Mayor to decide for him/ herself the extent of any religious involvement in their Mayoral year, then it may nevertheless be helpful to clarify the various options open to the Mayor. These are:
- (a) To appoint as Chaplain any person from any religion for the purpose of providing spiritual counsel to the Mayor; or
 - (b) Make no appointment

1.9 Saying of prayers before Council meetings

- 1.9.1 Section 138A of the Local Government Act 1972 (as inserted by the Local Government (Religious etc observances) Act 2015) permits Local Authorities to include within the business of a meeting, prayers or other religious observance.
- 1.9.2 The introduction of s138A came in response to a decision of the High Court in 2012, which held that Local Authorities had no statutory power under the 1972 Act to hold prayers as part of a formal meeting (R on the application of the National Secular Society v Bideford Town Council). The then Local Government Secretary, Eric Pickles, fast tracked the introduction of the general power of competence in the Localism Act to allow the practice to continue, with the specific power under s138A following in 2015.
- 1.9.3 As a matter of practice, the saying of prayers does not form part of the formal Council agenda at Tonbridge & Malling. Instead, the Chaplain says prayers immediately before the Mayor formally opens the meeting.
- 1.9.4 The options open to Members are

- (a) To make no changes to the current arrangements for the saying of prayers immediately before Council meetings;
- (b) To cease the current arrangements; or
- (c) To ask the Chaplain to say prayers in the Council Chamber five minutes before the start of the meeting for those councillors, officers and members of the public who wish to participate. This could be followed by a short interval between the conclusion of prayers and the start of the formal meeting to enable those councillors, officers and members of the public who do not wish to take part in prayers to enter the Council Chamber and join the meeting. A notice to the public regarding the saying of prayers could be placed at the doors to the Council Chamber.

1.10 Legal Implications

1.10.1 As set out above.

1.11 Financial and Value for Money Considerations

1.11.1 As set out above.

1.12 Recommendation

1.12.1 It is **RECOMMENDED** that Members consider the various options set out in the paper.

Background papers:

contact: Adrian Stanfield

Nil

Adrian Stanfield

Director of Central Services and Monitoring Officer

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TONBRIDGE & MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

13 September 2016

Report of the Chief Executive

Part 1- Public

Delegated

1 PROPOSED SCRUTINY REVIEW PROGRAMME

To set out further topics for review by the Committee.

1.1 Future Reviews

1.1.1 It is recommended that the Overview and Scrutiny Committee now undertake reviews of the following:

- A review of Christmas lighting provision and High Street flower displays;
- A review of the future of the Gibson Building.

1.2 Christmas Lighting and Flower Displays

1.2.1 The Cabinet has recently considered a report regarding the introduction of 'Special Expenses' which aims to achieve fairer charging for a number of services across the Borough. A policy to take this initiative forward is reported elsewhere on this agenda.

1.2.2 The Cabinet considered a number of services which might appropriately be included in the Special Expenses policy. Whilst Christmas lighting arrangements and High Street flower displays were viewed as potential candidates for inclusion given the different arrangements currently in place in Tonbridge and the parished areas, the Cabinet resolved that these items should not be included and that these issues should be referred to the Overview and Scrutiny Committee for further review.

1.2.3 Currently, the Council's 2016/17 budget for providing Christmas lighting (which it meets in full) is £16,000pa with on-costs of £5,200. The equipment is owned by the Council and this attracts a further annual renewals cost of c£4,300pa. For the parished area of the Borough, local lighting schemes are delivered by local traders groups and/or Parish Councils. The Council currently contributes a 50% grant to each group with the other 50% being met locally. The groups currently involved in the grant scheme are Martin Square Traders Association, Snodland Chamber of Commerce, Borough Green Christmas Lights Committee, Wrotham Christmas

Lights Committee, Hadlow Parish Council, East Peckham Parish Council, and Aylesford Parish Council. The annual budget to provide these annual grants total £16,000 with on-costs of £1,000. The review will need to involve consultation with the above groups and engagement with Tonbridge traders and the Tonbridge Town Team.

- 1.2.4 The Council's 2016/17 budget for floral displays in Tonbridge High Street is £5,000 plus some on-costs. Additional costs may be incurred in some years if replacement baskets are needed. Parish Councils are responsible for the provision of such displays elsewhere in the Borough.
- 1.2.5 The key issues to address via the review are whether the current grant arrangements for the parished area of the Borough remain appropriate and the extent to which local traders in Tonbridge could help fund the Christmas lights and High Street floral display for the town to achieve greater equity across the Borough.

1.3 Review of the Gibson Building

- 1.3.1 As part of the Council's savings and transformation strategy, we are currently reviewing a number of properties we own, both to achieve savings, generate capital receipts and achieve more efficient ways of working. A recent example of this approach has been the relocation of Citizens' Advice to Tonbridge Castle from their former premises the Council owns at River Walk and the relocation of a private business (also previously located at River Walk) to the Leader's former office in the Gibson Building.
- 1.3.2 As suggested at the previous Overview and Scrutiny Committee meeting, it would now be timely to investigate wider options for the Gibson Building (East and West) given that this is our most significant property asset. To inform this work, we will be commissioning an options review from a property consultant to inform the following:
- options available to the Council for future use of both Gibson (East) and (West) including continued use, freehold disposal or leasehold disposal taking into account market viability and any current constraints including the Grade 2 listing of Gibson (West);
 - assessment of likely office space required to accommodate around 240 full staff and likely costs assuming a location either at Kings Hill or Tonbridge.

1.4 Scrutiny Review Arrangements

- 1.4.1 It is suggested that two separate informal Panels, drawn from the membership of the Overview and Scrutiny Committee, should be established to progress these reviews. Each panel would be chaired by a Vice-Chairman of the Committee with the Chairman attending both panels.

1.4.2 The suggested panel memberships are as follows:

Christmas Lighting/Flower Displays

Sarah Spence (Chairman)

Cllr Mrs J A Anderson
 Cllr M C Base
 Cllr P F Bolt
 Cllr J L Botten
 Cllr R W Dalton
 Cllr M Taylor
 Cllr F G Tombolis

Gibson Building

Anita Oakley (Chairman)

Cllr Ms J A Atkinson
 Cllr T I B Cannon
 Cllr Mrs S M Hall
 Cllr S R J Jessel
 Cllr Mrs F A Kemp
 Cllr Mrs S L Luck
 Cllr P J Montague
 Cllr T C Walker

1.4.3 If any Member would like to swap Panels, they are invited to discuss this with the Chief Corporate Policy Officer. All members of the Overview and Scrutiny Committee will be sent papers for both panels. These will also be available on tablets.

1.4.4 There is a need to progress work on the Christmas Lighting/Flower Displays to inform the budget setting process for 2017/18. Findings of the Panel will therefore need to be reported to the next meeting of the Overview and Scrutiny Committee on 24th January 2017. A date for the first panel meeting has been set for **Thursday 6th October, 6.30pm in the Committee Room.**

1.4.5 For the Gibson Building review, a slightly longer timescale is appropriate. The consultant's review of options needs to be completed first. The Panel will then be invited to review its conclusions and agree its recommendations. To give sufficient time for the options work to be undertaken and then assessed by Officers, a date of the first meeting of the Panel has been set for **Wednesday 2nd November, 6.30pm in the Committee Room.**

1.5 Legal Implications

1.5.1 None.

1.6 Financial and Value for Money Considerations

1.6.1 These issues will be considered at the Panel meetings.

1.7 Risk Assessment

1.7.1 As above.

1.8 Equality Impact Assessment

1.8.1 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.

1.9 Recommendations

1.9.1 That the arrangements for the reviews of Christmas Lighting/High Street floral displays and the future of the Gibson Building, a set out in the report, **BE ENDORSED.**

Background papers:

Nil

contact: Mark Raymond
Chief Corporate Policy Officer

Julie Beilby
Chief Executive

Agenda Item 9

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 10

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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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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Agenda Item 12

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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