

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

26 January 2015

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

Dear Sir/Madam

Your attendance is requested at a meeting of the Cabinet to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 3rd February, 2015 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

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

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

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17. Housing Allocations Scheme Review 229 - 232

Item SH 14/28 referred from Strategic Housing Advisory Board minutes of 10 November 2014

18. Local Plan Update 233 - 242

Item PE 14/28 referred from Planning and Transportation Advisory Board minutes of 18 November 2014

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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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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.

PART 2 - PRIVATE

23. Urgent Items

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

MEMBERSHIP

Councillor N J Heslop, (Leader)
Councillor Mrs J A Anderson, (Housing)
Councillor J A L Balcombe, (Economic Regeneration)
Councillor M A Coffin, (Finance, Innovation and Property)
Councillor Mrs M F Heslop, (Leisure, Youth and Arts)
Councillor B J Luker, (Environmental Services)
Councillor Mrs S Murray, (Planning and Transportation)
Councillor M R Rhodes, (Communities, Health and Community Safety)

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

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Apologies for absence

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

Wednesday, 8th October, 2014

Present: Cllr N J Heslop (Chairman), Cllr Mrs J A Anderson, Cllr J A L Balcombe, Cllr M A Coffin, Cllr B J Luker, Cllr Mrs S Murray and Cllr M R Rhodes

Councillors O C Baldock, M A C Balfour, T Bishop, P F Bolt, A K Sullivan and R Taylor were also present pursuant to Access to Information Rule No 22.

An apology for absence was received from Councillor Mrs M F Heslop

PART 1 - PUBLIC

CB 14/64 DECLARATIONS OF INTEREST

Councillor M Coffin declared a Disclosable Pecuniary Interest in the item on Council Tax Discounts on the grounds of being a landlord of residential and commercial property in the Borough and withdrew from the meeting during consideration of that item.

CB 14/65 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 25 June 2014 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 14/66 TREASURY MANAGEMENT MID YEAR REVIEW 2014/15

The report of the Director of Finance and Transformation advised that a report detailing treasury management activity undertaken during the period April to August of the current financial year had been considered by the Audit Committee on 6 October 2014. The action taken by officers had been commended for endorsement together with the retention of the current risk parameters and the change in management responsibility for the Council's core fund investments noted.

RECOMMENDED: That

- (1) the action taken by officers in respect of treasury management activity for the period April to August 2014 be endorsed;
- (2) the transfer of responsibility for core fund investments to In-house management with effect from 1 August 2014 be noted; and

- (3) the existing parameters intended to limit the Council's exposure to investment risks be retained.

***Referred to Council**

CB 14/67 COUNCIL TAX DISCOUNTS

Item FP 14/59 referred from Finance, Innovation and Property Advisory Board minutes of 24 September 2014

The Cabinet received the recommendations of the Finance, Innovation and Property Advisory Board at its meeting on 24 September 2014 regarding the outcome of consultation on possible changes to certain council tax discounts from 1 April 2015.

RECOMMENDED: That

- (1) the period of 100% discount for vacant and unfurnished properties be reduced from three months to two months with effect from 1 April 2015;
- (2) the current twelve months discount for uninhabitable properties and those undergoing repair be retained at 100% from 1 April 2015;
- (3) a premium of 50% be charged on properties that have been empty for longer than two years with effect from 1 April 2015.

*** Referred to Council**

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

CB 14/68 FUTURE GAS AND ELECTRICITY SUPPLY CONTRACTS

Decision Notice D140118CAB

CB 14/69 FINANCIAL ARRANGEMENTS WITH PARISH COUNCILS 2015/16

Item FIP14/56 referred from Finance, Innovation and Property Advisory Board minutes of 24 September 2014

Decision Notice D140119CAB

CB 14/70 CORPORATE PEER CHALLENGE

Decision Notice D140120CAB

In considering the next steps, the Chief Executive outlined the framework encompassing a number of work strands to be considered in bringing forward the transformation agenda.

CB 14/71 COLLECTIVE ENERGY SWITCHING

Decision Notice D140121CAB

CB 14/72 BUSINESS RATE POOLING

Decision Notice D140122CAB

MATTERS SUBMITTED FOR INFORMATION**CB 14/73 MATTERS REFERRED FROM ADVISORY BOARDS**

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

Finance, Innovation and Property Advisory Board of 23 July 2014

Local Environmental Management Advisory Board of 2 September 2014

Economic Regeneration Advisory Board of 3 September 2014

Leisure and Arts Advisory Board of 15 September 2014

Communities and Health Advisory Board of 23 September 2014

Finance, Innovation and Property Advisory Board of 24 September 2014

RESOLVED: That the report be received and noted.

CB 14/74 MATTERS REFERRED FROM ADVISORY PANELS AND OTHER GROUPS

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

Tonbridge Forum of 30 June 2014

Parish Partnership Panel of 4 September 2014

Tonbridge Forum of 8 September 2014

Joint Transportation Board of 22 September 2014

RESOLVED: That the report be received and noted.

CB 14/75 LOCAL INDICATORS 2014/15

The Director of Central Services presented the results for the first quarter of the current financial year for those local indicators that were monitored regularly.

RESOLVED: That the report be received and noted.

CB 14/76 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information, the following matters be considered in private.

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

CB 14/77 GROUND MAINTENANCE SERVICES - RETENDERING OF CONTRACT

(LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

Decision Notice D140123CAB

The meeting ended at 9.05 pm
having commenced at 8.05pm

Agenda Item 4

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

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TONBRIDGE AND MALLING BOROUGH COUNCIL

COMMUNITY SAFETY ADVISORY BOARD

Tuesday, 21st October, 2014

Present: Cllr R W Dalton (Chairman), Cllr Mrs P Bates, Cllr D A S Davis, Cllr Mrs E M Holland, Cllr A G Sayer and Cllr Miss J L Sergison

Councillors Mrs J A Anderson, M A C Balfour, P F Bolt, B J Luker, Mrs S Murray, M R Rhodes and R Taylor were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors D J Cure (Vice-Chairman) and M Taylor

Whilst not a Member of the Advisory Board, the Leader (Councillor N Heslop) had offered his apologies that he was unable to attend due to a prior work commitment. In addition, the Deputy Mayor (Councillor Baldock), whilst not a Member of the Advisory Board offered his apologies.

PART 1 - PUBLIC

CSF 14/10 DECLARATIONS OF INTEREST

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

CSF 14/11 MINUTES

RESOLVED: That the notes of the meeting of the Community Safety Advisory Board held on 1 April 2014 be approved as a correct record and signed by the Chairman.

CSF 14/12 PRESENTATIONS BY THE KENT POLICE AND CRIME COMMISSIONER AND THE DEPUTY CHIEF CONSTABLE

The Chairman welcomed the Police and Crime Commissioner for Kent (Ann Barnes) and the Deputy Chief Constable (Paul Brandon) who gave presentations on their roles and responsibilities and how they connected with local authorities.

Particular reference was made to increased partnership working and the excellent job of the Community Safety Partnership, especially in helping vulnerable residents and those most at risk from crime.

The new policing model was outlined and it was explained that, due to the significant budget pressures, different methods of service delivery were being explored. These included reducing the demand on the police force by partnership working and collaboration and the better and

innovative use of technology. However, it was emphasised that Kent Police remained committed to providing a quality service, focused on crime and criminals, with visible and engaged leadership at every level and putting victims and witnesses first.

Finally, both speakers recognised that the continuing Comprehensive Spending Review remained a significant challenge for the future and which might have implications for service delivery. It was reiterated that the new policing model currently in place represented best value for money and remained focused on the provision of a quality service.

In response to a question regarding the regular turnover of community police officers, the Deputy Chief Constable advised that Kent Police were committed to neighbourhood policing and there was an expectation that officers would remain in post for at least two years to provide consistency and create good working relationships. However, this expectation could not be guaranteed due to a number of factors such as promotion or relocating for personal reasons.

Members expressed concern regarding the lack of police presence during major roadworks, such as the A21 Pembury dualling scheme which was due to commence in the near future, and addressing speeding and 'rat running' through rural villages. The Deputy Chief Constable assured the Advisory Board that Kent Police liaised with Kent County Council whenever there was a major traffic scheme but there were difficult choices to make regarding priorities due to resource pressures. However, a police presence would be considered for the A21 although manpower could not be guaranteed.

The Police and Crime Commissioner reiterated the serious resource issues being experienced by the police force, reminded Members of the greater powers and responsibilities at a local level and urged that the Borough Commander for Tonbridge and Malling (Inspector Gill Ellis) be contacted regarding local issues.

The Cabinet Member for Communities, Health and Community Safety thanked the Police and Crime Commissioner for the financial support given to the Community Safety Partnership, which gave a valuable service to communities and vulnerable residents. Reference was made to the Port of Dover and whether it created any implications for policing. The Deputy Chief Constable advised that Kent Police received a significant amount of funding from Government to police Dover and there was a focus on vehicular and pedestrian traffic, which targeted issues around freight.

MATTERS FOR RECOMMENDATION TO THE CABINET**CSF 14/13 ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

Decision Notice: D140124MEM

The report of the Director of Central Services outlined the new powers contained in the Anti-Social Behaviour, Crime and Policing Act 2014, which came into effect on 20 October 2014 and was intended to introduce simpler, more effective powers to tackle anti-social behaviour that provided better protection for victims and communities.

Particular reference was made to the 'community trigger' which allowed the public to request a review of the actions taken around anti-social behaviour complaints. Annex 1 to the report showed the threshold and procedures discussed by the Kent Community Safety Partnership.

In addition, implications for the Borough Council were set out, together with the measures being considered to address the new powers. Members expressed concern regarding the potential for vexatious complainants and the need to continue collecting evidence to support any review of actions taken. The Licensing and Community Safety Manager indicated that it was presently unclear how the final process would be managed but a progress report on the challenges faced would be given at a future meeting of the Advisory Board.

Reference was made to the public spaces protection order and whether this could be used to address anti-social behaviour at Leybourne Lakes Country Park by granting additional powers to the rangers. It was felt that this was probably appropriate, in principle, but investigation was needed as to how this would be implemented.

It was noted that the new powers were additional tools to help tackle, and would not prevent, anti-social behaviour. It was, therefore, important to ensure that public expectations were not raised unduly and that they continued to be confident that the Borough Council, with partners, was committed to addressing any anti-social behaviour issues.

RECOMMENDED: that the contents of the Anti-Social Behaviour, Crime and Policing Act be supported and noted.

CSF 14/14 UPDATE ON THE COMMUNITY SAFETY ACTION PLAN 2014/15

Decision Notice: D140125MEM

The report provided an update on progress made on the Community Safety Partnership Action Plan 2014/15 for the first two quarters of the year. The key priorities to be tackled during the year were anti-social behaviour, domestic abuse and substance misuse.

It was noted that it was a statutory requirement (Police and Justice Act 2006) for the Community Safety Partnership to provide an annual review of the Action Plan.

RECOMMENDED: That the progress made against the actions set out in the Community Safety Partnership Action Plan, as set out in Annex 1 to the report, be supported and endorsed.

MATTERS SUBMITTED FOR INFORMATION

CSF 14/15 UPDATE OF THE COMMUNITY SAFETY PARTNERSHIP

The report of the Director of Central Services provided an update on some of the recent work of the Tonbridge and Malling Community Safety Partnership and the Community Safety Unit.

Members expressed appreciation to all the organisations involved for their contribution to the great success of the Community Safety Partnership and the Community Safety Unit.

MATTERS FOR CONSIDERATION IN PRIVATE

CSF 14/16 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.10 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

STRATEGIC HOUSING ADVISORY BOARD

Monday, 10th November, 2014

Present: Cllr A G Sayer (Chairman), Cllr D J Trice (Vice-Chairman), Cllr Ms J A Atkinson, Cllr Mrs J M Bellamy, Cllr Mrs B A Brown, Cllr C Brown, Cllr D J Cure and Cllr M Parry-Waller

Councillors Mrs J A Anderson, Mrs P Bates, P F Bolt, N J Heslop, B J Luker, Mrs S Murray and M R Rhodes were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs S Luck, D W Smith, Ms S V Spence and Mrs C J Woodger

PART 1 - PUBLIC

SH 14/23 DECLARATIONS OF INTEREST

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

SH 14/24 MINUTES

RESOLVED: That the notes of the meeting of the Strategic Housing Advisory Board held on 19 May 2014 be approved as a correct record and signed by the Chairman.

SH 14/25 GLOSSARY

The Director of Planning, Housing and Environmental Health submitted a glossary of terms used within the reports to the Advisory Board.

MATTERS FOR RECOMMENDATION TO THE CABINET

SH 14/26 MOBILE HOMES ACT 2013 - CHANGES TO CARAVAN SITE LICENSING

The joint report of the Director of Planning, Housing and Environmental Health and the Cabinet Member for Housing provided an update on the recent changes to legislation surrounding caravan site licensing on permanent residential caravan sites. The report set out details of a proposed Fees Policy in respect of charges for applications or transferring site licences and for monitoring compliance with caravan site licence conditions. The Board noted that, since 4 February 2014, an owner of a relevant protected site wishing to enforce site rules was required to deposit a copy of the site rules with the Council and that the

Council should create an up-to-date register of site rules and publish this on line.

RECOMMENDED: That the Cabinet commend the following to the Council

- (1) an application fee of £335 be charged for processing a new caravan site licence for a relevant protected site;
- (2) an application fee of £110 be charged for the transfer of a licence to a different licence holder for a relevant protected site;
- (3) no charge be applied for alterations to existing site licence conditions attached to a caravan site licence;
- (4) a fee of £60 be charged for administering the deposit of site rules, maintaining and publishing the site rules online; and
- (5) a consultation exercise be undertaken with residents and site owners on the four larger relevant protected sites identified in paragraph 1.2.6 of the report to determine their view regarding annual compliance monitoring of site licence conditions detailed in paragraph 1.3.5 of the report and the charging of a fee for this function. The findings of the consultation exercise be reported to a future meeting of the Strategic Housing Advisory Board.

* Referred to Cabinet

SH 14/27 HOUSING LIAISON PANEL REPORT

Decision Notice D140126MEM

The joint report of the Director of Planning, Housing and Environmental Health and the Cabinet Member for Housing explained the outcome of a successful programme of meetings with the Council's Registered Provider Partners at the Housing Associations Liaison Panel Meetings and in particular discussion about the Affordable Rent model. It described steps for pursuing possible future policy directions, making representations to (and influencing the approach of) the Council's Registered Provider Partners.

RECOMMENDED: That

- (1) a review of the Borough Council's planning practice to consider the changing environment regarding the funding and provision of affordable housing be undertaken, within the context of the evidence that will support the new local plan and a report be submitted to a future meeting of the Planning and Transportation Advisory Board;

- (2) there be a review of the Borough Council's approach to negotiating with and influencing its Registered Provider Partners to address concerns regarding the affordability and sustainability of tenancies for some household types in relation to the Affordable Rent model; and
- (3) the Borough Council continue to engage with its Registered Provider Partners through the Housing Associations Liaison Panel to ensure that the existing social and affordable housing stock and future pipeline of affordable homes meets the Council's strategic requirements and addresses identified housing need.

SH 14/28 PRESENTATION - HOUSING ALLOCATIONS SCHEME REVIEW

The joint report of the Director of Planning, Housing and Environmental Health and the Cabinet Member for Housing, together with a presentation by the Chief Housing Officer, provided an update on the review of the Council's Housing Allocations Scheme following the introduction of the Localism Act 2011. Details of proposed revisions to the Scheme, which had been in operation since September 2013, were set out in the presentation and particular reference was made to the need to address operational and strategic issues which had emerged since implementation of the scheme, to consider recent Government guidance and to reflect changes in the housing market and economy. Details of the proposed timetable for revisions to the scheme were presented at the meeting and the Board noted that a detailed report would be submitted to its meeting on 23 February 2015.

A number of Members expressed concern about the proposal to disqualify applicants if they did not meet the financial thresholds and preferred the retention of the current criteria whereby they would be classified in 'Band D'. Other Members expressed concern that retention on the scheme provided a 'false hope' that an applicant would be offered affordable housing and expressed a preference for disqualification. The Board commended officers for a comprehensive report on a complex issue.

RECOMMENDED: That, subject to a re-evaluation of the proposed financial thresholds and inclusion of a 'Band D' rather than the disqualification of applicants, the proposed content and timetable for revisions to the Housing Allocations scheme, as presented to the meeting, be commended to Cabinet for endorsement. ◀

*** Referred to Cabinet**

[In accordance with Council Procedure Rule 8.5 Councillor D Cure asked that his vote against the inclusion of a 'Band D' and for the disqualification of applicants be recorded.]

MATTERS SUBMITTED FOR INFORMATION**SH 14/29 KENT ACCOMMODATION STRATEGY**

The report of the Director of Planning, Housing and Environmental Health provided a summary of Kent County Council's new Kent Accommodation Strategy which identified how the provision, demand and aspiration for housing, care and support services would be met for adult social care across the County. The report outlined the objectives of the Accommodation Strategy, identified matters relevant to Tonbridge and Malling and highlighted weaknesses in provision in residential care and older person's accommodation in west Kent.

SH 14/30 HCA UPDATE

The report of the Director of Planning, Housing and Environmental Health provided details of the Homes and Communities Agency's (HCA) recent announcement of capital grant allocations through the Affordable Homes Programme 2015-18 to schemes to be delivered within Tonbridge and Malling. The Board was pleased to note that the HCA had allocated over £7 million of capital grant funding to the Council's Registered Provider Partners to construct new affordable homes within the borough. Members noted that the Leader of the Council and the Cabinet Member for Housing would be writing to the local Members of Parliament to question whether rental levels set at 80 per cent of market value were "affordable" and the detrimental effect this had on working families.

SH 14/31 PRIVATE SECTOR HOUSING UPDATE

The report provided updates on the Review of Empty Homes by the Overview and Scrutiny Committee; the Collective Switching Scheme; the Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 and the West Kent Landlord Fair held on 21 October 2014.

SH 14/32 STRATEGY AND ENABLING UPDATE

The report provided an update on progress made by the Council's Registered Provider (RP) Partners to provide new affordable homes within the Borough between 2012/13 to 2014/15 and described the progress on various housing strategy initiatives.

SH 14/33 HOUSING NEEDS UPDATE

The report provided an update on the activity of the Housing Options team to promote the prevention of homelessness and address the housing needs of local residents. While it was noted that those people requiring emergency accommodation had reduced recently, the number of households seeking advice and/or applying to the Housing Register

for social housing remained significantly high as a result of the economic downturn. Attention was drawn to the County Council's review of the Supporting People Programme and the possible effect this could have on socially excluded groups.

SH 14/34 EXTERNAL CONSULTATIONS

The report of the Director of Planning, Housing and Environmental Health set out details of consultations responded to since the last meeting of the Advisory Board.

MATTERS FOR CONSIDERATION IN PRIVATE

SH 14/35 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information, the following matters be considered in private.

PART 2 - PRIVATE

MATTERS SUBMITTED FOR INFORMATION

SH 14/36 SERVICE OF STATUTORY NOTICES

(Reason: LGA 1972 Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

The report of the Director of Planning, Housing and Environmental Health set out details of statutory notices served since the last meeting of the Advisory Board.

The meeting ended at 9.13 pm

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TONBRIDGE AND MALLING BOROUGH COUNCIL

COMMUNITIES AND HEALTH ADVISORY BOARD

Monday, 17th November, 2014

Present: Cllr Ms S V Spence (Chairman), Cllr Mrs C M Gale (Vice-Chairman), Cllr T Bishop, Cllr D J Cure, Cllr D Keeley, Cllr Miss J L Sergison, Cllr A K Sullivan and Cllr R Taylor

Councillors J A L Balcombe, O C Baldock, P F Bolt, N J Heslop, B J Luker and M R Rhodes were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors A W Allison and Mrs E M Holland

PART 1 - PUBLIC

CH 14/26 DECLARATIONS OF INTEREST

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

CH 14/27 MINUTES

RESOLVED: That the notes of the meeting of the Communities and Health Advisory Board held on 23 September 2014 be approved as a correct record and signed by the Chairman.

CH 14/28 MINUTES

RESOLVED: That the notes of the extraordinary meeting of the Communities and Health Advisory Board held on 8 October 2014 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

CH 14/29 KENT HEALTHY BUSINESS AWARDS

Decision Notice D140127MEM

The report of the Director of Planning, Housing and Environmental Health outlined the requirements of the Kent Healthy Business Award, funded by Kent County Council with the aim of helping employers focus on ways of improving the health and well-being of their workforce. Details were given of the dual role of the Borough Council in the delivery and implementation of the Award, including its introduction to the business community and promotion of the Council itself as an exemplar organisation.

A presentation was received from Helen Buttevant and Julie Bullace of the KCC Public Health Team who provided an overview of the Award scheme and answered Members' questions.

RECOMMENDED: That the proposed approach to developing the Kent Healthy Business Award both within the Council and the local business community be endorsed.

CH 14/30 LOCAL HEALTH IMPROVEMENT PROGRAMMES

Decision Notice D140128MEM

The report of the Director of Planning, Housing and Environmental Health described the range of Health Improvement projects for which Kent County Council funding had been awarded for the current year and reviewed their progress. It was noted that the Borough Council's annual health delivery programme was divided into three key elements involving Healthy Living Centre initiatives, healthy weight programmes and mental health, well-being and community-led programmes.

Particular reference was made to the challenges of addressing obesity in children and a number of suggestions for raising awareness were discussed.

RECOMMENDED: That the delivery of the Health Improvement programmes as described in the report be endorsed.

CH 14/31 TROUBLED FAMILIES PROGRAMME - PHASE 2

Decision Notice D140129MEM

The report of the Chief Executive set out the background to the first phase of the Kent Troubled Families Programme, gave details of proposals for a national second phase programme and sought agreement to the Borough Council's continued involvement in the work.

It was requested that appreciation be conveyed to those staff delivering the programme through the local family focus initiative.

RECOMMENDED: That proposals for a phase 2 troubled families programme be noted and the Borough Council's involvement in an extended family focus initiative based on the phase 2 proposals be supported.

CH 14/32 UPDATE ON THE WORK OF THE EAST MALLING PARTNERSHIP

Decision Notice D140130MEM

The report of the Chief Executive gave details of progress in relation to the work of the East Malling Partnership and consideration was given to

the latest East Malling Action Plan, the key themes of which were Youth Provision, Raising Aspirations and General Health and Lifestyle.

RECOMMENDED: That the current East Malling Partnership Action Plan, as set out at the Annex to the report, be endorsed and progress on the Action Plan be reported to a future meeting of the Advisory Board.

MATTERS SUBMITTED FOR INFORMATION

CH 14/33 WEST KENT HEALTH AND WELLBEING BOARD

The minutes of the meeting of the West Kent Health and Wellbeing Board held on 16 September 2014 were presented for Members' information.

CH 14/34 TOBACCO CONTROL INITIATIVES

Members received a report from the West Kent Tobacco Control and Smoking Cessation Working Group which had been presented to the meeting of the West Kent Health and Wellbeing Board on 16 September 2014. It was noted that the number of referrals to the Stop Smoking Service was declining, possibly as a result of the extensive use of e-cigarettes. Further work in this area was likely to be directed through a single Kent-wide group.

CH 14/35 LOCAL STRATEGIC PARTNERSHIP

The minutes of the meeting of the Local Strategic Partnership held on 12 September 2014 were submitted for Members' information. Particular reference was made to the presentation from the Federation of Small Businesses which focused on the need to promote apprenticeships with local SMEs.

CH 14/36 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.43 pm

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TONBRIDGE AND MALLING BOROUGH COUNCIL

PLANNING AND TRANSPORTATION ADVISORY BOARD

Tuesday, 18th November, 2014

Present: Cllr D A S Davis (Chairman), Cllr M Parry-Waller (Vice-Chairman), Cllr J Atkins, Cllr Mrs J M Bellamy, Cllr V M C Branson, Cllr D J Cure, Cllr M O Davis, Cllr Mrs F A Kemp, Cllr R D Lancaster, Cllr A K Sullivan and Cllr M Taylor

Councillors Mrs J A Anderson, J A L Balcombe, O C Baldock, M A C Balfour, P F Bolt, M A Coffin, R W Dalton, Miss A Moloney, Mrs S Murray, M R Rhodes, H S Rogers and R Taylor were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor D W Smith

PE 14/26 DECLARATIONS OF INTEREST

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

PE 14/27 MINUTES

RESOLVED: That the notes of the meeting of the Planning and Transportation Advisory Board held on 4 June 2014 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

PE 14/28 LOCAL PLAN UPDATE

The report of the Director of Planning, Housing and Environmental Health provided an update on progress made on the Local Plan and sought approval for the revised timetable set out in Annex 1. The position in terms of timescales and next steps was summarised.

RECOMMENDED: That:

- (1) the content of the report be noted; and
- (2) the revised Local Plan timetable, set out at Annex 1 to the report, be approved.

***Referred to Cabinet**

PE 14/29 LOCAL PLAN PROCESS AND PROGRAMMING

The report examined some of the statutory elements that made up the Local Plan and sought approval for a new Statement of Community Involvement and Scoping report for a Sustainability Assessment.

RECOMMENDED: That

- (1) the revised Statement of Community Involvement and the Sustainability Appraisal Scoping Report, attached as Annexes 1 and 2 respectively to the report, be approved for adoption by Cabinet; and
- (2) the revised Local Plan timetable, attached as Annex 1 to the Local Plan Update report presented earlier on the agenda, form the basis of a new Local Development Scheme.

***Referred to Cabinet**

PE 14/30 PLANNING AND TRAVELLERS CONSULTATION - PROPOSED RESPONSE

Decision Notice D140131MEM

The report summarised the key proposals and potential implications for Tonbridge and Malling Borough Council of the Planning and Travellers consultation by the Department for Communities and Local Government. A suggested response was set out for consideration.

It was reported that the proposals would have some significant implications for the Borough Council, particularly as the changes to the definition of Traveller for planning purposes and assessing future need would reduce the assessment for future provision. This was because currently an allowance was made for those parts of the Travelling community living in bricks and mortar which could 'hide' a future need for pitches if children of those families wanted to adopt a more traditional lifestyle.

In addition, of the current authorised, tolerated and unauthorised sites in the Borough most occupants did not travel in the way suggested by the proposed definition so it remained unclear how many of these sites would be included in a new needs assessment.

The proposals for increasing the protection for sensitive areas and the Green Belt would also have implications for Tonbridge and Malling as over 70% of the land area was designated Metropolitan Green Belt and had two Areas of Outstanding Natural Beauty.

RECOMMENDED: that

- (1) the content and summary of the Department for Communities and Local Government Consultation on Planning and Travellers be noted; and
- (2) the comments in section 1.4 of the report form the basis of the Borough Council's response by the deadline of 23 November 2014.

PE 14/31 TRANSPORTATION UPDATE

Decision Notice D14032MEM

An update on transportation issues affecting the Borough was provided in the report with particular reference to train services. The updated Tonbridge and Malling 'Manifesto for Improved Rail Services' was presented for consideration.

In addition, funding streams and awards via the South East Local Enterprise Partnership (SELEP) and the Strategic Economic Plan (SEP) were set out.

The supplementary report of the Director of Planning, Housing and Environmental Health, tabled at the meeting, summarised the Airports Commission consultation, launched on 11 November, and set out the headline points. A full response would be prepared and submitted by the consultation deadline of 3 February 2015.

Members were pleased to note that the Tonbridge town centre regeneration scheme had been awarded a share of the Government's Single Local Growth Fund allocation of £2.37 million.

It was reported that Southeastern were currently developing plans for some improvements to the facilities for buses, pedestrians and cyclists at Snodland station, together with additional parking. A funding contribution from the Local Sustainable Transport Fund would ensure prompt delivery of a quality scheme which would support the 'High Speed' service stopping at Snodland in the New Year. Whilst Members welcomed the improvement works, swift action on delivering the additional parking and bus service improvements was encouraged in order to make Snodland a practical and attractive travel option.

The Borough Council also continued to lobby for improved rail connections to Gatwick airport and this was included in the updated rail services Manifesto.

RECOMMENDED: that the updated Manifesto for Improved Rail Services, attached as Annex 1 to the report, be endorsed, subject to a minor amendment about the cost of parking on page 12.

PE 14/32 SUSTAINABLE URBAN DRAINAGE SYSTEMS

Decision Notice D140133MEM

The report advised of a recent consultation by the Department for Communities and Local Government and DEFRA on sustainable urban drainage systems and sought endorsement for officer level comments submitted to meet the consultation deadline.

It was reported that whilst the fundamental need for the proposed new approach was welcomed it had to be accompanied by practical mechanisms and funding that ensured systems were properly provided and maintained.

RECOMMENDED: that the response to the consultation, set out in Annex 1 to the report, be endorsed.

[In accordance with Council Procedure Rule 8.5 of the Constitution Councillor M Taylor asked that his vote against the recommendation be recorded.]

**PE 14/33 USE OF INTERIM GUIDANCE NOTE 3 STANDARDS IN
ASSESSING PARKING PROVISION IN RESIDENTIAL SCHEMES**

Decision Notice D140134MEM

The report set out recommendations for a revised approach to the use of Interim Guidance Note 3 Standards in Assessing Parking Provision in Residential Schemes.

Members welcomed the revised approach set out and asked that as part of the longer term, wider review into parking standards the size of vehicles, including vans, be considered. Concern was also raised regarding permitted development rights and 'historic parking' need. However, Members were advised that options would continue to be explored in an effort to address areas of concern.

RECOMMENDED: That the proposals set out in paragraphs 1.2.1 to 1.2.3 of the report be adopted and applied henceforth and until such time as any alternative Standards are adopted in a new Local Plan.

PE 14/34 FLOODING REVIEW

Decision Notice D140135MEM

The report provided an update on progress made on flood recovery within the Borough following the events over the Christmas/New Year period. Proposed measures to provide increased protection for local residents and businesses for the future were set out, with particular

reference made to the partnership approach on the Leigh Flood Storage Area and the associated funding arrangements.

Members expressed concern that the flood improvement measures would not be in place this winter and sought reassurance that the temporary solutions and contingency planning would be adequate in the event of a flood. In response, the Environment Agency's (EA) commitment, at the highest possible level, to provide flood protection for Tonbridge and the surrounding area was reiterated. Officers were working closely with the EA on contingency planning but recognised the concerns of Members and residents. However, as the EA was the statutory body with overall responsibility the Borough Council recognised their expertise in dealing with flood improvement measures.

RECOMMENDED: That

- (1) the position set out in the report, including a contribution of £100k from the Flood Recovery and Defence reserve towards an assessment of the options and the delivery of an outline design for the Leigh Flood Storage Area scheme, be noted and endorsed; and
- (2) Officers continue to liaise closely with the Environment Agency and put forward a clear representation of the Borough Council's wish to pursue the most robust solutions in the case of all the proposed flood mitigation works.

PE 14/35 RESPONSE TO DCLG CONSULTATION ON THE 'RIGHT TO BUILD'

Decision Notice D140136MEM

The report summarised the consultation document published by the Department for Communities and Local Government on 23 October 2014, highlighted some of the issues and proposed a response on behalf of the Borough Council. The deadline for comments was 18 December 2014.

The current consultation and proposed legislation was aimed at removing perceived barriers facing custom builders such as finding access to suitable plots of land to build on and reducing the amount of 'red tape' of the regulatory regimes that governed the development process.

Members noted the concerns regarding potential resource and cost implications for Local Planning Authorities and the impact this might have on the Local Plan evidence base and timetable.

RECOMMENDED: That:

- (1) the summary of the consultation document and the potential implications for the Borough Council of the proposed Right to Build legislation be noted; and
- (2) the suggested response set out in the report and Annex 1 be endorsed.

MATTERS SUBMITTED FOR INFORMATION

PE 14/36 DCLG REVIEW OF HOUSING STANDARDS

Members received an update on the Government's intentions regarding the Building regulations and dwelling space standards.

MATTERS FOR CONSIDERATION IN PRIVATE

PE 14/37 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information, the following matters be considered in private.

MATTERS FOR RECOMMENDATION TO CABINET

PE 14/38 TOWN LOCK CAPITAL PROJECT

(LGA 1972 – Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

Decision Notice D140137MEM

The report provided an update on progress made in relation to the Town Lock project and set out a revised programme for the implementation of the scheme.

RECOMMENDED: That the report be noted and tenders be invited for the project from the Environment Agency's select list.

The meeting ended at 9.35 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

LEISURE AND ARTS ADVISORY BOARD

Monday, 8th December, 2014

Present: Cllr Mrs J M Bellamy (Chairman), Cllr T Bishop, Cllr P F Bolt, Cllr T Edmondston-Low, Cllr S R J Jessel, Cllr R D Lancaster and Cllr R Taylor

Councillors J A L Balcombe, O C Baldock, Mrs M F Heslop, N J Heslop, B J Luker, M R Rhodes and Ms S V Spence were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs E M Holland (Vice-Chairman), Mrs B A Brown, D Keeley and D J Trice and from Mr A Nicholl (Tonbridge Sports Association).

PART 1 - PUBLIC

LAA 14/43 DECLARATIONS OF INTEREST

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

LAA 14/44 MINUTES

RESOLVED: That the notes of the meeting of the Leisure and Arts Advisory Board held on 15 September 2014 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

LAA 14/45 LEISURE SERVICES - REVIEW OF CHARGES 2015/16

The joint report of the Director of Street Scene and Leisure and the Director of Finance and Transformation outlined the charging proposals in respect of Tonbridge Cemetery, Tonbridge Pitch Hire Charges and the Summer Playscheme. Members were advised that the proposed charges took into account a range of factors including the Council's overall financial position, trading patterns and market position, the current rate of inflation, competing facilities and customer feedback. Reference was made to the Council's Leisure Pass Scheme which enabled financially disadvantaged residents to participate in leisure activities at concessionary rates.

It was noted that proposed charges for facilities managed by Tonbridge and Malling Leisure Trust would be considered at the next meeting of the Advisory Board.

RECOMMENDED: That



- (1) the proposed charges for Tonbridge Cemetery as detailed at Annex 2 to the report be agreed and implemented with effect from 1 April 2015;
- (2) pitch hire charges at Tonbridge Sportsgrounds be increased as outlined within the report for implementation from 1 April 2015; and
- (3) the proposed charges for the 2015 Summer Playscheme as detailed at Annex 3 to the report be approved.
***Referred to Cabinet**

LAA 14/46 KENT WOODLAND EMPLOYMENT SCHEME

Decision Notice D140138MEM

The joint report of the Director of Street Scene and Leisure and Cabinet Member for Leisure, Youth and Arts gave details of the work of the Kent Woodland Employment Scheme, a new charity set up to provide training and employment for ex-Service personnel, young people and ex-offenders in Kent's ancient woodlands. Proposals were brought forward for engagement with the charity in respect of opportunities for partnership working with the suggestion that Holly Hill woods be progressed as the first site under the scheme.

RECOMMENDED: That

- (1) subject to a legal review of the formal Management Agreement, the Council work in partnership with the Kent Woodlands Employment Scheme initially in the management of Holly Hill woods; and
- (2) the Council continue discussions with the Charity with the aim of broadening its engagement across other sites within the Council's ownership.

LAA 14/47 LEISURE FACILITIES - LEISURE TRUST PERFORMANCE

Decision Notice D140139MEM

The joint report of the Director of Street Scene and Leisure and Cabinet Member for Leisure, Youth and Arts presented details of the Tonbridge and Malling Leisure Trust's performance and financial position, the Annual Service Delivery Plan – Cumulative Quarterly Monitoring Report being set out as an Annex and incorporating a colour code system against areas of progress. Officers undertook to investigate the possibility of separating the business and customer outcomes elements in the presentation of the monitoring reports.

It was noted with satisfaction that a recent Quest inspection at Larkfield Leisure Centre had resulted in an assessment of 'Excellent'.

RECOMMENDED: That:

- (1) the Tonbridge and Malling Leisure Trust Annual Service Delivery Plan – Cumulative Quarterly Monitoring Report for 1 April to 30 September 2014 be noted; and
- (2) the results of the Quest Assessment report for Larkfield Leisure Centre be noted.

LAA 14/48 FIELDS IN TRUST - CENTENARY FIELDS

Decision Notice D140140MEM

The joint report of the Director of Street Scene and Leisure and Cabinet Member for Leisure, Youth and Arts outlined the background to the Fields in Trust Centenary Fields initiative aimed at securing and protecting a range of green spaces in perpetuity in commemoration of the centenary of World War 1. Consideration was given to a proposal for Tonbridge Memorial Gardens to be dedicated under the scheme.

RECOMMENDED: That

- (1) subject to consideration of the Deed of Dedication by the Director of Central Services, Tonbridge and Malling Borough Council nominate Tonbridge Memorial Gardens for dedication under the Centenary Fields scheme; and
- (2) Fields in Trust be invited to present the scheme to a future meeting of the Parish Partnership Panel.

LAA 14/49 CAPITAL PROJECTS - POST IMPLEMENTATION REVIEWS

Decision Notice D140141MEM

Capital Plan Post Implementation Reviews were brought forward for consideration in respect of Tonbridge Cemetery: Path Improvements and Tonbridge Cemetery: Memorial Garden Vaults.

RECOMMENDED: That the Post Implementation Reviews for the projects outlined in the report be endorsed.

MATTERS SUBMITTED FOR INFORMATION

LAA 14/50 GROUND MAINTENANCE SERVICES - CONTRACT RETENDER

The report provided an update on the outcome of the retendering of the Ground Maintenance Contract including the Cabinet's decision to award

the contract to Landscape Services Limited for the sum of £534,844.13 (Decision Number D140123CAB). It was noted that a saving of approximately £90,000 had been achieved on the core contract which would be reflected in the Medium Term Financial Strategy.

LAA 14/51 CHILDREN AND YOUNG PEOPLE UPDATE

Members were updated on key areas of the Children and Young People work programme including Activate, the Summer Playscheme, the Y2 Crew programme and the Youth Forum. An indication was given of plans for 2015.

Reference was made to the forthcoming presentation of a Young Achiever Award and Members were requested to encourage people to nominate future recipients. The Advisory Board was also updated on the appointment of Ruth Lowe as the new Youth and Play Development Officer and the outcome of the Tonbridge and Malling Childrens Centre Ofsted report.

LAA 14/52 EVENTS UPDATE

The Advisory Board received a presentation which provided an overview of the range of events that had taken place in the Borough throughout the year. The report gave an update on recent and future events, some delivered directly and others by community groups with the assistance of the Council. It was requested that the presentation be made available to all Members and its inclusion on the website be investigated.

LAA 14/53 CAPITAL PLAN UPDATE

The report gave details of progress with schemes contained in the Leisure Services section of the Capital Plan. Members were advised that it was anticipated that the new bridge at Avebury Avenue, Tonbridge would be installed on 11 December and open for use before the Christmas holiday.

MATTERS FOR CONSIDERATION IN PRIVATE

LAA 14/54 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.30 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

FINANCE, INNOVATION AND PROPERTY ADVISORY BOARD

Wednesday, 7th January, 2015

Present: Cllr H S Rogers (Chairman), Cllr R Taylor (Vice-Chairman), Cllr J Atkins, Cllr O C Baldock, Cllr T Bishop, Cllr P F Bolt, Cllr M O Davis, Cllr Mrs F A Kemp, Cllr Miss A Moloney, Cllr C P Smith and Cllr A K Sullivan

Councillors Mrs J A Anderson, J A L Balcombe, V M C Branson, M A Coffin, D J Cure, N J Heslop, M R Rhodes and A G Sayer were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillor D A S Davis and also, whilst not a member of the Advisory Board, from Councillor Mrs E A Simpson.

PART 1 - PUBLIC

FIP 15/1 DECLARATIONS OF INTEREST

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

FIP 15/2 MINUTES

RESOLVED: That the notes of the meeting of the Finance, Innovation and Property Advisory Board held on 24 September 2014 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

FIP 15/3 POLICY IN RESPECT OF DISCRETIONARY COUNCIL TAX AWARDS

The report of the Director of Finance and Transformation outlined the provisions of Section 13A of the Local Government Finance Act 1992 under which a local authority had the power to reduce the amount of Council Tax due as it saw fit. A draft policy in respect of Discretionary Council Tax Awards was presented for consideration to ensure that any applications were dealt with consistently and equitably. It was proposed that applications would only be granted in exceptional or unforeseen circumstances that threatened a taxpayer's ability to discharge their liability for Council Tax and to stay in their home.

All applications would be considered on their merits with decisions on eligibility delegated to the Director of Finance and Transformation in a manner consistent with the arrangements for the award of Discretionary Housing Payments.

RECOMMENDED: That the Council approve the Section13A policy in respect of Discretionary Council Tax Awards as set out at Annex 1 to the report, subject to inclusion in paragraph 7(b) of a requirement to provide a declaration of savings and assets.

***Referred to Cabinet**

FIP 15/4 REVENUE ESTIMATES 2015/16

The report of the Director of Finance and Transformation referred to the responsibility of the Cabinet under the constitution for formulating initial proposals in respect of the budget. Reference was made to the role of the Advisory Board in assisting the Cabinet and Council in the preparation of the budget within the context of the Medium Term Financial Strategy (MTFS) and the Council's priorities. An outline was given of the process for referring the Advisory Board's recommendations to the Overview and Scrutiny Committee prior to consideration by the Cabinet on 12 February and thereafter by the Council at its Budget meeting.

The report set out the framework for considering the estimates in terms of the MTFS together with a number of Service specific issues. The Director of Finance and Transformation drew attention to the key messages arising from the provisional Local Government Finance Settlement including the position regarding New Homes Bonus funding. The implications of implementing a Council Tax freeze were discussed together with the threshold set by the Secretary of State for local referenda to approve or veto Council Tax increases of 2% or more.

The report indicated the factors to be taken into account when updating the MTFS and Members were advised of encouraging progress achieved to date towards the savings target. It was noted that the MTFS would continue to be updated during the Budget cycle as more information became available.

RECOMMENDED: That


- (1) the draft Revenue Estimates contained in the Booklet be endorsed; and
- (2) within the context of the financial pressures outlined in the report, the Overview and Scrutiny Committee be requested to consider the draft Revenue Estimates contained in the Booklet and make appropriate recommendations to the Cabinet for its special meeting on 12 February 2015.

***Referred to Cabinet**

FIP 15/5 CAPITAL PLAN REVIEW 2014/15

Consideration was given to the report of the Director of Finance and Transformation which reviewed the current position of the existing Capital Plan (List A). It also recommended new schemes for addition to List C, some existing List C schemes for deletion or evaluation and schemes for inclusion on List B from those List C schemes previously selected for evaluation. Members were reminded that any aspirations in respect of capital schemes needed to be set within the context of the significant financial challenge facing the Council.

Reference was made to the ongoing review by the Overview and Scrutiny Committee of the process by which capital renewals provisions were determined. An updated Capital Strategy was presented and it was noted that the Peer Review Challenge had reinforced the recognition that future strategies would need to take into account the fact that the main source of funding for new Capital Plan schemes, the Revenue Reserve for Capital Schemes, was expected to be exhausted in 2018/19 at which stage the Council would need to borrow to fund such expenditure.

RECOMMENDED: That the following be endorsed for consideration by the Overview and Scrutiny Committee: 

- (1) the Capital Plan (List A) position as shown in Annex 2 to the report;
- (2) the amendment of List C as detailed in paragraph 1.5.1 of the report;
- (3) the selection for evaluation of those List C schemes shown in paragraph 1.6.3 of the report including one for fast track evaluation;
- (4) the transfer of the schemes listed in paragraph 1.7.6 of the report from List C to List B noting:
 - (i) in respect of the Tonbridge Town Lock scheme the additional funding requirement of £100,000 to that currently reflected in the Capital Plan, to be met from a pending developer contribution and in the interim from the Council's own resources;
 - (ii) the Tonbridge School Athletics Track Improvements scheme expected to be progressed in 2018/19 subject to the identification of developer contributions/external grant sources;

- (iii) in respect of the Larkfield Leisure Centre Health Suite Refurbishment scheme the additional funding requirement of £60,000 to that currently reflected in the Capital Plan; and
- (5) endorsement of the draft Capital Strategy as set out at Annex 5 to the report for adoption and publication on the Council's website.
***Referred to Cabinet**

FIP 15/6 REVIEW OF FEES AND CHARGES 2015/16

The report of the Management Team brought forward for consideration as part of the Budget setting process for 2015/16 proposals in respect of those fees and charges that were the responsibility of the Cabinet Member for Finance, Innovation and Property or not reported elsewhere.

In considering the car parking charges, Members expressed concern about illegal on-street parking in various parts of the Borough and the adequacy of enforcement resources. Officers undertook to pass the comments to the Director of Planning, Housing and Environmental Health to be addressed in the future review.

RECOMMENDED: That

- (1) in respect of the recovery of legal fees payable by third parties, the Council's fees continue to follow the Supreme Court guideline hourly rates set out at paragraph 1.2.1 of the report with effect from 1 April 2015;
- (2) the proposed unchanged scale of fees for local land charges searches and enquiries set out at paragraph 1.3.5 of the report be adopted with effect from 1 April 2015;
- (3) the current photocopying charges of 10p (inclusive of VAT) for each page of the same document or additional copies of the same page plus postage as appropriate be retained;
- (4) the proposed charges for Tonbridge Castle Gatehouse as outlined in paragraph 1.5.3 of the report be approved for implementation from 1 April 2015 and the charges be reflected in the appropriate tourism marketing material;
- (5) the proposed charges for Tonbridge Castle Chamber as set out in Annex 4 to the report be approved for implementation from 1 April 2015 and the list of concessionary users at Annex 2 to the report be endorsed;
- (6) the proposed charges for weddings at Tonbridge Castle as outlined in paragraph 1.7.3 of the report be approved for implementation from 1 April 2016;

- (7) no changes be made to car parking charges this year and they be reviewed again in 12 months' time;
- (8) building control fees be held at the same level as last year for a further 12 months when they will be reviewed again, the current level of fees remaining competitive with the private sector;
- (9) the scale of charges for condemned food certificates, exported food certificates, contaminated land monitoring, sampling private water supplies, stray dog redemption fees and household bulky refuse collection be approved with effect from 1 April 2015 as detailed in paragraphs 1.10 to 1.16 of the report;
- (10) the introduction of a charge for emptying wheeled bins where the contractor is not at fault and the customer requests paying for the service be approved with effect from 1 February 2015 for a trial period of six months; and
- (11) the fees schedule for street naming and numbering set out at paragraph 1.18 of the report be adopted with effect from 1 April 2015.

***Referred to Cabinet**

FIP 15/7 APPLICATION FOR DISCRETIONARY RATE RELIEF

Decision Notice D150001MEM

The joint report of the Director of Finance and Transformation and Cabinet Member for Finance, Innovation and Property gave details of a new application for discretionary rate relief which was considered in accordance with the previously agreed criteria for determining such applications. Further to Decision Number D140052MEM, it was noted that the applicant was relocating from their current address to premises with a significantly higher rateable value.

RECOMMENDED: That the new application for discretionary rate relief be determined as follows:

The Charity Bank Limited , Fosse House, 182 High Street, Tonbridge – 30% discretionary relief be awarded, time limited to 31 March 2015.

MATTERS SUBMITTED FOR INFORMATION

FIP 15/8 BENEFITS UPDATE

Members were advised of current issues arising in the benefits field including performance and workload of the Benefits Service and progress with various aspects of welfare reform.

FIP 15/9 COUNCIL TAX AND BUSINESS RATES UPDATE

The report gave details of recent developments in respect of Council Tax and Business Rates including collection rates which were updated at the meeting to indicate the position as at 31 December 2014 (council tax 83.7% and business rates 85%, compared with 84.2% and 89.5% respectively in 2013/14). Reference was also made to the Autumn Statement, business rate reform, the Council Tax base for 2015/16 and progress with e-billing.

FIP 15/10 CHANCELLOR'S AUTUMN STATEMENT 2014

The report highlighted the main issues of relevance to the Borough Council within the Chancellor's Autumn Statement. Particular reference was made to a number of announcements in respect of business rates and the earmarking by the Government of £17 million for flood defences in Tonbridge and the surrounding area.

FIP 15/11 BUSINESS RATES RETENTION AND SHALE OIL AND GAS: TECHNICAL CONSULTATION AND BUSINESS RATES POOLING

The report gave details of a Department for Communities and Local Government technical consultation on draft regulations to allow 100% local retention of business rates on shale gas and oil sites. It was noted that no response had been submitted by the deadline date of 5 December 2014 since on balance the proposals in the paper were considered to be appropriate and a response unnecessary on this occasion.

The report also provided an update on the current situation on the Business Rates Retention Pool for Kent authorities (further to Decision Notice D140122CAB) from which it was noted that the Department for Communities and Local Government had approved the establishment of a new Pool with effect from 1 April 2015 comprising Kent County Council, Kent and Medway Fire and Rescue Authority and 10 district councils including Tonbridge and Malling. Members thanked the Director of Finance and Transformation and team for their work on the pooling 'bid' and recognised the leadership efforts of Maidstone Borough Council in the process.

FIP 15/12 PRINCIPLES FOR FUTURE WEBSITE REDESIGN

The report of the Management Team gave details of agreed principles to inform the approach to website redesign. Members were advised that a trial 'web-chat' had begun that day with a significant level of interest shown by customers.

MATTERS FOR CONSIDERATION IN PRIVATE

FIP 15/13 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information, the following matters be considered in private.

PART 2 - PRIVATE

MATTERS FOR RECOMMENDATION TO THE CABINET

FIP 15/14 DEBTS FOR WRITE OFF

(LGA 1972 Sch 12A Paragraph 2 - Information likely to reveal information about an individual)

Decision Notice D150002MEM

The report of the Director of Finance and Transformation sought approval of the writing-off of debts considered to be irrecoverable. It was noted that the majority related to historic debts. Details were also given of debts under £1,000 which had been written-off in accordance with Financial Procedure Rule 17.2 together with cumulative totals of debts in the current and previous financial years and information on budgeted bad debt provision.

RECOMMENDED: That the 63 items shown in the schedule of amounts over £1,000, totalling £311,541.33 be written-off for the reasons stated within the schedule.

FIP 15/15 PROPOSED NEW LEASE OF 29 MARTIN SQUARE TO CIRCLE ANGLIA (RUSSET HOMES)

(LGA 1972 Sch 12A Paragraph 3 - Financial or business affairs of any particular person)

Decision Notice D150003MEM

The report of the Director of Central Services gave details of the proposed terms for a new lease of office accommodation at 29 Martin Square, Larkfield.

RECOMMENDED: That that a new lease be granted on the terms set out in the report.

**FIP 15/16 PROPOSED NEW LEASE TO TONBRIDGE SAILING CLUB,
HAYSDEN**

**(LGA 1972 Sch 12A Paragraph 3 – Financial or business
affairs of any particular person)**

Decision Notice D150004MEM

The report of the Director of Central Services gave details of an approach by Tonbridge Sailing Club for a new lease to enable them to apply to outside bodies for grants and funding. The report set out a proposed way forward based on the surrender of the existing lease and the simultaneous grant of a new lease to the Club.

RECOMMENDED: That the simultaneous surrender of the existing lease and the grant of a new 28 year lease on the terms and conditions set out in the report be approved.

FIP 15/17 LICENCE FOR RIVER TRIPS IN TONBRIDGE

**(LGA 1972 Sch 12A Paragraph 3 – Financial or business
affairs of any particular person)**

Decision Notice D150005MEM

The report of the Director of Central Services gave details of the proposed terms and conditions for a licence of the landing stages at the Big Bridge, Tonbridge and Haysden Country Park to a new operator wishing to offer passenger boat trips and rowing boat hire on the River Medway.

RECOMMENDED: That that a licence be granted on the basis set out in the report.

**FIP 15/18 PROPOSED DISPOSAL OF ST JOHN AMBULANCE SITE,
TONBRIDGE**

**(LGA 1972 Sch 12A Paragraph 3 – Financial or business
affairs of any particular person)**

Decision Notice D150006MEM

The report of the Director of Central Services set out the background to the lease of the St John Ambulance site in Vale Road, Tonbridge, together with a proposal for the joint disposal of the site for development purposes.

RECOMMENDED: That negotiations for the disposal of the St John Ambulance site for development be continued as outlined in the report and details of the outcome of negotiations be referred back to the Advisory Board before a final decision is made.

MATTERS SUBMITTED FOR INFORMATION

FIP 15/19 IT STORAGE

(LGA 1972- Sch 12A Paragraph 3 – Financial or business affairs of any particular person)

The report of the Director of Finance and Transformation gave details of the outcome of tenders and progress on implementation of the new IT storage infrastructure. It was anticipated that the new system would be live and available for use by mid-January 2015.

The meeting ended at 9.33 pm

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Agenda Item 5

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

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TONBRIDGE AND MALLING BOROUGH COUNCIL

TONBRIDGE FORUM

Monday, 24th November, 2014

Present: Cllr O C Baldock (Chairman), Cllr N J Heslop (Vice-Chairman),
Cllr Mrs J A Anderson and Cllr P F Bolt; County Councillors
Mr R Long and Mr C Smith; together with representatives from
The Bridge Trust, Kent Fire and Rescue Service,
Kent Police (Tonbridge), Society of Friends, Tonbridge Art Group,
Tonbridge Civic Society, Tonbridge District Scout Council,
Tonbridge Lions Club, Tonbridge Rotary Club,
Tonbridge Sports Association and Tonbridge Theatre and Arts Club

Apologies for absence were received from Councillors
Ms J A Atkinson, V M C Branson, Mrs M F Heslop, Ms S V Spence
and D J Trice.

TF 14/23 MINUTES

RESOLVED: That the Minutes of the meeting held on 8 September
2014 be approved as a correct record and signed by the Chairman.

TF 14/24 UPDATE ON ANY ACTION IDENTIFIED IN THE LAST MINUTES

There were no actions identified.

TF 14/25 PROPOSAL TO ADD TONBRIDGE AND MALLING SENIORS TO THE FORUM MEMBERSHIP

The Chairman outlined a proposal to add Tonbridge and Malling Seniors to the Forum membership and introduced the group's representative, Mr Michael Adams.

TF 14/26 KENT COUNTY COUNCIL SERVICES UPDATE

The Kent County Council Community Engagement Manager reported that the County Council was on track to deliver this year's savings target of £81m on top of the £269m savings achieved over the last three years. He indicated that, due to reduced levels of Government funding and increased demands on services, a further £206m would need to be found during the next three years.

As part of the budget setting process a full public consultation (closing on 28 November 2014) had been launched to give residents the opportunity to comment on how savings could be achieved. The Forum noted that further information could be found at <http://www.kent.gov.uk/about-the-council/have-your-say/budget-consultation>

Particular reference was made to the Kent Emotional Well-Being Strategy for Children and Young People Consultation which would be open for comments until 5 January 2015. The Forum noted that further information was available on <http://consultations.kent.gov.uk/consult.ti/EWStrategy/consultationHome>

The Community Engagement Manager outlined action taken to prepare for any winter weather emergencies which may arise and the Chief Executive of Tonbridge and Malling took the opportunity to update members on the position regarding flooding measures within the Borough. It was noted that the Borough Council continued to work closely with the Environment Agency, Kent County Council, Southern Water, Kent Police and Kent Fire and Rescue Services to ensure flood protection and emergency planning measures were as robust as possible.

In response to the Airports Consultation on options for a new runway in the south-east of England it was reported that Kent County Council opposed a second runway at Gatwick Airport and that this issue would be discussed by the Council's Cabinet in the near future as responses were required by 3 February 2015.

TF 14/27 KENT FIRE AND RESCUE SERVICE (COLIN KING, GROUP MANAGER)

Colin King, Group Manager of Kent Fire and Rescue Services, provided an overview of the Services' recent activity with regard to assisting vulnerable people within their homes, dealing with flooding incidents and involvement with the Kent Resilience Forum. He outlined the constraints on the Services' budget and focused on schemes such as the 'Message in a Bottle' scheme run by Tonbridge Lions and Tonbridge and Malling Seniors which aimed to provide key information in the event of a home emergency.

TF 14/28 THE CARE ACT 2014 (CHRISTINE GROSSKOPF, KENT COUNTY COUNCIL)

Christine Grosskopf of Kent County Council provided an overview of the main changes and implications of the Care Act 2014 and outlined the anticipated effect this could have on the delivery of residential care to the vulnerable and elderly.

TF 14/29 COLLECTIVE ENERGY SWITCHING (CHIEF HOUSING OFFICER, TONBRIDGE AND MALLING BOROUGH COUNCIL)

L Hibbs and L Hicks of the Borough Council's Private Sector Housing Team gave a presentation on the advantages of a collective switching campaign which, in association with Energy Deal, aimed to help and support local residents trying to reduce their energy bills.

TF 14/30 KENT POLICE UPDATE

Inspector Mark Hutcheon provided an overview of the achievements made in performance and neighbourhood policing. Particular reference was made to Domestic Violence Protection Orders, the protection of victims of crime and action taken to a recent increase in drug dealing incidents. He outlined work undertaken in association with numerous partners to identify people at risk and made particular reference to the Safe Town Partnership.

TF 14/31 TONBRIDGE AND MALLING SERVICES UPDATE

The Chief Executive provided an update on key points relevant to Tonbridge and Malling namely the improvement of the Town Lock area, the completion of the Remembrance Garden, the Airport Commission Consultation, £219K funding provided across the Borough through the Community Enhancement Fund and the numerous community events held in and around Tonbridge which had significantly raised the town's profile.

The meeting ended at 9.19 pm

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TONBRIDGE AND MALLING BOROUGH COUNCIL

PARISH PARTNERSHIP PANEL

Thursday, 27th November, 2014

Present: Cllr N J Heslop (Chairman), Cllr M A Coffin (Vice-Chairman), Cllr Mrs J A Anderson, Cllr J Atkins, Cllr J A L Balcombe, Cllr D Keeley, Cllr Miss A Moloney, Cllr M Parry-Waller, Cllr H S Rogers, Cllr A G Sayer and Cllr Mrs C J Woodger.

Together with Addington, Borough Green, East Malling and Larkfield, Hadlow, Kings Hill, Mereworth, Plaxtol, Snodland, Trottiscliffe, Wrotham Parish and Town Councils and County Councillors Mrs V Dagger and Mrs S Hohler.

Apologies for absence were received from Councillors Balfour and Mrs Bellamy.

PART 1 - PUBLIC

PPP 14/17 MINUTES

RESOLVED: That the Minutes of the meeting held on Thursday 4 September 2014 be approved as a correct record and signed by the Chairman; subject to noting that Plaxtol Parish Council were present at that meeting.

PPP 14/18 UPDATE ON ACTION IDENTIFIED IN THE LAST MINUTES

There were no actions identified.

PPP 14/19 KENT POLICE SERVICES UPDATE

Chief Inspector Gill Ellis, Borough Commander for Tonbridge and Malling, provided an overview of the achievements made in performance and the neighbourhood policing agenda.

It was reported that the overall position in Tonbridge and Malling remained good with a slight reduction in all crime over the period October 2013 – October 2014. In fact, the Borough had the second lowest crime levels in Kent. Violence against the person had seen an increase but it remained the third lowest in the County.

There was a raised service for repeat victims of anti-social behaviour and there was a targeted approach to help those residents who felt vulnerable and intimidated as a result.

Additional resource had been provided for East Malling as Kent Police had recognised the need to tackle the increase in low level crime and

anti-social behaviour. There was currently higher police visibility in the community.

Snodland Town Council referred to the good work being done between the local Police Community Support Officers, residents and the Town Council to tackle 'pavement parking' which was greatly appreciated.

Reference was made to the Safer Town Partnership Crime Prevention road show arranged for 13 December and the Chairman hoped that this would visit other major retail centres in the Borough.

Chief Inspector Ellis advised of new Domestic Violence Protection Orders (DVPO) and Domestic Violence Protection Notices (DVPN), which were applied for by police and granted by the Magistrates' Court. These were designed to provide immediate protection for victims of domestic violence where no other enforceable restrictions could be placed upon the perpetrator. The law allowed a DVPO or DVPN to be made even if the victim did not agree to it and placed certain conditions on the perpetrator, including preventing entry to and being within a certain distance of the home and requiring them to leave the home. These new powers were welcomed by the police as an effective tool in tackling and preventing domestic abuse.

PPP 14/20 STOP SMOKING SERVICES

Natalie Ayles of the Kent Community Health NHS Trust advised that Stop Smoking was a Kent wide service that delivered a range of interventions to help people stop smoking.

The service was free, although prescription charges could apply in some circumstances. A number of programmes were offered including a seven week quit programme, behavioural support and nicotine replacement therapy. In addition, 400 people in local communities had received training to provide additional help in delivering the programmes.

Particular reference was made to a number of areas in the Borough where Stop Smoking was having difficulty engaging with the local communities and these included:

Aylesford

Burham, Eccles and Wouldham

East Malling

Snodland East and West

The Service was keen to encourage communities to participate and especially welcomed local knowledge, information and promotion of the programmes available.

Members felt that there were potential opportunities for working with local focus groups and voluntary organisations, of which there were many in Tonbridge and Malling, and suggested that the Chief Corporate Policy Officer (M Raymond) be contacted for further advice and contact details.

The referral line number for the Stop Smoking Service was 0300 123 1220

PPP 14/21 CARE ACT 2014

This item was WITHDRAWN from the agenda.

The Panel agreed that this should be revisited at the next meeting of the Parish Partnership Panel on Thursday 19 February 2015.

The Kent County Council Community Engagement Manager advised that the County Council were now focusing on eligibility of care and looking for participants affected by the changes to provide feedback. Meetings were being arranged with Senior Forums to discuss the implications of the proposed changes and to look at what practical information could be offered.

Any comments on the Care Act 2014 could be sent to james.harman@kent.gov.uk as it was important that views from Tonbridge and Malling were represented.

PPP 14/22 COLLECTIVE ENERGY SWITCHING

Members were advised that Energy Deal was the brand name for a collective switching scheme, which the Borough Council were supporting to help residents access a better deal on home energy bills.

Collective energy switching was where likeminded groups of consumers formed large numbers to negotiate a better deal with gas and electricity suppliers. There was no set model for how individual schemes operated, although this was normally facilitated by a third party who actively negotiated a better tariff for the consumers they represented.

Taking part in the scheme was free to register and there was no obligation to switch. The first step in the process was to register an interest and this was anticipated to be from 2 December 2014 until 2 February 2015. This could be done online at www.energydealswitch.com

Alternatively the Private Sector Housing Team could register interest for those who did not have access to the internet and could be contacted on 01732 876 395 for further advice and assistance.

Members were invited to promote the scheme amongst their communities as it was important to raise public awareness, especially as only 20% of people routinely switched. Partner organisations, such as Russet Homes, would also assist with publicity.

In response to a question, it was reiterated that this Scheme related to domestic use and not business and did not cover oil or LPG fuels. It was also reported that this initiative had been running since 2013 previous experience had found that utility companies engaged in the scheme.

The Borough Council hoped to publicise the initiative using media outlets, the website, libraries, parish council offices, housing associations and a potential letter to all benefit recipients.

Kings Hill and Wrotham Parish Councils offered to include the Borough Council's press statement regarding the initiative in their parish magazines.

The Chief Executive took the opportunity of advising Members that Tonbridge and Malling Borough Council had recently launched its own twitter account and actively encouraged staff to use social media as a way of communicating with residents. In addition, the 'my account' element of the website was now live and enabled residents to register and receive regular updates on new schemes and initiatives. Finally, Media Services had contacted all parish and town councils within the Borough to create a circulation list to receive press releases for inclusion in local newsletters.

PPP 14/23 KENT COUNTY COUNCIL SERVICES UPDATE

The Kent County Council Community Engagement Manager reported that the County Council were on track to deliver this year's saving target of £81m on top of savings of £269m achieved over the last three years. However, there were indications from Government that the squeeze on local government finance would continue until at least 2018 which was a significant challenge.

Due to reduced levels of Government funding and the spending demands on services additional savings from the budget would be required and it was likely that a further £260m during the next three years would be needed.

As part of the budget setting process a full public consultation had been launched to give residents the opportunity to comment on how the

savings could be achieved. More information and links to the questions could be found at:

<http://www.kent.gov.uk/about-the-council/have-your-say/budget-consultation>

The consultation closed on 28 November 2014 and any responses would be considered before the budget was set in 2015.

It was also reported that Kent County Council opposed a second runway at Gatwick airport and this issue was to be discussed by Cabinet in the near future.

Members referred to the recent consultation on Community Wardens and expressed disappointment at the perceived lack of consideration given to the responses submitted. In response, the County Council Member for Malling North advised that feedback was extremely valuable and all views were taken into account. With regard to Community Wardens there might be opportunities for volunteers to assist wardens and/or different ways of working.

Particular reference was made to the Kent Emotional Well-being Strategy for Children and Young People Consultation which was open until 5 January 2015. Further information was available on: <http://consultations.kent.gov.uk/consult.ti/EWStrategy/consultationHome>

The Chief Executive of Tonbridge and Malling took the opportunity to update Members on the position regarding flooding measures within the Borough.

Tonbridge and Malling continued to work closely with the EA, Kent County Council, Southern Water, Kent Police and Kent Fire and Rescue Services to ensure flood protection and emergency planning measures were as robust as possible. It was noted that 30 properties still remained uninhabited since the flooding over Christmas and New Year.

East Peckham, Hildenborough and Tonbridge town centre had flood warden schemes strengthened or established and there was an ongoing relationship with Aylesford Flood Committee.

Members were reminded that capacity for the Leigh Flood Storage Area had implications for the whole borough and preparatory work was in hand to increase this sometime around 2020. There had been a £100k funding contribution from the Borough Council towards a design of a possible scheme, although the overall cost to increase capacity by 60% was estimated at £11-12m. It was hoped that funding for flood measures would be announced as part of the Autumn Budget Statement on Wednesday 3 December 2014.

In addition, the Leigh Flood Storage Area scheme had been promoted for Local Enterprise Partnership Funding but the outcome would not be known until January. However, it was possible that a funding shortfall would still remain.

The Borough had received flood defence funding from DEFRA with £200k for Hildenborough for protection measures and improvement schemes were currently being designed. East Peckham had also received funding to protect residents.

Finally, a technical newsletter from a multi-agency working group, which outlined all the latest developments, would be attached to the Minutes for information.

Any parishes requiring assistance on emergency planning for floods could contact the Chief Engineer (M O'Brien). It was also suggested that Hadlow Parish Council be contacted and asked to share their emergency planning template as this was an example of good practice.

PPP 14/24 TONBRIDGE AND MALLING BOROUGH COUNCIL SERVICES UPDATE

The Chief Executive provided an update on key points relevant to Tonbridge and Malling. The headline messages included:

- Airport Commission consultation

The consultation was open until 3 February 2015 and parish councils, individuals and groups were encouraged to submit a comment.

- Community Enhancement Fund

This fund had given £219k to 102 organisations and 15 parish councils across the Borough. A schedule setting out the full details of the distribution would be shared in due course. Meanwhile, further information was available on the Borough Council's website.

- Memorial Gardens

Gardens in Aylesford and Tonbridge had been successfully refurbished and had had well attended Remembrance Services.

- Financial Arrangements with Parish Councils

Members were reminded that the budget allocation to parish councils had increased by 1.3%, as reported at the last meeting of the Parish Partnership Panel, and this had been approved by Cabinet in October.

The council tax base figures for individual parishes were being calculated and it was indicated that the council tax reduction scheme

allocation would be passed on to parishes, together with an estimate of any election costs. Parishes were encouraged to complete their precept forms by 27 January 2015 to fit in with the Borough Council's budget preparation schedule. Written notification would be received in due course and once the financial settlement for the Borough Council was known.

The meeting ended at 9.45 pm

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TONBRIDGE AND MALLING BOROUGH COUNCIL

JOINT TRANSPORTATION BOARD

Monday, 1st December, 2014

Present: Mr C Smith (Chairman), Cllr Mrs S Murray (Vice-Chairman),
Cllr D A S Davis, Cllr N J Heslop, Cllr Mrs F A Kemp,
Cllr R D Lancaster, Cllr A K Sullivan and Mrs S Hohler

Borough Councillors Mrs J A Anderson, J A L Balcombe,
O C Baldock, P F Bolt, D J Cure, M R Rhodes, A G Sayer and
R Taylor and County Councillor D Brazier were also present pursuant
to Council Procedure Rule No 15.21.

Sgt J Mott was present on behalf of Kent Police.

Apologies for absence were received from Borough Councillor
Mrs A S Oakley and from County Councillors Mr M Balfour and
Mrs V Dagger.

PART 1 - PUBLIC

JTB 14/32 DECLARATIONS OF INTEREST

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

JTB 14/33 MINUTES

RESOLVED: That the Minutes of the meeting of the Joint
Transportation Board held on 22 September 2014 be approved as a
correct record and signed by the Chairman.

JTB 14/34 PARKING ACTION PLAN

The report of the Director of Planning, Housing and Environmental
Health provided an update on the phased approach to on-street parking
management with a focus on the work in progress.

RESOLVED: That the way forward as set out in the report, including a
review of the overall approach to parking, be agreed.

MATTERS SUBMITTED FOR INFORMATION

JTB 14/35 LOCAL GROWTH FUND PROJECTS

The report of the Director of Planning, Housing and Environmental
Health provided an update on the Local Growth Fund Projects within the
Borough which were funded via the South East Local Enterprise
Partnership (SELEP) Strategic Economic Plan (SEP).

JTB 14/36 DEVELOPER FUNDED SCHEMES, SECTION 106 AND LOCAL TRANSPORT PLAN SCHEMES

The report of the Head of Transportation, Kent highways, provided an update on current and future works relating to Section 106 and Local Transport Plan Funded Schemes promoted by the County Council within the Borough.

JTB 14/37 COMBINED MEMBERS HIGHWAY FUND AND MEMBERS GRANT REPORT FOR TONBRIDGE AND MALLING

The Head of Transportation, Kent Highways, provided details of current County Member Highway Fund Schemes within the Borough.

JTB 14/38 HIGHWAY WORKS PROGRAMME 2014/15

The report of KCC Highways and Transportation provided an update on schemes approved for construction by the County Council in 2014/15.

JTB 14/39 A20 LONDON ROAD, WROTHAM HILL, WROTHAM

Further to Minute JTB 14/30 regarding a fatal motorcycle crash on the A20 London Road, Wrotham Hill, the report of the Head of Transportation, Kent Highways, provided an update on action taken since the previous meeting of the Joint Transportation Board. Sgt J Mott advised that Kent Police intended to run an operation to prevent further incidents and she thanked Members and Officers for their assistance in this matter.

MATTERS FOR CONSIDERATION IN PRIVATE**JTB 14/40 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.10 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

03 February 2015

Report of the Director of Finance & Transformation

Part 1- Public

Matters for Recommendation to Council

1 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY FOR 2015/16

1.1 The report provides details of investments undertaken and returns achieved in the first nine months of the current financial year and provides an introduction to the Annual Investment Strategy for 2015/16. Members are invited to recommend adoption of the Strategy to full Council.

1.2 Introduction

1.2.1 The Local Government Act 2003 requires the Council to 'have regard to the Prudential Code and to set Prudential Indicators for the next three years to ensure that the Council's capital investment plans are affordable, prudent and sustainable'.

1.2.2 The Act also requires the Council to set out its Treasury Management Strategy Statement for borrowing and to prepare an Annual Investment Strategy. The latter sets out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.

1.2.3 The Strategies are set out in a single document at **[Annex 3]** to this report.

1.2.4 The portfolio of the Audit Committee includes the review of treasury management activities. Accordingly, that Committee was asked to review the matters covered by this report and **[Annex 3]** on 26 January 2015. Due to timing issues it will be necessary to verbally report upon any recommendations and observations made by the Audit Committee.

1.2.5 The Strategy is a complex technical document and is a specialist area of work, I should be grateful if Members could raise any queries with the author of this report (Michael Withey ext. 6103) in advance of the meeting as Michael will not be present on 3 February.

1.3 Treasury Management Update

1.3.1 In accordance with the CIPFA Treasury Management Code of Practice, it is the Council's priority to ensure security of capital and liquidity, and to obtain an

appropriate level of return which is consistent with the Council's risk appetite. We continue to find ourselves in a very difficult investment market. Yields are low, in-line with the 0.5% Bank Rate and have been suppressed further by the Bank of England's 'Funding for Lending' scheme. As a consequence, investment returns are expected to remain low relative to pre 2008 financial crisis levels throughout the remainder of this financial year and the next.

1.3.2 Cash flow funds are available on a temporary basis and their amount varies from month to month and during the course of each month dependent on the timing of receipts (collection of business rates, council tax, grants and other sources of income) and payments (to government, precepting authorities, housing benefit recipients, staff and suppliers). The authority holds £13.4m of core cash balances for investment purposes. These funds which comprise our revenue and capital reserves are for the most part available to invest for more than one year.

1.3.3 At the end of December 2014 funds invested and interest earned is set out in the table below:

	Funds invested at 31 Dec 2014	Average duration to maturity	Weighted average rate of return	Interest earned to 31 Dec 2014	Gross annualised return	7 day LIBID benchmark
	£m	Years	%	£	%	%
In-house cash flow	8.6	0.07	0.69	53,050	0.65	0.35
Externally managed core funds to 31 July	-	0.78 [1]	0.61 [1]	25,500	0.57	0.35
In-house managed core funds from 1 August	13.4	0.25	0.72	40,800	0.72	0.35
Total	22.0	0.18	0.71	119,350	0.65	0.35

[1] Figures shown for comparative purposes represent the values applicable to the externally managed portfolio on 31 July, the day before transfer to In-house management.

1.3.4 Whilst the authority bettered the 7 day LIBID benchmark by 30 basis points, interest earned of £119,350 is £6,150 lower than our 2014/15 original estimate for the same period. This underperformance against budget is attributed to the lower than expected return delivered by our external fund manager in the early part of the financial year and is explored in more detail below.

1.3.5 **Cash flow funds.** Our daily cash flow balances for the year ahead are modelled at the start of the financial year. That cash flow model is then updated daily and

reviewed on a regular basis. The majority of our cash flow surpluses are invested overnight in bank deposit accounts and money market funds to ensure sufficient short term liquidity to meet payment obligations. When cash surpluses permit fixed term investments are undertaken to take advantage of the higher yields available.

- 1.3.6 **Core funds.** Historically these funds have been managed by an external fund manager. They are used to support both revenue and capital expenditure over the next few years of our medium term financial strategy as the Council grapples with savings targets to achieve a balanced budget. The core fund balance of £13.4m is at a level where In-house management is practical without the need for additional staff resources. The 2014/15 Annual Investment Strategy, considered by Audit Committee in January 2014, made provision for these funds to be transferred to In-house management by the end of the financial year and thus contribute to future savings targets through reduced fund management fees. Members are reminded that the transfer to In-house management took place on 1 August 2014.
- 1.3.7 On 1 August all tradable instruments (gilts, treasury bills and certificates of deposit) which comprised the lion's share (£12.6m) of the core fund were transferred to the Council's custody account with King & Shaxon and the cash balance (£0.8m) transferred to the Council's bank account. With the exception of gilts (£2.2m, 1.25%, July 2018) the fund manager's preference for short duration instruments, typically three months in duration, explains the poor performance referred to at paragraph 1.3.4. However, one benefit from their approach is that all core fund investments have now been replenished by the In-house team. The gilt has also been sold and generated a small capital profit on disposal in October 2014.
- 1.3.8 Following the transfer, initial core fund maturities were reinvested in nine month term deposits (both fixed and tradable certificates of deposit) to generate yield. Other maturities as they arose were invested in shorter duration instruments (mix of five and six month durations plus cash on deposit) to retain a degree of liquidity. The table at paragraph 1.3.3 demonstrates an improvement in core fund yield such that interest earned is expected to be in-line with budget for the period 1 August to 31 March 2015.
- 1.3.9 **Current investment position.** A full list of investments held on 2 January 2015 is provided at **[Annex 1]** of this report and a copy of our internal lending list of the same date is provided at **[Annex 2]**.

1.4 Annual Investment Strategy for 2015/16

- 1.4.1 **Money market funds (MMFs)** form a critical component in our daily cash flow management. They provide the same day access to cash as a traditional bank deposit account; allow surplus cash to be placed in a 'AAA' credit rated product; and ensure our peak monthly cash balances are disbursed across a range of

counterparties. The current yield on a typical MMF used by the Council is 0.4% and falls roughly mid-way between the average yield from our bank deposit accounts at 0.6% and that offered by the UK Debt Management Office at 0.25%.

- 1.4.2 Regulatory changes affecting funds traded in the US have recently been introduced by the Securities and Exchange Commission. Whilst these regulations do not affect funds domiciled in Europe (the ones we use) regulatory reform in Europe is in progress. The exact nature of the reform and when it will be enacted is unclear at the present time and any change will involve a 'bedding-in period' to allow MMFs to adapt to the new requirements. Any impact on our cash management operation for 2015/16 is thought unlikely.
- 1.4.3 **Stress testing** of UK and EU financial institutions has been in focus during the latter part of 2014. Systematic and regular stress testing has been adopted by both the UK Prudential Regulation Authority (PRA) and the European Banking Authority (EBA) to analyse each banks' resilience to hypothetical adverse macroeconomic scenarios. The tests were initially formulated to highlight any vulnerability present within the tested banks' balance sheets prompting action to improve the banking sector and restore consumer and investor confidence.
- 1.4.4 The results from the PRA tests were published in December. The tests covered the UK's eight largest banks: Barclays, Co-operative Bank, HSBC, Lloyds Banking Group, Nationwide Building Society, Royal Bank of Scotland Group, Santander UK and Standard Chartered. The PRA tests used tougher benchmarks in comparison to the EBA and placed a strong focus on the housing sector which is considered to be the main risk to domestic financial stability.
- 1.4.5 With the exception of the Co-operative Bank, the remaining seven UK banks passed the test albeit the part state owned banking groups of the Royal Bank of Scotland and Lloyds fared less well than others. The results of the test didn't alter the credit ratings of the seven banks that passed and the Co-operative Bank has not featured on the Council's lending list for a number of years.
- 1.4.6 The October report to the Audit Committee included details of a change to **Capita's creditworthiness methodology** which forms part of our assessment of a banks' suitability for inclusion in the Council's lending list. Capita's methodology uses the various components of the rating agency's (Fitch, Moody's and Standard & Poor's) credit rating in a formula to calculate a creditworthiness score for a bank. The lower the score the more creditworthy a bank is deemed to be. The score is also used to determine a maximum duration for fixed term investment.
- 1.4.7 Throughout the financial crisis the rating agencies have provided some institutions with an uplift to their long and short-term credit ratings to reflect sovereign support. Due to the evolving regulatory regime, these uplifts are going to be removed by the rating agencies. Rather than the bank 'bail-outs' that we have become accustomed to (taxpayer investment in RBS and Lloyds) a 'bail-in' by investors will be the norm in the future.

- 1.4.8 It is important to stress that the change in approach by the rating agencies does not reflect a change in the underlying status of an institution or the credit environment in which they operate, merely the implied level of support that has been built into ratings through the financial crisis. The eventual removal of Government support will only take place when the regulatory environment has ensured that financial institutions are much stronger and less prone to failure in a crisis should one occur in the future.
- 1.4.9 All three rating agencies provide a long-term (up to five years) and short-term (up to one year) credit rating. Fitch and Moody's also provide a rating which assesses the ability of a financial institution to meet payment obligations in the absence of any external support (known as the 'viability' and 'financial strength' ratings). Fitch also provides a separate assessment of the likelihood of and quality of that external support through their 'support' rating. In the future these additional rating components will effectively become redundant and as a consequence are now excluded from Capita's creditworthiness formula. Rating watch and outlook information continues to feature in Capita's overall assessment as does the market view of risk derived from credit default swap data.
- 1.4.10 Capita introduced the change in approach in June of this year and at that time it had little impact on their creditworthiness assessments. No banks were removed from the list of suggested counterparties, a few were added and a few had their recommended investment duration increased by one band. However, the long and short-term credit ratings of some banks **may** reduce in the future as the rating agencies remove the uplift derived from sovereign support. No time scale for the change in approach has been given by the rating agencies.
- 1.4.11 Capita's amended methodology now implies a minimum long-term credit rating of Fitch 'A-' or equivalent rather than Fitch 'A'. The minimum short-term credit rating of Fitch 'F1' has not altered. Fitch use plus and minus after the letter to denote relative status between financial institutions assigned to the 'AA' and 'A' rating categories. In the Fitch criteria 'A' denotes 'high credit quality' and 'F1' denotes 'highest short-term credit quality'.
- 1.4.12 The Annual Investment Strategy for 2015/16 at **[Appendix 3]** adopts Fitch 'A-', 'F1' or equivalent as the Council's minimum credit criteria. The Strategy makes no other changes to the parameters currently in use to limit the Council's exposure to investment risks.

1.5 Legal Implications

- 1.5.1 Under Section 151 of the Local Government Act 1972, the Section 151 Officer has statutory duties in relation to the financial administration and stewardship of the authority, including securing effective arrangements for treasury management.
- 1.5.2 This report fulfils the requirements of The Chartered Institute of Public Finance & Accountancy's Code of Practice on Treasury Management 2009.

1.6 Financial and Value for Money Considerations

- 1.6.1 The Bank Rate has remained at a historic low of 0.5% for over 6 years. Capita, our treasury advisors, in common with other market forecasts, anticipate an interest rate rise sometime during the quarter ending December of next financial year.
- 1.6.2 Investment income is £6,150 below budget at the end of December. The shortfall is attributed to the relatively poor performance achieved by our external fund manager in the early part of the year. Core funds were transferred to In-house management at the beginning of August and investment income for the remainder of the financial year is expected to be in-line with budget.
- 1.6.3 A small uplift over current returns is anticipated in the budgeted returns for 2015/16 (0.75% cash flow and 1.0% for core funds).
- 1.6.4 Investment performance is monitored against relevant benchmarks and compared to other local authorities using benchmarking data provided by Capita.

1.7 Risk Assessment

- 1.7.1 Capita are employed to advise on the content of the Treasury Management Strategy Statement and Annual Investment Strategy and this, coupled with a regular audit of treasury activities ensures that the requirements of the Strategy and the Treasury Policy Statement adopted by this Council are complied with.
- 1.7.2 Credit ratings remain a key tool in assessing risk. It is recognised that their use should be supplemented with sovereign ratings and market intelligence. Appropriate sovereign, group and counterparty limits need to be established to ensure an appropriate level of diversification.
- 1.7.3 In the light of these safeguards and stringent Treasury Management Procedures it is considered that any risks to the authority implicit in the 2015/16 Strategy have been minimised.

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 Members are invited to **RECOMMEND** that full Council:
- 1) note the treasury management position as at 31 December 2014;
 - 2) reduce the current minimum long-term credit requirement from Fitch 'A' to Fitch 'A-' or equivalent;

- 3) adopts the Treasury Management Strategy Statement and Annual Investment Strategy for 2015/16 set out at **[Annex 3]**.

Background papers:

contact: Mike Withey

Nil

Sharon Shelton
Director of Finance & Transformation

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Investment Summary as at 2 January 2015

Counterparty	Sovereign	Fitch Credit rating				Capita Credit Worthiness/ Suggested Duration Limit	Investment type (Specified/Non-specified) [Statement date to Maturity]	Investment from	Maturity Date	Principal sum invested £	Return (coupon / yield at purchase) %	% of total investments	Instrument type	Core Funds £	Cash Flow £	
		Long Term	Short Term	Viability	Support											
Bank of Scotland	UK	A	F1	a-	1	1 year	Specified	11/04/2014	13/04/2015	1,000,000	0.95%	7.57%	Fixed deposit	1,000,000	1,000,000	
Bank of Scotland	UK	A	F1	a-	1	1 year	Specified	14/10/2014	14/04/2015	1,000,000	0.70%					
Bank of Scotland Total										2,000,000						
Barclays Bank	UK	A	F1	a	1	6 months	Specified	29/08/2014	29/05/2015	1,000,000	0.80%	8.52%	Fixed deposit	1,000,000		
Barclays Bank	UK	A	F1	a	1	6 months	Specified	22/10/2014	22/07/2015	1,250,000	0.78%		Fixed deposit	1,250,000		
Barclays Bank Total										2,250,000						
BNP Paribas MMF	Luxembourg	AAA	mmf (Eq)	-	-	5 years	Specified	02/01/2015	05/01/2015	2,100,000	0.46%	7.95%	Call - MMF		2,100,000	
BNP Paribas MMF Total										2,100,000						
Goldman Sachs MMF	Ireland	AAA	mmf	-	-	5 years	Specified	02/01/2015	05/01/2015	1,328,000	0.42%	5.03%	Call - MMF		1,328,000	
Goldman Sachs MMF Total										1,328,000						
Handelsbanken [1]	Sweden	AA-	F1+	aa-	1	12 months	Specified	02/01/2015	05/01/2015	4,350,000	0.45/ .50%	16.47%	Call	2,250,000	2,100,000	
Handelsbanken Bank Total										4,350,000						
Ignis MMF	Ireland	AAA	mmf	-	-	5 years	Specified	02/01/2015	05/01/2015	2,100,000	0.42%	7.95%	Call - MMF		2,100,000	
Ignis MMF Total										2,100,000						
Insight Liquidity Plus EMF	Ireland	AAA	f/S1 (S&P)	-	-	5 years	Specified	18/02/2014	05/01/2015	1,050,000	0.78%	3.98%	Call - EMF		1,050,000	
Insight Liquidity Funds Total										1,050,000						
Lloyds Bank	UK	A	F1	a-	1	1 year	Specified	11/04/2014	13/04/2015	1,000,000	0.95%	9.46%	Fixed deposit	1,000,000	1,000,000	
Lloyds Bank	UK	A	F1	a-	1	1 year	Specified	23/09/2014	23/03/2015	1,000,000	0.70%		Fixed deposit			1,000,000
Lloyds Bank	UK	A	F1	a-	1	1 year	Specified	22/10/2014	22/07/2015	500,000	0.80%		Fixed deposit			500,000
Lloyds Bank Total										2,500,000						
National Westminster Bank Call Account	UK	A	F1	bbb	1	1 year	Specified	02/01/2015	05/01/2015	185,000	0.25%	0.70%	Call		185,000	
National Westminster Bank Total										185,000						
Nationwide Building Society	UK	A	F1	a	1	6 months	Specified	29/08/2014	29/05/2015	1,000,000	0.80%	7.57%	Fixed deposit	1,000,000		
Nationwide Building Society	UK	A	F1	a	1	6 months	Specified	14/10/2014	16/03/2015	1,000,000	0.60%		Fixed deposit			1,000,000
Nationwide Building Society Total										2,000,000						
Santander UK Plc	UK	A	F1	a	1	6 months	Specified	02/01/2015	05/01/2015	4,551,000	0.80%	17.23%	Call	2,451,000	2,100,000	
Santander UK Plc Total										4,551,000						
Standard Chartered Bank	UK	AA-	F1+	aa-	1	6 months	Specified	02/09/2014	02/06/2015	1,000,000	0.84%	7.57%	CD	1,000,000		
Standard Chartered Bank	UK	AA-	F1+	aa-	1	6 months	Specified	08/09/2014	08/06/2015	1,000,000	0.84%		CD			1,000,000
Standard Chartered Bank Total										2,000,000						
Total invested										26,414,000		100.00%		13,451,000	12,963,000	

Number of investments	20	Average investment value £	1,321,000
Number of counter parties	12	Average investment per counter party £	2,201,000
Group exposures (UK Nationalised) - max 25% for core funds or £2.6m cash flow.			
RBS + National Westminster excluding RBS managed Global Treasury Fund		Core £	0
		Core %	0.00%
		Cash £	185,000
Bank of Scotland + Lloyds		Core £	2,500,000
		Core %	18.59%
		Cash £	2,000,000

Total non-specified investments should be less than 60% of Core Funds	0.00%
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[1] 0.45% upto £2.5m, 0.50% over £2.5m

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Tonbridge and Malling Borough Council Internal Lending List

Checked against Capita Duration Matrix dated 02/01/15										
Minimum investment criteria is Capita Green (100 days) Duration Band (entry point broadly equates to Fitch A, F1, bbb-, 1 unless UK nationalised / semi-nationalised).										
Counterparty	Sovereign	Sovereign Rating [1]	Fitch Long Term	Fitch Short Term	Fitch Viability	Fitch Support	Exposure Limits			Capita Duration [2]
							Cash Flow	Core Fund	Combined	
Nordea Bank	Finland	AA+	AA-	F1+	aa-	1	£2.1m	£2.6m	£4.7m	12 months
Deutsche Bank	Germany	AAA	A+	F1+	a	1	£2.1m	£2.6m	£4.7m	100 days
ING Bank	Netherlands	AA+	A+	F1+	a	1	£2.1m	£2.6m	£4.7m	6 months
Svenska Handelsbanken AB	Sweden	AAA	AA-	F1+	aa-	1	£2.1m	£2.6m	£4.7m	12 months
Barclays Bank	UK	AA+	A	F1	a	1	£2.1m	£2.6m	£4.7m	6 months
HSBC Bank plc	UK	AA+	AA-	F1+	a+	1	£2.1m	£2.6m	£4.7m	12 months
Santander UK plc	UK	AA+	A	F1	a	1	£2.1m	£2.6m	£4.7m	6 months
Standard Chartered Bank	UK	AA+	AA-	F1+	aa-	1	£2.1m	£2.6m	£4.7m	6 months
Nationwide Building Society	UK	AA+	A	F1	a	1	£2.1m	£2.6m	£4.7m	6 months
Bank of Scotland plc [3] Group limit with BOS and Lloyds of £2.6m	UK	AA+	A	F1	a-	1	£2.6m	£3.3m	£5.9m	12 Months
Lloyds Bank plc [3] Group limit with BOS and Lloyds of £2.6m	UK	AA+	A	F1	a-	1	£2.6m	£3.3m	£5.9m	12 Months
National Westminster Bank plc [3] Group limit with Nat West and RBS of £2.6m	UK	AA+	A	F1	bbb	1	£2.6m	£3.3m	£5.9m	12 Months
The Royal Bank of Scotland plc [3] Group limit with Nat West and RBS of £2.6m	UK	AA+	A	F1	bbb	1	£2.6m	£3.3m	£5.9m	12 Months
UK Debt Management Office inc Treasury Bills	UK	AA+	N/A	N/A	N/A	N/A	No limit	No limit	No limit	N/A
UK Treasury - Sovereign Bonds (Gilts)	UK	AA+	N/A	N/A	N/A	N/A	N/A	£6.7m	£6.7m	N/A
UK Local Authorities	UK	AA+	N/A	N/A	N/A	N/A	£2.1m	£2.6m	£4.7m	N/A

[1] Reflects the lowest of the three rating agencies views (Fitch, Moody's and Standard and Poor's). Strategy requires sovereigns to be rated at least AA-.

[2] All deposits overnight unless otherwise approved by the Director of Finance and Transformation AND Chief Financial Services Officer. If other than overnight duration must not exceed Capita's recommendation (Capita + 3 months for UK Entities up to a maximum of 12 months).

[3] UK nationalised / semi-nationalised.

Money Market Funds

Minimum investment criteria one of AAA-mf, AAAmmf or AAAM.

Fund Name	Moody	Fitch	S&P	Exposure Limit		
				Cash Flow	Core Fund	Combined
Blackrock	AAA-mf	-	AAAM	£2.1m	£2.6m	£4.7m
BNP Paribas	-	-	AAAM	£2.1m	£2.6m	£4.7m
Goldman Sachs	AAA-mf	AAAmmf	AAAM	£2.1m	£2.6m	£4.7m
Deutsche Fund	AAA-mf	-	AAAM	£2.1m	£2.6m	£4.7m
Ignis	-	AAAmmf	AAAM	£2.1m	£2.6m	£4.7m
Morgan Stanley	AAA-mf	AAAmmf	AAAM	£2.1m	£2.6m	£4.7m
Prime Rate	AAA-mf	AAAmmf	AAAM	£2.1m	£2.6m	£4.7m
Insight	-	AAAmmf	AAAM	£1.05m	£1.3m	£2.35m

Enhanced Cash Funds

Minimum investment criteria AAA.

Fund Name	Moody	Fitch	S&P	Exposure Limit		
				Cash Flow	Core Fund	Combined
Insight Liquidity Plus	-	-	AAAf/S1	£1.05m	£1.3m	£2.35m

Approved by Director of
Finance & Transformation
5th January 2015

No Change

Treasury Management Strategy Statement and Annual Investment Strategy for 2015/16

1 Introduction

1.1 Background

1.1.1 Treasury management is defined as:

‘The management of the local authority’s investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks’.

1.2 Statutory requirements

1.2.1 The Local Government Act 2003 (the Act) and supporting regulations requires the Council to ‘have regard to’ the CIPFA Prudential Code and the CIPFA Treasury Management Code of Practice to set Prudential and Treasury Indicators for the next three years to ensure that the Council’s capital investment plans are affordable, prudent and sustainable.

1.2.2 The Act requires the Council to set out its treasury strategy for borrowing and to prepare an Annual Investment Strategy (as required by Investment Guidance subsequent to the Act and included at Section 7 of this report); this sets out the Council’s policies for managing its investments and for giving priority to the security and liquidity of those investments.

1.2.3 The Department of Communities and Local Government has issued revised investment guidance which came into effect from 1 April 2010. There were no major changes required over and above the changes already required by the revised CIPFA Treasury Management Code of Practice 2009.

1.3 CIPFA requirements

1.3.1 The Chartered Institute of Public Finance and Accountancy’s (CIPFA) Code of Practice on Treasury Management (revised November 2009) was adopted by this Council on 18 February 2010. In preparing this strategy due regard has also been given to subsequent revisions to the code.

1.3.2 The primary requirements of the Code are as follows:

- 1 Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
- 2 Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
- 3 Receipt by the full Council of an annual Treasury Management Strategy Statement, including the Annual Investment Strategy, for the year ahead; a Mid-year Review Report; and an Annual Report (stewardship report) covering activities during the previous year.
- 4 Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
- 5 Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is the Audit Committee.

1.3.3 The scheme of delegation and role of the Section 151 officer that give effect to these requirements are set out at **[Appendix 1]** and **[Appendix 2]** respectively.

1.4 Treasury Management Strategy for 2015/16

1.4.1 The suggested strategy for 2015/16 in respect of the following aspects of the treasury management function is based upon the treasury officers' views on interest rates, supplemented with market forecasts provided by the Council's treasury advisor, Capita Asset Services (previously known as Sector).

1.4.2 The strategy covers:

- treasury limits in force which will limit the treasury risk and activities of the Council
- the current treasury position
- the borrowing requirement
- Prudential and Treasury Indicators
- prospects for interest rates
- creditworthiness policy
- the investment strategy
- policy on use of external service providers

1.5 Balanced Budget Requirement

1.5.1 It is a statutory requirement under Section 33 of the Local Government Finance Act 1992, for the Council to produce a balanced budget. In particular, Section 32 requires a local authority to calculate its budget requirement for each financial year to include the revenue costs that flow from capital financing decisions. This means that increases in capital expenditure must be limited to a level whereby increases in charges to revenue from:

- increases in interest charges caused by increased borrowing to finance additional capital expenditure, and
- any increases in running costs from new capital projects are limited to a level which is affordable within the projected income of the Council for the foreseeable future.

2 Treasury Limits for 2015/16 to 2017/18

2.1 It is a statutory duty under Section 3 of the Act and supporting regulations, for the Council to determine and keep under review how much it can afford to borrow. The amount so determined is termed the 'Affordable Borrowing Limit'. In England and Wales the Authorised Limit represents the legislative limit specified in the Act.

2.2 The Council must have regard to the Prudential Code when setting the Authorised Limit, which essentially requires it to ensure that total capital investment remains within sustainable limits and, in particular, that the impact upon its future council tax levels is 'acceptable'.

2.3 Whilst termed an 'Affordable Borrowing Limit', the capital plans to be considered for inclusion incorporate financing by both external borrowing and other forms of liability, such as credit arrangements. The Authorised Limit is to be set, on a rolling basis, for the forthcoming financial year and two successive financial years; details of the Authorised Limit can be found in **[Appendix 3]** of this report.

3 Current Portfolio Position

3.1 The Council is debt free and as such the overall treasury position at 31 December 2014 comprised only investments, which totaled £22.0m generating an average return of 0.71%.

4 Borrowing Requirement

- 4.1 Other than for cash flow purposes and then within the limits set out at **[Appendix 3]** borrowing will not be necessary. All capital expenditure in 2015/16 will be funded from the Revenue Reserve for Capital Schemes, grants, developer contributions and capital receipts arising from the sale of assts.

5 Prudential and Treasury Indicators for 2015/16 – 2017/18

- 5.1 Prudential and Treasury Indicators as set out in **[Appendix 3]** are relevant for the purposes of setting an integrated treasury management strategy.
- 5.2 The Council is also required to indicate if it has adopted the CIPFA Code of Practice on Treasury Management. The original 2001 Code was adopted on 30 September 2003 and the revised 2009 Code was adopted by the full Council on 18 February 2010. Subsequent Code amendments are also complied with.

6 Prospects for Interest Rates

- 6.1 The Council has appointed Capita Asset Services as treasury advisor to the Council and part of their service is to assist the Council to formulate a view on interest rates. **[Appendix 4]** draws together a number of current City forecasts for short term (Bank Rate) and longer fixed interest rates. Capita's expectation for the Bank Rate for the financial year ends (March) is:
- 2014/ 2015 0.50%
 - 2015/ 2016 0.75%
 - 2016/ 2017 1.25%
 - 2017/ 2018 2.00%
- 6.3 UK GDP growth surged during 2013 and the first half of 2014 peaking at 0.9% in Q2 2014 (annualised rate of 3.2%). Since then growth has become more subdued but still remains strong by UK standards and is expected to continue likewise into 2015 and 2016. However, there needs to be a rebalancing of the economy away from consumer spending to manufacturing, business investment and exports for the recovery to become more firmly established. One drag on the economy has been that wage inflation has only recently started to exceed CPI inflation, so enabling disposable income and living standards to start improving. The plunge in the price of oil brought inflation down to a low of 1.0% (CPI) in November, the lowest since September 2002. Inflation is expected to stay around or below 1.0%

over the next 12 months which will help improve consumer disposable income and so underpin economic growth. However, labour productivity needs to improve substantially to enable wage rates to increase and further support consumer disposable income and economic growth. In addition, the encouraging rate at which unemployment has been falling must eventually feed through into pressure for wage increases, though current views on the amount of slack in the labour market suggest this is unlikely to happen in the early part of 2015.

- 6.4 The US, the biggest world economy, has generated growth rates of 4.6% (annualised) in Q2 2014 and 5.0% in Q3. This is hugely promising for the outlook for strong growth going forward and it very much looks as if the US is now firmly on the path of full recovery from the financial crisis of 2008. Consequently, it is now expected that the US will be the first major western economy to start on central rate increases and these are anticipated by mid 2015.
- 6.5 The current economic outlook and structure of market interest rates and government debt yields have several key treasury management implications:
- Greece: the general election in January 2015 may bring a political party to power which is anti Eurozone and anti austerity. However, if this eventually results in Greece leaving the Euro, it is unlikely that this will destabilise the Eurozone as adequate firewalls to contain the immediate impact have now been put in place. The indirect effects of the likely strengthening of anti EU and anti austerity political parties throughout the EU, however, are more difficult to quantify;
 - Eurozone concerns in general subsided during 2013. However, the downturn in growth and inflation during the second half of 2014 and worries over the Ukraine and Middle East have led to a resurgence of those concerns as risks increase that the Eurozone could be heading into deflation and prolonged very weak growth. Sovereign debt difficulties have not gone away and concerns could return in respect of individual countries that do not address the fundamental issues of low growth, international uncompetitiveness and the need for economic reform. It is possible that over the next few years government debt to GDP ratios continue to rise to levels that result in a loss of investor confidence in the financial viability of such countries. Counterparty risks therefore remain elevated. This continues to

suggest the use of higher quality counterparties for shorter time periods;

- Investment returns are likely to remain relatively low during 2015/16 and beyond.

6.5 A more detailed view of the current economic background, provided by Capita, is contained in **[Appendix 5]**.

7 Annual Investment Strategy

7.1 Investment Policy

7.1.1 The Council's investment policy has regard to the CLG's Guidance on Local Government Investments and the CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes (adopted 2009 Code and subsequent revisions). As a consequence, the Council's investment priorities are:

- the security of capital and;
- the liquidity of its investments.

7.1.2 The Council also aims to achieve the optimum return on its investments commensurate with proper levels of security and liquidity. The risk appetite of this Council is low in order to give priority to the security of its investments.

7.1.3 The borrowing of monies purely to invest or on-lend and make a return is unlawful and this Council will not engage in such activity.

7.1.4 Investment instruments identified for use in the financial year are listed in **[Appendix 6]** under the 'Specified' and 'Non-Specified' Investments categories. Counterparty limits will be as set out at paragraph 7.3.2.

7.2 Creditworthiness Policy

7.2.1 This Council uses the creditworthiness service provided by Capita. This service has been progressively enhanced over the last few years and now uses a sophisticated modelling approach with credit ratings from all three rating agencies - Fitch, Moody's and Standard and Poor's forming the core element. However, it does not rely solely on the current credit ratings of counterparties but also uses the following as overlays:

- credit watches and credit outlooks from credit rating agencies;

- Credit Default Swap (CDS) spreads to give early warning of likely changes in credit ratings; and
- sovereign ratings to select counterparties from only the most creditworthy countries.

7.2.2 This modelling approach combines credit ratings, credit watches and credit outlooks in a weighted scoring system which is then combined with an overlay of CDS spreads for which the end product is a series of colour code bands which indicate the relative creditworthiness of counterparties. These colour codes are also used by the Council to **inform** the duration for investments and are therefore referred to as durational bands. The Council is satisfied that this service now gives a much improved level of security for its investments. It is also a service which the Council would not be able to replicate using in-house resources.

7.2.3 The selection of counterparties with a high level of creditworthiness will be achieved by selection of institutions down to a minimum durational band within Capita's weekly credit list of worldwide potential counterparties. Subject to an appropriate sovereign and counterparty rating the Council will therefore use counterparties within the following durational bands:

Yellow	5 years
Purple	2 years
Blue	1 year (nationalised or part nationalised UK Banks)
Orange	1 year
Red	6 months
Green	100 Days (previously 3 months)

7.2.4 This Council will not use the approach suggested by CIPFA of using the lowest rating from all three rating agencies to determine creditworthy counterparties as Moody's tend to be more aggressive in giving low ratings than the other two agencies. This approach has the potential to leave the Council with few banks on its approved lending list. The Capita creditworthiness service does though, use ratings from all three agencies, but by using a risk weighted scoring system, does not give undue preponderance to just one agency's ratings.

7.2.5 All credit ratings will be reviewed weekly and monitored on a daily basis. The Council is alerted to changes to ratings of all three agencies through its use of the Capita creditworthiness service.

- if a downgrade results in the counterparty / investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.
- in addition to the use of Credit Ratings the Council will be advised of information in movements in Credit Default Swap against the iTraxx benchmark and other market data on a weekly basis. Extreme market movements may result in a downgrade of an institution or removal from the Councils lending list.

7.2.6 Sole reliance will not be placed on the use of this external service. In addition this Council will also use market data and market information, information on government support for banks and the credit ratings of that government support.

7.3 Country, Group and Counterparty Limits

7.3.1 The Council has determined that it will only use approved counterparties from countries with a minimum sovereign credit rating of 'AA-' as determined by all three rating agencies (Fitch, Moody's and Standard and Poor's). The list of countries that qualify using this credit criteria as at the date of this report are shown in **[Appendix 7]**. This list will be added to, or deducted from; by officers should ratings change in accordance with this policy.

7.3.2 Avoidance of a concentration of investments in too few counterparties or countries is a key to effective diversification and in this regard the limits set out below are thought to achieve a prudent balance between risk and practicality and are applicable to both cash flow and core fund investment.

Country, Counterparty and Group exposure	Maximum Proportion of Cash Flow and Core Funds
UK Sovereign (subject to a minimum rating of AA-)	100%
Each non-UK Sovereign rated AA- or better	20%
Group limit excluding UK nationalised / part nationalised banks	20%
Each counterparty rated Fitch A-, F1 (green using Capita's credit methodology) or better (previously Fitch A, F1, bbb-,1)	20%
Each UK nationalised or part nationalised bank / group	25%

Each AAA multilateral / supranational bank	20%
Each AAA rated bond fund / gilt fund / enhanced cash fund / government liquidity fund / equity fund or property fund subject to maximum 20% exposure to all such funds	10%
Each money market fund rated Moody's AAAmf, Fitch AAmmf, Standard & Poor's AAAM	20%
Non-specified investments over 1 year duration	60%

7.3.3 Cash flow balances vary depending on the timing of receipts and payments during the month and from month to month. For cash flow investments the limits identified in paragraph 7.3.2 will be based on an estimate of the expected average daily cash flow balance at the start of the financial year.

7.4 Investment Strategy

Available funds

7.4.1 Funds available for investment are split between cash flow and core funds. Cash flow funds are generated from the collection of council tax, business rates and other income streams. They are consumed during the financial year to meet payments to precepting authorities and government (NNDR contributions) and to meet service delivery costs (benefit payments, staff salaries and suppliers in general). The consumption of cash flow funds during the course of a financial year places a natural limit on the maximum duration of investments (up to one year). Core funds comprise monies set aside in the Council's revenue and capital reserves and are generally available to invest for durations in excess of one year.

Cash flow investments

7.4.2 The average daily cash flow balance throughout 2015/16 is expected to be £9.0m. Of that figure some £3m is likely to be available for longer than three months. Cash flow investments will be made with reference to cash flow requirements (liquidity) and the outlook for short-term interest rates (i.e. rates for investments up to 12 months). Liquidity will be maintained by using bank deposit accounts and money markets funds. Where duration can be tolerated, additional yield will be generated by utilising term deposits with banks and building societies and enhanced cash funds. Cash balances available for more than 3

months may be transferred to the core fund portfolio if a better overall return for the Council can be achieved by doing so.

- 7.4.6 In compiling the Council's estimates for 2015/16 a return on cash flow investments of 0.75% has been assumed. This return is a modest improvement on the return being achieved in 2014/15 (0.65% to December) and anticipates the Bank Rate will rise above the current 0.5% during the latter part of the financial year.

Core fund investments

- 7.4.7 Historically the Council's core funds have been managed by an external fund manager. All core funds were returned to the Council during 2014/15 for In-house management. The core fund balance is diminishing as a proportion is consumed each year (approximately £2.25m per annum) to support the Council's revenue budget and capital expenditure plans. The average core fund balance during 2015/16 is expected to be £10m.
- 7.4.10 The Council will avoid locking into longer term deals while investment rates continue their current low levels unless attractive rates are available with counterparties of particularly high creditworthiness which make longer term deals worthwhile and are within the risk parameters set by this Council.
- 7.4.11 In compiling the Council's estimates for 2015/16 a return on core fund investments of 1.0% has been assumed. This return anticipates a small uplift in yield will be generated over cash flow investment expectations (paragraph 7.4.6) and offers a modest uplift on the current core fund return (0.72% to December 2014). Subject to the credit quality and exposure limits outlined in paragraph 7.3.2, liquidity and yield will be achieved by a mix of investments using predominantly fixed term deposits and certificates of deposit. Notice accounts and enhanced cash funds will also be used if these offer favourable returns relative to term deposits.

7.5 End of year investment report

- 7.5.1 At the end of the financial year, the Council will report on its investment activity as part of its Annual Treasury Report.

7.6 Policy on the use of external service providers

- 7.6.1 The Council uses Capita as its external treasury management advisors.

7.6.2 The Council recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon our external service providers.

7.6.3 It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review.

January 2015

Appendices

1. Treasury management scheme of delegation
2. Treasury management role of the section 151 officer
3. Prudential and Treasury indicators
4. Interest rate forecasts
5. Economic background
6. Specified and Non-specified Investments
7. Approved countries for investments

Appendix 1 Treasury management scheme of delegation

(i) Full council

- budget approval.
- approval of treasury management policy.
- approval of the annual Treasury Management Strategy Statement and Annual Investment Strategy.
- approval of amendments to the Council's adopted clauses, Treasury Management Policy Statement and the annual Treasury Management Strategy Statement and Annual Investment Strategy.
- approval of the treasury management outturn report.

(ii) Cabinet

- budget consideration.
- approval of Treasury Management Practices.
- approval of the division of responsibilities.
- approval of the selection of external service providers and agreeing terms of appointment.
- acting on recommendations in connection with monitoring reports.

(iii) Audit Committee

- reviewing the annual Treasury Management Strategy Statement and Annual Investment Strategy and making recommendations to Cabinet and Council.
- receive reports on treasury activity at regular intervals during the year and making recommendations to Cabinet.
- reviewing treasury management policy, practices and procedures and making recommendations to Cabinet and Council.

(iv) Finance, Innovation and Property Advisory Board

- receiving budgetary control reports at regular intervals that include treasury management performance.

Appendix 2 Treasury management role of the section 151 officer

The S151 (responsible) officer

- recommending clauses, treasury management policy/practices for approval, reviewing the same regularly, and monitoring compliance.
- submitting regular treasury management policy reports.
- submitting budgets and budget variations.
- receiving and reviewing management information reports.
- reviewing the performance of the treasury management function.
- ensuring the adequacy of treasury management resources and skills, and the effective division of responsibilities within the treasury management function.
- ensuring the adequacy of internal audit, and liaising with external audit.
- recommending the appointment of external service providers.

Appendix 3 Prudential and Treasury Indicators

The prudential indicators relating to capital expenditure cannot be set until the capital programme is finally determined and will as a consequence be reported as part of the Setting the Budget for 2015/16 report that is to be submitted to Cabinet on 12 February 2015.

The treasury management indicators are as set out in the table below:

TREASURY MANAGEMENT INDICATORS	2013/14	2014/15	2015/16	2016/17	2017/18
	Actual	Estimate	Estimate	Estimate	Estimate
	£'000	£'000	£'000	£'000	£'000
Authorised Limit for external debt :					
borrowing	Nil	5,000	5,000	5,000	5,000
other long term liabilities	Nil	Nil	Nil	Nil	Nil
TOTAL	Nil	5,000	5,000	5,000	5,000
Operational Boundary for external debt:-					
borrowing	Nil	2,000	2,000	2,000	2,000
other long term liabilities	Nil	Nil	Nil	Nil	Nil
TOTAL	Nil	2,000	2,000	2,000	2,000
Actual external debt	Nil	Nil	Nil	Nil	Nil
Upper limit for fixed interest rate exposure > 1 year at year end	Nil	It is anticipated that net exposure will range between 0% to 60%			
Upper limit for variable rate exposure < 1 year at year end	16,309 (86.1%)	It is anticipated that net exposure will range between 40% to 100%			
Upper limit for total principal sums invested for over 364 days at year end	2,234 (11.8%)	60% of core funds			

Maturity structure of fixed rate borrowing during 2015/16	upper limit	lower limit
under 12 months	100 %	0 %
Over 12 months	0 %	0 %

Appendix 4 Interest Rate Forecasts (January 2015)

Capita Asset Services Interest Rate View													
	Mar-15	Jun-15	Sep-15	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17	Sep-17	Dec-17	Mar-18
Bank Rate View	0.50%	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.25%	1.50%	1.75%	1.75%	2.00%
3 Month LIBID	0.50%	0.50%	0.60%	0.80%	0.90%	1.10%	1.10%	1.30%	1.40%	1.50%	1.80%	1.90%	2.10%
6 Month LIBID	0.70%	0.70%	0.80%	1.00%	1.10%	1.20%	1.30%	1.50%	1.60%	1.70%	2.00%	2.10%	2.30%
12 Month LIBID	0.90%	1.00%	1.10%	1.30%	1.40%	1.50%	1.60%	1.80%	1.90%	2.00%	2.30%	2.40%	2.60%
5yr PWLB Rate	2.20%	2.20%	2.30%	2.50%	2.60%	2.80%	2.90%	3.00%	3.20%	3.30%	3.40%	3.50%	3.60%
10yr PWLB Rate	2.80%	2.80%	3.00%	3.20%	3.30%	3.50%	3.60%	3.70%	3.80%	3.90%	4.00%	4.10%	4.20%
25yr PWLB Rate	3.40%	3.50%	3.70%	3.80%	4.00%	4.20%	4.30%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%
50yr PWLB Rate	3.40%	3.50%	3.70%	3.80%	4.00%	4.20%	4.30%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%
Bank Rate													
Capita Asset Services	0.50%	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.25%	1.50%	1.75%	1.75%	2.00%
Capital Economics	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.25%	-	-	-	-	-
5yr PWLB Rate													
Capita Asset Services	2.20%	2.20%	2.30%	2.50%	2.60%	2.80%	2.90%	3.00%	3.20%	3.30%	3.40%	3.50%	3.60%
Capital Economics	2.20%	2.50%	2.70%	3.00%	3.10%	3.20%	3.30%	3.40%	-	-	-	-	-
10yr PWLB Rate													
Capita Asset Services	2.80%	2.80%	3.00%	3.20%	3.30%	3.50%	3.60%	3.70%	3.80%	3.90%	4.00%	4.10%	4.20%
Capital Economics	2.80%	3.05%	3.30%	3.55%	3.60%	3.65%	3.70%	3.80%	-	-	-	-	-
25yr PWLB Rate													
Capita Asset Services	3.40%	3.50%	3.70%	3.80%	4.00%	4.20%	4.30%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%
Capital Economics	3.25%	3.45%	3.65%	3.85%	3.95%	4.05%	4.15%	4.25%	-	-	-	-	-
50yr PWLB Rate													
Capita Asset Services	3.40%	3.50%	3.70%	3.80%	4.00%	4.20%	4.30%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%
Capital Economics	3.30%	3.50%	3.70%	3.90%	4.00%	4.10%	4.20%	4.30%	-	-	-	-	-

Appendix 5 Economic Background Provided by Capita Asset Services

UK. After strong UK GDP growth in 2013 at an annual rate of 2.7%, and then in 2014 0.7% in Q1, 0.9% in Q2 2014 (annual rate 3.2% in Q2), Q3 has seen growth fall back to 0.7% in the quarter and to an annual rate of 2.6%. It therefore appears that growth has eased since the surge in the first half of 2014 leading to a downward revision of forecasts for 2015 and 2016, albeit that growth will still remain strong by UK standards. For this recovery to become more balanced and sustainable in the longer term, the recovery needs to move away from dependence on consumer expenditure and the housing market to exporting, and particularly of manufactured goods, both of which need to substantially improve on their recent lacklustre performance. This overall strong growth has resulted in unemployment falling much faster than expected. The MPC is now focusing on how quickly slack in the economy is being used up. It is also particularly concerned that the squeeze on the disposable incomes of consumers should be reversed by wage inflation rising back significantly above the level of inflation in order to ensure that the recovery will be sustainable. There also needs to be a major improvement in labour productivity, which has languished at low levels since 2008, to support increases in pay rates. Unemployment is expected to keep on its downward trend and this is likely to eventually feed through into a return to significant increases in wage growth at some point during the next three years. However, just how much those future increases in pay rates will counteract the depressive effect of increases in Bank Rate on consumer confidence, the rate of growth in consumer expenditure and the buoyancy of the housing market, are areas that will need to be kept under regular review.

Also encouraging has been the sharp fall in inflation (CPI), reaching 1.0% in November 2014, the lowest rate since September 2002. Forward indications are that inflation is likely to remain around or under 1% for the best part of a year. The return to strong growth has helped lower forecasts for the increase in Government debt over the last year but monthly public sector deficit figures during 2014 have disappointed until November. The autumn statement, therefore, had to revise the speed with which the deficit is forecast to be eliminated.

Euro zone (EZ). The Euro zone is facing an increasing threat from weak or negative growth and from deflation. In November 2014, the inflation rate fell further, to reach a low of 0.3%. However, this is an average for all EZ countries and includes some countries with negative rates of inflation. The European Central Bank (ECB) took limited action in June and September 2014 to loosen monetary policy in order to promote growth. It now appears likely that the ECB will embark on full quantitative easing (purchase of EZ country sovereign debt) in early 2015.

Concern in financial markets for the Euro zone subsided considerably after the prolonged crisis during 2011-2013. However, sovereign debt difficulties have not gone away and major issues could return in respect of any countries that do not dynamically address fundamental issues of low growth, international uncompetitiveness and the need for overdue reforms of the economy. It is, therefore, possible over the next few years that levels of government debt to GDP ratios could continue to rise for some countries. This could mean that sovereign debt concerns have not disappeared but, rather, have only been postponed. The ECB's pledge in 2012 to buy unlimited amounts of bonds of countries which ask for a bailout has provided heavily indebted countries with a strong defence against market forces. This has bought them time to make progress with their economies to return to growth or to reduce the impact of recession. However, debt to GDP ratios (2013 figures) of Greece 180%, Italy 133%, Portugal 129%, Ireland 124% and Cyprus 112%, remain a cause of concern, especially as some of these countries are experiencing continuing rates of increase in debt in excess of their rate of economic growth i.e. these debt ratios are likely to continue to deteriorate. Any sharp downturn in economic growth would make these countries particularly vulnerable to a new bout of sovereign debt crisis.

Greece: the general election due to take place on 25 January 2015 is likely to bring a political party to power which is anti EU and anti austerity. However, if this eventually results in Greece leaving the Euro, it is unlikely that this will directly destabilise the Euro zone as the EU has put in place adequate firewalls to contain the immediate impact. However, the indirect effects of strengthening of anti EU and anti austerity political parties throughout the EU are much more difficult to quantify. There are particular concerns as to whether democratically elected governments will lose the support of electorates suffering under EZ imposed austerity programmes, especially in countries which have high unemployment rates. There are also major concerns as to whether the governments of France and Italy will effectively implement austerity programmes and undertake overdue reforms to improve national competitiveness. These countries already have political parties with major electoral support for anti EU and anti austerity policies. Any loss of market confidence in either of the two largest Euro zone economies after Germany would present a huge challenge to the resources of the ECB to defend their debt.

USA. The US Federal Reserve ended its monthly asset purchases in October 2014. GDP growth rates (annualised) for Q2 and Q3 of 4.6% and 5.0% hold great promise for strong growth going forward. Forecasters are confident that interest rates in America will have risen by the middle of 2015.

China. Government action in 2014 to stimulate the economy appeared to be putting the target of 7.5% growth within achievable reach but recent data has indicated a marginally lower outturn for 2014, which would be the lowest rate of growth for many years. There are also concerns that the Chinese

leadership has only started to address an unbalanced economy which is heavily dependent on new investment expenditure, and for a potential bubble in the property sector to burst, as it did in Japan in the 1990s, with its consequent impact on the financial health of the banking sector. There are also concerns around the potential size, and dubious creditworthiness, of some bank lending to local government organisations and major corporates. This primarily occurred during the government promoted expansion of credit, which was aimed at protecting the overall rate of growth in the economy after the Lehmans crisis.

Japan. Japan is causing considerable concern as the increase in sales tax in April 2014 has suppressed consumer expenditure and growth to the extent that it has slipped back into recession in Q2 and Q3. The Japanese government already has the highest debt to GDP ratio in the world.

Capita Asset Services Forward View

Economic forecasting remains difficult with so many external influences weighing on the UK. Our Bank Rate forecasts, (and also MPC decisions), will be liable to further amendment depending on how economic data transpires over 2015. Forecasts for average earnings beyond the three year time horizon will be heavily dependent on economic and political developments. Major volatility in bond yields is likely to endure as investor fears and confidence ebb and flow between favouring more risky assets i.e. equities, or the safe haven of bonds.

The overall longer run trend is for gilt yields and PWLB rates to rise, due to the high volume of gilt issuance in the UK, and of bond issuance in other major western countries. Increasing investor confidence in eventual world economic recovery is also likely to compound this effect as recovery will encourage investors to switch from bonds to equities.

The overall balance of risks to economic recovery in the UK is currently evenly spread. Only time will tell just how long this current period of strong economic growth will last; it also remains exposed to vulnerabilities in a number of key areas.

The interest rate forecasts in this report are based on an initial assumption that there will not be a major resurgence of the EZ debt crisis. There is an increased risk that Greece could end up leaving the Euro but if this happens, the EZ now has sufficient firewalls in place such that a Greek exit would have little immediate direct impact on the rest of the EZ and the Euro. It is therefore expected that there will be an overall managed, albeit painful and difficult, resolution of any EZ debt crisis that may occur where EZ institutions and governments eventually do what is necessary - but only when all else has been tried and failed. Under this assumed scenario, growth within the EZ will be weak at best for the next couple of years with some EZ countries experiencing low or negative growth, which will, over that time period, see an

increase in total government debt to GDP ratios. There is a significant danger that these ratios could rise to the point where markets lose confidence in the financial viability of one, or more, countries, especially if growth disappoints and / or efforts to reduce government deficits fail to deliver the necessary reductions. However, it is impossible to forecast whether any individual country will lose such confidence, or when, and so precipitate a sharp resurgence of the EZ debt crisis. While the ECB has adequate resources to manage a debt crisis in a small EZ country, if one, or more, of the larger countries were to experience a major crisis of market confidence, this would present a serious challenge to the ECB and to EZ politicians.

Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

- Geopolitical risks in Eastern Europe, the Middle East and Asia, increasing safe haven flows.
- UK strong economic growth is weaker than we currently anticipate.
- Weak growth or recession in the UK's main trading partners - the EU, US and China.
- A resurgence of the Eurozone sovereign debt crisis.
- Recapitalisation of European banks requiring more government financial support.
- Monetary policy action failing to stimulate sustainable growth and to combat the threat of deflation in western economies, especially the Eurozone and Japan.

The potential for upside risks to current forecasts for UK gilt yields and PWLB rates, especially for longer term PWLB rates include: -

- An adverse reaction by financial markets to the result of the UK general election in May 2015 and the economic and debt management policies adopted by the new government
- ECB either failing to carry through on recent statements that it will soon start quantitative easing (purchase of government debt) or severely disappointing financial markets with embarking on only a token programme of minimal purchases which are unlikely to have much impact, if any, on stimulating growth in the EZ.
- The commencement by the US Federal Reserve of increases in the central rate in 2015 causing a fundamental reassessment by investors of the relative risks of holding bonds as opposed to equities, leading to a sudden flight from bonds to equities.

- A surge in investor confidence that a return to robust world economic growth is imminent, causing a flow of funds out of bonds into equities.
- UK inflation returning to significantly higher levels than in the wider EU and US, causing an increase in the inflation premium inherent to gilt yields

Appendix 6 Specified and Non-specified Investments

All specified and non-specified Investments will be:

Subject to the sovereign, group and counterparty exposure limits identified in the Annual Investment Strategy.

Subject to the duration limit recommended by Capita (**+3 months for UK Financial Institutions** at the time each investment is placed.

Subject to a maximum of 60% of core funds, in aggregate, being held in non-specified investments at any one time.

Sterling denominated.

Specified Investments (maturities up to 1 year):

Investment	Minimum Credit Criteria
UK Debt Management Agency Deposit Facility	UK Sovereign AA-
Term deposits - UK local authorities	UK Sovereign AA-
Term deposits - UK nationalised and part nationalised banks	UK Sovereign AA-
Term deposits - banks and building societies	UK / Non-UK Sovereign AA-. Counterparty A-, F1 or Green excluding CDS
Certificates of deposit - UK nationalised and part nationalised banks	UK Sovereign AA-
Certificates of deposit - banks and building societies	UK / Non-UK Sovereign AA-. Counterparty A-, F1, or Green excluding CDS
UK Treasury Bills	UK Sovereign AA-
UK Government Gilts	UK Sovereign AA-
Bonds issued by multi-lateral development banks	AAA
Sovereign bond issues (other than the UK govt)	AAA

Collective Investment Schemes structured as Open Ended Investment Companies (OEICs):	
1. Money Market Funds	Moody's AAAmf, Fitch AAAmmf, Standard and Poor's AAAM
2. Government Liquidity Funds	AAA
3. Enhanced Cash Funds	AAA
4. Bond Funds excluding corporate bonds	AAA
5. Gilt Funds	AAA
6. Equity Funds	AAA
7. Property Funds	AAA

Non-specified Investments (maturities in excess of 1 year and any maturity if not included above):

Investment	Minimum Credit Criteria	Max duration to maturity
Fixed term deposits with variable rate and variable maturities (structured deposits) - UK nationalised and part nationalised banks	UK Sovereign AA-	2 years
Fixed term deposits with variable rate and variable maturities (structured deposits) - banks and building societies	UK / Non-UK Sovereign AA-. Counterparty A-, F1 (Green)	2 years
Term deposits - local authorities	UK Sovereign AA-	2 years
Term deposits - UK nationalised and part nationalised banks	UK Sovereign AA-	2 years
Term deposits - banks and building societies	UK / Non-UK Sovereign AA-. Counterparty A-, F1(Green)	2 years
Certificates of deposit - UK nationalised and part nationalised banks	UK Sovereign AA-	2 years
Certificates of deposit - banks and building societies	UK / Non-UK Sovereign AA-. Counterparty A- F1 (Green)	2 years

Annex 3

Commercial paper - UK nationalised and part nationalised banks	UK Sovereign AA-	2 years
Commercial paper - banks and building societies	UK / Non-UK Sovereign AA-. Counterparty A-, F1 (Green)	2 years
Floating rate notes issued by multilateral development banks	AAA	5 years
Bonds issued by multilateral development banks	AAA	5 years
Sovereign bond issues (other than the UK Government)	AAA	5 years
UK Government Gilts	UK Sovereign AA-	Max of 25% 5 years
UK Government Gilts	UK Sovereign AA-	Max of 25% 10 years

Accounting treatment of investments

The accounting treatment may differ from the underlying cash transactions arising from investment decisions made by this Council. To ensure that the Council is protected from any adverse revenue impact, which may arise from these differences, we will review the accounting implications of new transactions before they are undertaken.

Appendix 7 Approved countries for investments

All counterparties in addition to meeting the minimum credit criteria specified in the Annual Investment Strategy must be regulated by a sovereign rated as a minimum AA- by each of the three rating agencies (Fitch, Moody's and Standard and Poor's).

This list will be reviewed and amended if appropriate on a weekly basis by the Director of Finance and Transformation.

As of 31 December 2014 sovereigns meeting the above requirement were:

AAA	Australia Canada Denmark Germany Luxembourg Norway Singapore Sweden Switzerland
AA+	Finland Netherlands Hong Kong UK USA
AA	Abu Dhabi (UAE) France Qatar
AA-	Belgium Saudi Arabia

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TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

03 February 2015

Report of the Director of Finance & Transformation

Part 1- Public

Matters for Recommendation to Council

1 UPDATE OF ANTI-FRAUD POLICIES

Summary

This report informs Members of the outcome of a review of the Anti-Fraud Policies of the Council reported to the Audit Committee on 26 January 2015 and Overview and Scrutiny Committee on 27 January 2015. The review has identified that some minor changes are required and recommends that these changes are adopted.

1.1 Introduction

1.1.1 As part of the overall Governance process the Audit Committee undertakes an annual review of the Anti-Fraud Policies. The outcome of this review is also considered by the Overview and Scrutiny Committee. Following the annual review, the policies require adoption by full Council via Cabinet.

1.2 Update

1.2.1 The Policies have been reviewed by both Committees and any additional amendments requested by these committees will be notified to Cabinet at this meeting.

1.2.2 The changes to the policies proposed by officers are minor, reflecting changes in the officers to whom referrals should be made and the removal of references to the Audit Commission due to their pending abolition. Finally a paragraph relating to quarterly staff updates has been removed from the Housing & Council Tax Benefit Anti-Fraud Policy as a quarterly update is now issued to the Financial Services Management Team detailing team performance in relation to all areas of fraud. This is then disseminated to all finance staff.

1.2.3 Members are requested to refer to the report to the meeting of the Audit Committee of 26 January 2015 for specific details of the changes made to the individual policies.

1.3 Legal Implications

1.3.1 These policies are not mandatory but do comply with best practice and refer to the relevant legislation where appropriate.

1.4 Financial and Value for Money Considerations

- 1.4.1 Fraud prevention and detection is an area subject to central government focus with initiatives such as Protecting the Public Purse, National Fraud Initiative and Fighting Fraud Locally maintaining a high profile. The message coming from these initiatives is that effective fraud prevention minimises losses to organisations through fraud.
- 1.4.2 These policies comply with recognised best practice and reinforce the zero tolerance stance of the Council towards fraud.

1.5 Risk Assessment

- 1.5.1 The policies reflect best practice and the culture of the Council is aimed at minimising the risk of fraud. The policies are supported by the internal control mechanisms in place and form part of the overall control environment of the Council.

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 Recommendations

- 1.7.1 Cabinet are asked to recommend that Council approve the following policies:
- Anti-Fraud & Corruption Policy
 - Housing & Council Tax Benefit Anti-Fraud Policy
 - Council Tax Reduction, Discounts & Exemptions Anti-Fraud Policy

Background papers:

contact: James Larkin

Nil

Sharon Shelton
Director of Finance & Transformation

TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

07 January 2015

Report of the Director of Finance and Transformation

Part 1- Public

Matters for Recommendation to Cabinet - Council Decision

1 POLICY IN RESPECT OF DISCRETIONARY COUNCIL TAX AWARDS

Members are asked to consider a draft policy under s.13A of the Local Government Finance Act 1992, whereby a local authority has the power to reduce the amount of Council Tax due 'as it sees fit.'

1.1 Introduction

1.1.1 Under s.13A of the Local Government Finance Act 1992, a local authority has the power to reduce the amount of Council Tax due 'as it sees fit.' This section (as amended by the Local Government Finance Act 2012) also allows a local authority to create a 'scheme' to reduce the Council Tax for persons or a class of persons that it considers being in financial need.

1.1.2 There is no statutory requirement to set a policy; but the Council still has an obligation to consider 'applications' in the absence of a policy. Management Team are of the view that in order to ensure that any such applications are dealt with consistently and equitably, it is appropriate for Members to agree a policy.

1.2 Council Tax 'Section 13A' Discretionary Relief Policy

1.2.1 A draft policy is attached at **[Annex 1]** for Members' consideration.

1.2.2 As Members will note, it is proposed that applications will only be granted in **exceptional or unforeseen circumstances** that threaten a taxpayer's ability to discharge their liability for council tax and may threaten their ability to stay in their home. I would expect to see, as a pre-requisite, that other eligible discounts, reliefs and exemptions have been considered and exhausted.

1.2.3 All applications will be considered on their own merits, whilst having regard to this policy. Members will note that I propose that decisions on eligibility (or not) for an award will normally be delegated to me (or an officer nominated by me). This is consistent with the arrangements for the award of Discretionary Housing Payments.

1.3 Legal Implications

- 1.3.1 A local authority has the power to reduce the amount of Council Tax due under s.13A of the Local Government Finance Act 1992 and therefore has an obligation to consider any requests.

1.4 Financial and Value for Money Considerations

- 1.4.1 The cost of any reduction awarded under Section 13A(1)(c) must be met by Tonbridge and Malling Borough Council. Therefore, any awards made will have an impact on the Council's general fund budget. Numbers of applications and the costs associated with any reliefs awarded (if any) will be monitored and reported to Members as appropriate.

1.5 Risk Assessment

- 1.5.1 Although there is no statutory obligation to set a policy, there are risks of not having a policy. In the absence of a policy, it will be more difficult to consider applications that are received consistently and equitably and this could lead to external challenge.
- 1.5.2 Regardless of whether we have a policy or not, it is not possible to forecast the numbers of applications and the likely cost to the authority should any applications be successful.

1.6 Equality Impact Assessment

- 1.6.1 Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. The impact should not vary between groups of people.
- 1.6.2 The council has circa 50,000 council tax payers. All groups of taxpayers have equal access to apply for relief through this policy.
- 1.6.3 The aim is to use the powers to assist council taxpayers in exceptional cases where they may still suffer financial hardship despite being in receipt of the maximum amount of discounts and exemptions due to them, and have exhausted all other reasonable steps to mitigate the situation. The desired outcome is the prevention of financial hardship arising from liability for council tax.
- 1.6.4 We shall monitor this by keeping a record of applications and decisions against the protected groups.

1.7 Policy Considerations

1.7.1 Customer Contact

1.7.2 Equalities/Diversity

1.8 Recommendations

1.8.1 Members are **REQUESTED** to **RECOMMEND** to Cabinet to approve the s13a Policy

Background papers:

Nil

contact: Mike Bytheway

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Sharon Shelton

Director of Finance and Transformation

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Council Tax – ‘Section 13A’ Discretionary Relief Awards

Policy Document

Introduction

1. Under s.13A of the Local Government Finance Act 1992 a local authority has the power to reduce the amount of Council Tax due ‘as it sees fit.’ This section (as amended by the Local Government Finance Act 2012) also allows a local authority to create a ‘scheme’ to reduce the Council Tax for persons or a class of persons that it considers being in financial need.
2. The cost of any reduction awarded under Section 13A(1)(c) must be met in full by Tonbridge and Malling Borough Council. Decisions whether to award a reduction under Section 13A(1)(c) will be on a case by case basis.
3. Applications will only be granted in exceptional or unforeseen circumstances that threaten a taxpayer’s ability to discharge their liability for council tax and may threaten their ability to stay in their home. It is a pre-requisite that other eligible discounts, reliefs and exemptions have been considered and exhausted. In these circumstances, Tonbridge and Malling Borough Council will give consideration to reducing Council Tax liability for any applicant within the local area.
4. From time to time, national schemes may be introduced by Government in response to events or natural disasters, such as flooding. In these cases, funding is normally met in full by Government and such schemes will be administered in accordance with instructions and guidance set out by Government.

Application Process

5. As the discretion under s.13A is very wide there is no formal application process to be followed and there is no statutory necessity to complete a formal application form. In exercising its discretion, Tonbridge & Malling Borough Council shall have regard to this policy document and the considerations set out above.
6. An application for a reduction of Council Tax liability can be made by the Council Tax payer, an appointee or an authorised third party.
7. Applications must be made in writing and be accompanied by the following;
 - a) The exceptional circumstances for which the reduction is being requested including any hardship or personal circumstances relating to the application;
 - b) A full income and expenditure breakdown for the applicant and all other persons residing in the property. This can either be in the form of an ‘income and expenditure’ form for Council Tax or a similar form that is used for Housing Benefit Overpayments or by advice agencies;

- c) Details of the amount of reduction being requested and the period of time it is being requested for;
 - d) What other steps have been taken to meet, or mitigate, the council tax liability (e.g applying for other discounts or reductions)
8. Tonbridge and Malling Borough Council may request evidence that is relevant to the application. No costs will be borne by Tonbridge and Malling Borough Council in the provision of this request for evidence.

Consideration of Applications

9. As outlined above, in exercising its discretion, Tonbridge & Malling Borough Council shall have regard to this policy document and the considerations set out within it.
10. This is not to say that an application which appears to comply with the policy will necessarily be granted or one that does not will necessarily be refused. Tonbridge & Malling Borough Council will ensure that each application is considered on its own merits, and this policy is intended to act as a guide rather than a 'hard and fast' rule. That said, it will not be possible to consider the application without a statement of reasons for hardship and a financial statement.
11. Applications will be considered within 21 working days of receipt of the application and all supporting information being received and Tonbridge & Malling Borough Council will notify the applicant should there be a delay in processing the application.
12. Decisions on eligibility (or not) for an award will normally be made by the Director of Finance and Transformation, or an officer delegated by her within the Council's Constitution.
13. The applicant will be notified of the decision in writing and where the reduction is refused or not fully awarded, an explanation of the reasons why will be given.
14. Applications where the applicant has failed to provide information within the timescales provided will be refused.
15. When the application is received, careful consideration must be made to the reasons for financial hardship. There must be clear evidence of hardship or personal circumstance that justifies a reduction in Council Tax liability, the following will be considered before awarding any reduction;
- a) The applicant must demonstrate in their application that they have taken all reasonable steps to resolve their own situation prior to making an application.
 - b) Income and allowable expenses; reference can be made to the National Debtline budget figures which give a guidance on how much should be allowed for day to day living expenses. If these seem unnecessarily high, further information may be sought as there may be a reason for such high expenditure.
 - c) Luxuries and 'lifestyle' choices; this can include taking out of the calculations any excessive commitments for non-basic items.

- d) Prospect of a change in the applicants circumstances; is the applicant able to work and likely to return to work?
- e) Whether the applicant has access to other assets that could be used to pay the Council Tax if there was a surplus income then it would be difficult to support the position that there is hardship.

16. Additional factors to be considered;

- i. Reasons for hardship? i.e. historical debt problems, sudden change in circumstances or a recent financial burden. If an applicant has had bereavement or life change such as divorce or separation, it could be considered that there are valid reasons that hardship is being experienced. However if there is evidence that a applicant has continued to seek credit beyond their means then it may be more appropriate to refer them for debt counselling than apply a s.13A reduction.
- ii. How has the applicant sought to relieve their financial hardship? – i.e. maximising income or seeking advice on debt management or working out a budget.
- iii. Will a discretionary award address the hardship or will it be a temporary solution to other ongoing issues? Whilst it could be beneficial to the applicant to relieve a financial burden in the short term, a s.13A reduction should never be viewed as an ongoing solution.
- iv. Is there any other assistance that can be offered – e.g. Discretionary Housing Payment or Council Tax Reduction?
- v. Are there any other methods of reducing financial hardship? Does the applicant have any other debts with the Council? If an applicant has a housing benefit overpayment or sales ledger debt, it may be possible to spread the payments over a longer period of time to ensure that the applicant is paying something towards all their debt.
- vi. Any issues of vulnerability.

Awards of Section 13A(1)(c)

- 17. We will normally only award Section 13A(1)(c) for the financial year that it is claimed.
- 18. The amount of reduction awarded will take into account the level of arrears or Council Tax charge and the extent to which the criteria or guidelines are met.
- 19. Applicants requesting a Section 13A(1)(c) reduction to be backdated i.e. for the previous year will be dealt with in the same way as applications for the current year and they will have to demonstrate that the financial hardship existed during the period requested.

20. Relief will be cancelled if;

- The applicant ceases to be the council taxpayer;
- The property becomes empty or becomes occupied, or all or part of the unoccupied area becomes occupied;
- The use of the property changes;
- The applicants financial circumstances change;
- The financial circumstances for an applicant changes.
- It is the responsibility of the applicant to advise us of any changes.

21. If a reduction has been awarded as a result of a false or fraudulent claim Tonbridge and Malling Borough Council reserves the right to withdraw the award granted and will consider prosecution if appropriate.

Appeals procedure

22. There is no statutory right of appeal against a decision whether to award a Section 13A(1)(c) reduction; however, Tonbridge & Malling Borough Council does recognise that applicants should be entitled to have a decision reviewed objectively, if they are dissatisfied with the outcome.

23. Appeals may only be made by the original applicant. The applicant may appoint a third party to act on their behalf and in such cases we will require written authorisation from the appellant.

24. Applicants will be notified of the appeals process in writing at the time that they are notified of the outcome of their application.

25. Appeals must be in writing and include the reasons why it is believed the decision should be amended and include any new or additional information relevant to the decision making process.

26. Appeals against decisions to award a Section 13A(1)(c) reduction will be considered by a different Officer than the one who made the original decision.

27. After it has been reviewed, the appellant can appeal to the Valuation Tribunal at the following address;

The Valuation Tribunal Service
2nd Floor
120 Lemn Street
London E1 8EU

28. Submitting an appeal does not affect the appellant's legal rights to challenge a decision made by the Council through the Judicial Review process.

29. An appeal must be made within four weeks of the issue of the letter notifying them of

the decision. Any appeals received outside of the four week period will only be considered if there are exceptional circumstances that led to the delay in submitting the appeal.

- 30. The applicant will be notified whether an appeal is refused or accepted in writing within 21 days.
- 31. If we have requested further evidence from the applicant to support the appeal and this has not been received within the specified time given, the appeal will be refused on the grounds of lack of supporting evidence.

Approved by Full Council:

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TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

07 January 2015

Report of the Director of Finance and Transformation

Part 1- Public

Matters for Recommendation to Cabinet - Council Decision

1 REVENUE ESTIMATES 2015/16

The Council has a statutory duty to set the level of council tax for the forthcoming financial year by 11 March. Under the Budget and Policy Framework Rules of the Constitution, the Cabinet is responsible for formulating initial draft proposals in respect of the Budget. The role of this Advisory Board is to assist both the Cabinet and the Council in the preparation of the Budget for 2015/16 within the context of the Medium Term Financial Strategy and the Council's priorities.

<p>NOTE: THE REVISED ESTIMATES FOR 2014/15 AND THE ESTIMATES FOR 2015/16 ARE CONTAINED IN A SEPARATE BOOKLET CIRCULATED WITH THE AGENDA</p>
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1.1 Introduction and Timetable

- 1.1.1 The Cabinet is responsible for formulating initial draft proposals in respect of the Budget for 2015/16. This report is intended as the basis for recommendations from this Board to the Cabinet.
- 1.1.2 The proposals will also be referred to the Overview and Scrutiny Committee for further consideration and advice. The Overview and Scrutiny Committee has a meeting on the 27 January in order to address this responsibility. A special meeting of the Cabinet is scheduled for the 12 February to consider the recommendations of this Board and the Overview and Scrutiny Committee and, in addition, take into account the Council's final grant settlement.
- 1.1.3 At that special meeting on the 12 February, the Cabinet will need to formulate its final proposals in respect of the Budget for 2015/16 and the council tax to be levied in respect of the Borough Council. The Full Council will meet on the 17 February to approve the Budget and set the Council Tax. The Full Council may adopt or amend the Cabinet's proposals.
- 1.1.4 The role of this Advisory Board is to consider in detail both the Revised Estimates for 2014/15 and the Estimates for 2015/16 within the context of the Medium Term Financial Strategy and the Council's priorities. For completeness, details of how

we are updating the Medium Term Financial Strategy are contained within this report for information.

1.2 Medium Term Financial Strategy

- 1.2.1 To recap, the Council's current Medium Term Financial Strategy (MTFS) covers both revenue and capital budgets over a rolling ten-year period, and it is this Strategy that underpins the budget setting process each year and over the strategy period. The aim of the Strategy is to give us a realistic and sustainable plan that reflects the Council's priorities. The MTFS sets out the high level objectives the Council wishes to fulfil over the agreed time span. These are:
- To achieve a **balanced revenue budget** that delivers the Council's priorities by the end of the strategy period.
 - To retain a **minimum of £2.0m** in the General Revenue Reserve by the end of the strategy period.
 - Seek to set **future increases in council tax having regard to the guidelines** issued by the Secretary of State.
 - Over the strategy period, **continue to identify efficiency savings and opportunities for new or additional income sources** within the Council's budget to contribute towards the identified 'funding gap'; and, if necessary thereafter, **seek appropriate reductions in service costs** following consultation, as necessary, with taxpayers.
 - Set a **maximum 'annual capital allowance'** each year as part of the budget setting process for all new capital schemes (set at £320,000 from the Council's own resources) and give priority to those schemes that generate income or reduce costs.
- 1.2.2 The MTFS sets out, not only the projected budgets for the period, but also the levels of council tax that are projected to be required to meet the Council's spending plans. Underneath the Strategy for the budget setting year sits detailed estimates formulated in conjunction with Services taking into account past outturn, current spending plans and likely future demand levels / pressures.
- 1.2.3 Members are fully aware that the Council faces an increasingly significant financial challenge as a result of the Coalition Government's budget deficit reduction programme which has resulted in a reduction in the financial support it can offer to local government.
- 1.2.4 We believe, however, that our MTFS is resilient and the financial pressures likely to confront us can be addressed in a measured and controlled way. Clearly, the absolute size of the budget 'funding gap' will influence the timescales we can afford ourselves to address the problem.

- 1.2.5 Members will recall that when setting the budget for 2014/15 in February 2014 projections at that time suggested a ‘funding gap’ between expenditure and income of circa £1.875 million. Based on the above projection it was further suggested that we break the savings target into three tranches (tranche one £650,000, tranche two £700,000 and tranche three £525,000 to be achieved by ideally the start of the year 2016/17, 2017/18 and 2019/20). However, in order to maintain momentum and focus a savings target has been set for the start of next year (2015/16) by breaking out the first savings tranche into two parts, i.e. £200,000 followed by £450,000.
- 1.2.6 The MTFs will need to be updated and rolled forward as part of the 2015/16 budget setting process. Further information about this, together with the issues that Cabinet will need to address when updating the MTFs are set out later in this report at paragraph 1.12.

1.3 Provisional Local Government Finance Settlement

- 1.3.1 On 18 December 2014, provisional Settlement Funding Assessments for 2015/16 were published. Each local authority’s actual allocation for 2015/16 is expected to be confirmed in January 2015. Ordinarily, indicative figures for the following year are also made available, but with the General Election next year, indicative figures for 2016/17 have not been provided. The Spending Review 2015 due to take place shortly after the General Election will tell us more about the financial landscape for local government beyond 2015/16 with the potential for multi-year settlements which, if introduced, will aid financial planning.
- 1.3.2 Our provisional Settlement Funding Assessment for 2015/16 is £3,678,599. This represents a cash decrease of £677,918 or 15.6% when compared to the equivalent figure of £4,356,517 in 2014/15. Included in the Settlement Funding Assessment is the parish councils’ indicative allocation in respect of the council tax support scheme, however, it is not separately identified. In addition, the Council’s grant award under the New Homes Bonus (NHB) scheme in 2015/16 is £3,101,153 compared to £2,395,874 in 2014/15. Grant funding including NHB is, therefore, £6,779,752. A breakdown of the total grant funding into the various funding streams is set out in the table below.

	2014/15 £	2015/16 £	Cash Increase / (Decrease)	
			£	%
Local Share of Business Rates	2,049,944	2,089,115	39,171	1.9
Revenue Support Grant	2,306,573	1,589,484	(717,089)	(31.1)
Settlement Funding Assessment	4,356,517	3,678,599	(677,918)	(15.6)
New Homes Bonus	2,395,874	3,101,153	705,279	29.4
Total Grant Funding	6,752,391	6,779,752	27,361	0.4

1.3.3 In recent years the government has referred to the increase / (decrease) in an authority's **spending power**; and this is what tends to be quoted in media coverage. The increase in spending power calculated by the government is given as 0.3% and although not one and the same is not that different to the increase in our grant funding including NHB. Members will note that the decrease in our Settlement Funding Assessment was negated by the grant award under the NHB scheme.

1.3.4 Our concern has always been what happens when NHB in its current form 'ceases' and/or it is replaced by something else, and we hit the metaphorical 'cliff edge'. Putting to one side NHB, it is worth noting that, **of the twelve district councils in Kent, Tonbridge & Malling Borough Council continues to receive the lowest Settlement Funding Assessment both in total and per head.**

1.4 Local Referendums to Veto Excessive Council Tax Increases

1.4.1 The Localism Act gives local communities the power to veto excessive council tax increases. The Secretary of State will determine a limit for council tax increases which has to be approved by the House of Commons. If an authority proposes to raise council tax above this limit they will have to hold a referendum to get approval for this from local voters who will be asked to approve or to veto the rise.

1.4.2 Members may recall as part of the 2013 Spending Review we were advised that the threshold was to be set at 2% for 2015/16 and this was reaffirmed on 18 November 2014. It should be noted that beyond 2015/16 the Medium Term Financial Strategy assumes a 3% increase in council tax year on year. To put this into context, 1% currently equates to about £85,000.

1.4.3 It was also announced as part of the 2013 Spending Review that funding for council tax freezes in 2014/15 and 2015/16 will **become part of local authority's baseline funding**. To this end the Government announced that it will provide funding equivalent to a **1.0%** increase in council tax in 2014/15 and 2015/16. As a result, and in the absence of information to the contrary, I am assuming that the **freeze funding due to be handed out in 2015/16 will continue indefinitely.**

1.5 Business Rates Retention

1.5.1 Members will be aware that, from April 2013, the Government introduced the Business Rates Retention scheme. For medium term financial planning purposes we continue to assume that the business rates baseline attributed to TMBC is not notably different to the actual business rates income. If our actual income is less than the baseline set the authority will have to **meet a share of that shortfall up to a maximum of circa £153,800 this year, 2014/15**. This figure increases each year in line with inflation.

1.6 New Homes Bonus

1.6.1 The sustainability of the New Homes Bonus in its current form remains a concern.

- 1.6.2 For medium term financial planning purposes, I have assumed that there will be a phased withdrawal of the current NHB model from 2016/17 onwards and that the model will be replaced with something else, but with a reduced level of funding. It should be noted that, depending on how any replacement 'model' allocates funding to individual local authorities, there is a real risk that the Council could see its **overall grant funding reduce by more than is presently reflected in the Medium Term Financial Strategy.**
- 1.6.3 It is of course impossible to estimate with any certainty what that might mean for TMBC, but our working assumption is that this could require a **further potential savings tranche of circa £700,000.**

1.7 Specific Issues

- 1.7.1 Members are advised that certain government initiatives, e.g. Welfare Reform and giving consideration to the transfer of the Land Charges function to HM Land Registry will undoubtedly impact on the Council's finances over the medium term and an assessment of the potential impact is not straightforward. Nonetheless, I and Management Team will continue to monitor the potential impact as more information is made available.
- 1.7.2 In terms of the council tax base, built into the Medium Term Financial Strategy is an expectation about future growth in the number of band D equivalents over the ten-year period. Members will be aware that this growth (or otherwise) will impact on the level of the New Homes Bonus that the Council might receive in the future.
- 1.7.3 It is important to recognise, however, that, currently, the timing of development growth is very difficult to predict given the market as well as other site specific conditions. Therefore, our assumption about the growth in the tax base for the Medium Term Financial Strategy comes with a 'health warning'.
- 1.7.4 Recommendations regarding fees and charges shown elsewhere on this agenda or to be reported to the appropriate Advisory Board / Committee during this cycle of meetings are incorporated within the Estimates. Any changes required following consideration of fees and charges presented to this and other meetings will be incorporated before the Estimates are reported to Cabinet on 12 February.
- 1.7.5 Other than loss of investment income the draft Estimates presented do not take account of the revenue consequences of new capital schemes to the Capital Plan. At its meeting on 12 February, the Cabinet will need to give consideration to both the Revenue and Capital Estimates in the context of the Medium Term Financial Strategy and, where appropriate, recommend additions to the Capital Plan.
- 1.7.6 Members are aware of the budgetary pressure on the Building Repairs Reserve and that over time the annual contribution to the Reserve will need to increase to meet ongoing maintenance and repair obligations. As a result it is proposed that the contribution to the Building Repairs Reserve in the current year is increased from £650,000 to £750,000 and that there is a further stepped increase in the

annual contribution thereafter from £450,000 (2015/16 to 2019/20) and £475,000 (2020/21 to 2024/25) respectively to £500,000.

1.7.7 It is important to ensure that the revenue reserve for capital schemes can continue to fund capital expenditure at least until we reach a position where the annual contribution to the reserve matches the funding required for the replacement of existing assets (vehicles, plant and equipment) as well as recurring capital expenditure. As a result in 2015/16 an additional contribution of £500,000 is to be made to the reserve for this purpose.

1.7.8 Turning to the individual Estimates, particular issues to be drawn to Members attention are set out below:

Corporate Services

1.7.9 The key issues are:

- 1) The forward estimate includes provision for the April 2015 pay award and continued provision for additional temporary staff in the Housing Benefits Section to assist with increased workload. Both revised and forward estimates include termination payments following changes to the establishment.

Chief Executive

1.7.10 The key issues are:

- 1) Revised estimate includes £230,000 to fund the final round of the Community Enhancement Fund bids.
- 2) Economic development revised estimate includes £217,000 for Business Support scheme grants to assist with the recovery from severe weather conditions. These grants are met in full from a government grant.

Director of Central Services

1.7.11 The key issues are:

- 1) Following the completion of a rent review at Vale Rise industrial estate an additional £25,000 one-off payment is included within the revised estimate in respect of backdated rent.

Director of Finance and Transformation

1.7.12 The key issues are:

- 1) Housing benefits overpayment levels have risen sharply due to a number of reasons including data matching, sharing of Real Time Information (RTI)

with HMRC, claimants moving into work in an improving economy and variable rate hours employment contracts.

- 2) The DWP administration grant for 2015/16 has been reduced by 10.4%.

Director of Planning, Housing and Environmental Health

1.7.13 The key issues are:

- 1) Savings have been achieved from new building control partnership with Sevenoaks District Council.
- 2) Penalty Charge Notice income has reduced due to improved parking discipline (and consequently fewer PCNs) achieved through clarity in new parking regimes and high profile enforcement presence in car parks and key on-street locations.
- 3) Homelessness accommodation costs have increased due to the impact of welfare reform.

Director of Street Scene and Leisure

1.7.14 The key issues are:

- 1) The budget provisions for contract payments have been increased by 2.5% reflecting the level of inflation (RPI) at the time of preparing the estimates.
- 2) Refuse collection, recycling and street scene budgets include provision for growth in new properties (£28,000).
- 3) Recycling income is lower than originally estimated as a result of tonnages collected being lower than anticipated and reductions in prices.
- 4) Savings have been achieved from the new Ground Maintenance Contract commencing 1 January 2015.

1.8 Revised Revenue Estimates 2014/15

Overall, the Revised Estimates show a **decrease over the Original Estimates of £58,850 prior** to making a contribution to/from the General Revenue Reserve. The principal variations are given in the table below.

Description	DR £	CR £
Housing Benefits (net of subsidy)	151,600	
Redundancy Costs	91,450	
Building Repairs Reserve	82,000	
Electoral Registration	24,250	
Crime & Disorder Initiatives		20,000

Release of Provision		20,000	
Summons Costs Recovered		20,000	
Industrial Estate Rent		25,000	
Housing Benefits Grants		25,000	
Ground Maintenance Contract		36,000	
VAT Refund		63,950	
Salaries & Contributions		135,750	
Other Net Changes		62,450	CR
Total	349,300	408,150	58,850

1.9 Revenue Estimates 2015/16

1.9.1 Overall, the draft Estimates 2015/16 total £12,396,350 **prior** to making a contribution to/from the General Revenue Reserve. This represents a **decrease of £1,022,850** or 7.6% over the Original Estimates for 2014/15. The principal variations are given in the table below.

Description	DR £	CR £	
Revenue Reserve for Capital Schemes	500,000		
Refuse, Recycling & Street Cleansing Contract	113,100		
Housing Benefits (net of subsidy)	97,250		
Benefits Administration Grant	46,850		
Major Income Streams	32,400		
Redundancy Costs	28,700		
Tonbridge Gateway Agreement	24,750		
Crime & Disorder Initiatives		20,000	
Summons Costs Recovered		20,000	
Ground Maintenance Contract		100,500	
Salaries & Contributions		130,900	
Building Repairs Reserve		150,000	
New Homes Bonus		705,300	
River Wall at Wouldham Reserve		700,000	
Other Net Changes		39,200	CR
Total	843,050	1,865,900	1,022,850

1.9.2 It is likely that there will need to be changes made to the Estimates as we move through the budget setting process. It is my intention to bring these together for the Cabinet Budget meeting in February, rather than introduce them in a piecemeal fashion.

1.10 Draft Capital Plan

1.10.1 A report elsewhere on this agenda seeks to advise Members of the way forward on the Capital Plan. The criteria established to guide the inclusion of new schemes to List C ('wish' list) and ultimately the inclusion of schemes on List A (schemes assigned budget provision) are:

- to meet legislative requirements including health and safety obligations;
- funded from external resources; and
- reduce revenue expenditure and or generate income.

1.10.2 The Capital Plan review report recommends schemes for inclusion on List B, the short-list of schemes for possible inclusion in the Capital Plan. Members are reminded that the selection from List B, of schemes to be included in the Capital Plan (List A) – if any – will be made at Cabinet on the 12 February for endorsement by Council. With this in mind Members are advised that other than loss of investment income the revenue consequences of new capital schemes **have yet to be incorporated within the Estimates.**

1.10.3 It is important to ensure that the revenue reserve for capital schemes can continue to fund capital expenditure at least until we reach a position where the annual contribution to the reserve matches the funding required for the replacement of existing assets (vehicles, plant and equipment) as well as recurring capital expenditure.

As a result there is an annual capital allowance for all other capital expenditure. Any 'bids' for capital schemes or discretionary capital grants are to be assessed in the context of the annual allowance. Members are reminded that in setting the budget for 2014/15 that allowance was set at £320,000. It should be noted, based on current projections, that from 2018/19 the Council will need to borrow to fund such expenditure.

1.11 Consultation with Non-Domestic Ratepayers

1.11.1 Before the Borough Council determines the amount of its total estimated expenditure and makes calculations of its requirements for the ensuing financial year, it consults representatives of its non-domestic ratepayers about its expenditure proposals (including capital expenditure). The consultees, who include the local Chambers of Commerce as well as a group of the larger ratepayers in the Borough, receive on request information and copies of the draft budgets and are invited to make written representations if they deem it appropriate. Any points of clarification required are dealt with by telephone, written correspondence or, if appropriate, an informal meeting with officers.

1.11.2 Any comments or representations received from the consultees will be reported to Members during the budget process as appropriate.

1.12 Update of our Medium Term Financial Strategy

1.12.1 When updating the MTFS we need to take into account the following (not exclusive) factors:

- those factors that have contributed towards addressing the ‘funding gap’;
- those factors that have taken matters in the ‘wrong’ direction;
- the announcement on the level of council tax increase for 2015/16 above which the local authority would be required to seek the approval of their electorate via a local referendum and the government’s commitment in partnership with local authorities to freeze council tax in England for a further year;
- the ongoing impact of the Business Rates Retention scheme; and
- award of New Homes Bonus.

1.12.2 Members will recall we set ourselves a savings target this year of £200,000 and I am extremely pleased to report to date savings in the order of £475,000 have been achieved. However, after taking into account those issues outside our control that either take the ‘funding gap’ in the right or wrong direction, **net savings in the order of £325,000 have been achieved** when compiling the Revenue Estimates for 2015/16.

1.12.3 In addition, the council tax base is higher than estimated as a result of better than expected growth, positive improvement in the council tax base in respect of the council tax reduction scheme and changes to discounts and exemptions approved by Council in November 2014. This, in turn, **making a contribution to the savings target of circa £150,000.**

1.12.4 A summary of the make-up of the net savings achieved in the order of **£475,000** can be found at **[Annex 1]**. As a result we have not only met this year’s savings target, but began to make ‘in roads’ into the next savings tranche, although of course a significant financial challenge remains.

1.12.5 Assuming a **council tax referendum threshold of 2%** (see paragraph 1.4.2) **the updated ‘funding gap’ (savings target) is circa £1.4 million.** As in previous iterations of the MTFS the savings target can be broken down into tranches. For example, the savings target could be broken down into three tranches.

- 1) Tranche one £200,000 to be achieved by 1 April 2016.
- 2) Tranche two £700,000 to be achieved by 1 April 2017.
- 3) Tranche three £500,000 to be achieved by 1 April 2018.

1.12.6 If Members were minded, in due course, to implement a **council tax ‘freeze’**, then, assuming the 2015/16 freeze funding continues indefinitely in the ‘baseline’ (see paragraph 1.4.3) **the updated ‘funding gap’ (savings target) would be in the order of £1.525 million**. The savings target could again be broken down into three tranches.

- 1) Tranche one £325,000 to be achieved by 1 April 2016.
- 2) Tranche two £700,000 to be achieved by 1 April 2017.
- 3) Tranche three £500,000 to be achieved by 1 April 2018.

1.12.7 The figures above are, presently, indicative figures intended to give Members a ‘flavour’ of the choices and challenges ahead. However, it can be seen from the above that the implications of accepting the grant to freeze council tax as opposed to a council tax increase of 1.99% adds around £125,000 to the overall savings we have to make.

1.12.8 Clearly, the Medium Term Financial Strategy will continue to be updated as we move through the 2015/16 budget cycle and as more information becomes available. Members will note from this latest ‘update’ that the projected funding gap is £1.4 million (increase in council tax 1.99%) or £1.525 million (council tax freeze).

1.13 Legal Implications

1.13.1 There are a number of legislative requirements to consider in setting the Budget which will be addressed as we move through the budget cycle.

1.13.2 The Localism Act gives local communities the power to veto excessive council tax increases. The Secretary of State will determine a limit for council tax increases which has to be approved by the House of Commons. If an authority proposes to raise council tax above this limit they will have to hold a referendum to get approval for this from local voters who will be asked to approve or veto the rise.

1.14 Financial and Value for Money Considerations

1.14.1 As set out above.

1.15 Risk Assessment

1.15.1 The Local Government Act 2003 requires the Chief Financial Officer, when calculating the Council Tax Requirement, to report on the robustness of the estimates included in the budget and the adequacy of the reserves for which the budget provides. Consideration will and is given to the risks associated with any budget setting process where various financial and other assumptions have to be made. To mitigate the risks detailed estimates are formulated in conjunction with Services taking into account past outturn, current spending plans and likely future

demand levels / pressures and external advice on assumptions obtained where appropriate.

1.15.2 The Medium Term Financial Strategy sets out the high level financial objectives the Council wishes to fulfil and underpins the budget setting process for the forthcoming year and over the Strategy period. As the Council's high level financial planning tool the Strategy needs to be reviewed and updated at least annually and in the current climate regularly reviewed by Management Team.

1.15.3 The increased uncertainty and volatility particularly in some of our major sources of income (business rates and New Homes Bonus) make financial planning that more difficult with the increased risk of significant variances compared to projections.

1.15.4 Any increase in council tax above the relevant threshold, even by a fraction of a percentage point, would require a referendum to be held.

1.16 Equality Impact Assessment

1.16.1 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.

1.17 Recommendations

1.17.1 The Advisory Board is requested to:

- 1) Consider the draft Revenue Estimates contained in the Booklet and make such recommendations, as it considers appropriate, to Cabinet for its special meeting on 12 February.
- 2) Within the context of the financial pressures outlined in the report, request that the Overview and Scrutiny Committee consider the draft Revenue Estimates contained in the Booklet and make such recommendations, as it considers appropriate, to Cabinet for its special meeting on 12 February.

Background papers:

Nil

contact: Sharon Shelton
Neil Lawley

Sharon Shelton
Director of Finance and Transformation

Revenue Savings 2015/16

	£'000
Savings Identified to Date	
Ground Maintenance Contract	(100)
Establishment Changes (Nov 14)	(98)
Establishment Changes (Jun 14)	(86)
2013/14 Outturn Review	(73)
CCTV Capital Renewals	(30)
Building Control Shared Service	(25)
Print Section	(21)
External Fund Manager	(15)
Members Special Responsibility Allowance	(8)
Courier - Non Staff Costs	(7)
Wrotham Car Park	(6)
Telephone Allowances	(5)
Total Savings	<u>(474)</u>
Other Factors Impacting on MTFS	
Disabled Facilities Grants	(26)
Additional Annual Pension Contributions	(22)
Summons Costs Recovered	(20)
Environmental Health Contracts RPI Increase	15
Building Repairs Reserve Contribution	25
Gateway Income	25
Penalty Charge Notices	25
Benefits Administration Grant	50
Recycling Income	80
Total Other Factors	<u>152</u>
Net Savings Identified	<u>(322)</u>
Savings Target for 2015/16	(200)
Additional Savings Identified	<u>(122)</u>
Council Tax Base	(150)
Total Savings Over Target for 2015/16	<u><u>(272)</u></u>

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TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

07 January 2015

Report of the Director of Finance and Transformation

Part 1- Public

Matters for Recommendation to Cabinet - Council Decision

1 CAPITAL PLAN REVIEW 2014/15

This report reviews the current position of the existing Capital Plan (List A), recommends new schemes for adding to List C and schemes to be deleted from List C, recommends schemes from List C for evaluation and recommends schemes for inclusion on List B from those evaluated schemes selected for evaluation this time last year or earlier. Members are reminded however, that any aspirations in respect of capital schemes need to be set within the context of the significant financial challenge facing the Council.

NOTE: ANNEXES 1 to 4 TO THIS REPORT ARE CONTAINED IN A SEPARATE BOOKLET CIRCULATED WITH THE AGENDA

1.1 Introduction

- 1.1.1 The capital plan process, as outlined below, provides a means of maintaining a pool of schemes (List C) from which schemes can be selected for evaluation and possible implementation. It also provides an opportunity to review the provisions for schemes which are already in the Capital Plan (List A).
- 1.1.2 The criteria established to guide the inclusion of new schemes to List C (wish list) and ultimately the inclusion of schemes on List A (schemes assigned budget provision) are:
- to meet legislative requirements including health and safety obligations;
 - funded from external resources; and
 - reduce revenue expenditure and or generate income.
- 1.1.3 The subsequent recommendations where appropriate have regard to these criteria.
- 1.1.4 The review takes place within the context of the revenue estimates, reflecting the fact that capital schemes have an impact on revenue. Positive impacts may

include potential to increase income or reduce operating costs. Negative impacts may include loss of income during construction and will include loss of investment income where the project costs are met from the Council's resources.

1.2 Capital Plan Funding

- 1.2.1 Members will be aware that the Council continues to face a significant financial challenge as a result of the Coalition Government's budget deficit reduction programme which has resulted in a reduction in the financial support it can offer to local government.
- 1.2.2 Capital expenditure is currently funded from the revenue reserve for capital schemes, grants from government and other bodies, developer contributions and from capital receipts derived from the sale of assets. The revenue reserve for capital schemes provides the main source of funding for existing and any new schemes that are introduced into the Capital Plan.
- 1.2.3 It is important to ensure that the revenue reserve for capital schemes can continue to fund capital expenditure at least until we reach a position where the annual contribution to the reserve matches the funding required for the replacement of existing assets (vehicles, plant and equipment) as well as recurring capital expenditure.
- 1.2.4 As a result there is an annual capital allowance for all other capital expenditure. Any 'bids' for capital schemes or discretionary capital grants are to be assessed in the context of the annual allowance. The annual allowance is set at £320,000. It should be noted, based on current projections, that from 2018/19 the Council will need to borrow to fund such expenditure.

1.3 Capital Plan Review Process

- 1.3.1 The Capital Plan consists of three main elements:
- List C is a holding list of schemes which ordinarily have not been fully worked up. List C schemes can be in two states – schemes which have been retained on List C for possible future adoption and schemes which have been selected for evaluation, effectively short-listed for adoption.
 - List B is a holding list of List C schemes which have been evaluated and not eliminated. The presumption is that, subject to budget guidance, these schemes will be adopted for inclusion in List A.
 - List A is the approved capital programme. Schemes will be selected from List B for inclusion in List A in accordance with budgetary guidance. This selection will be carried out in conjunction with the revenue budget process.
- 1.3.2 The role of this Board is to consider four aspects of the review process and make recommendations to Cabinet. The four aspects are:

- A review of the existing Capital Plan (List A).
- The addition of new schemes to List C and the removal of schemes no longer required.
- The selection of schemes from List C which are considered suitable for evaluation over the following year.
- Consideration of those List C schemes which have been evaluated.

1.3.3 The Overview and Scrutiny Committee on 27 January will also consider the overall Capital Plan position and make recommendations as appropriate to Cabinet on 12 February. Cabinet on 12 February will consider and make recommendations on the transfer of schemes from List B to List A in the light of the overall financial position. Finally, Council on 17 February will consider recommendations from Cabinet.

1.3.4 Throughout the review process it is essential to remember that Capital Plan schemes should emerge from, or be designed to achieve, the Council's Key Priorities and Improvement Actions. Annexes 2, 3 & 4 contain references to the Council's Key Priorities and Improvement Actions and the key to these appears in **[Annex 1]**.

1.4 Review of the Existing Capital Plan (List A)

1.4.1 Attached at **[Annex 2]** is the existing Capital Plan (List A) in budget book format along with explanatory notes. The following routine adjustments to the 2014/15 Budget Book have been made:

- the outturn for 2013/14 has been taken into account and any slippage still required has been included in 2014/15;
- schemes included in the existing Budget Book which were completed in 2013/14 have been removed;
- in accordance with the policy of having a rolling six year Capital Plan (current year plus six) an additional year, 2020/21, has been added; and
- the profiling of project spend has been reviewed and adjusted where appropriate to reflect the most likely pattern of spend across the plan period.

1.4.2 Paragraphs 1.4.3 to 1.4.13 detail specific amendments to the Capital Plan (List A) approved by Council in February 2014.

1.4.3 A report detailing the use of the urgency procedure to create a new Capital Plan scheme was submitted to the June 2014 meeting of Overview and Scrutiny Committee. The scheme, funded in full by Government, has enabled the Council

to comply with the requirement to introduce individual electoral registration from June 2014.

- 1.4.4 Members at the September 2013 meeting of Overview and Scrutiny Committee recommended the introduction of a Capital Plan scheme to enable committee agendas to be viewed electronically during meetings using tablet computers. The initial scheme to provide tablet computers for Members and Chief Officers has proved a success. Management Team, under delegated authority, approved a virement of £11,000 to enable the scheme to be expanded so that officers attending meetings can view agendas electronically.
- 1.4.5 The Government announced a number of schemes to support businesses and home owners recover from the impact of the recent flooding. The Repair and Renew Grant scheme is deemed capital expenditure and appears within the Corporate Services section of the Capital Plan.
- 1.4.6 The Council following a successful bid has secured a grant of £150,000 to stabilise a section of the river bank at Tonbridge Castle by replacing an existing failing timber revetment with steel sheet piling.
- 1.4.7 A grant of £9,000 has been provided by KCC to fund measures under KCC's winter warmth programme (Keep Warm, Keep Well). The scheme aims to reduce the risk of ill health through improving the safety and warmth of the home for vulnerable people meeting agreed health criteria.
- 1.4.8 Games Kiosk – this project looked at the potential of extending the existing Games Kiosk at the Racecourse Sportsground to provide additional catering facilities. The impact of the recent floods has led us to believe that this would not be an appropriate location for such a development and as a result the scheme is to be deleted from the Capital Plan. Alternative ways of extending the catering offer on site are, therefore, being considered including the enhancement of mobile catering services similar to those provided at the Council's country parks.
- 1.4.9 Extension of Car Park – this project saw the transfer of the car park adjacent to the Tonbridge Juddians Rugby Club to the Council followed by a programme of improvements. Unfortunately the negotiations with the existing landowner have proven to be unsuccessful and the project is, therefore, unable to proceed and as a result the scheme is to be deleted from the Capital Plan. The existing Lower Castle Field car park will continue to be operated on its current basis.
- 1.4.10 Improvements to the Tonbridge Memorial Garden to mark the centennial commemorations are now complete. The gross scheme budget has been increased by £50,000 primarily to cover the cost of additional stonework. Total scheme costs of £300,000 have been met in full by developer contributions / grant support and fund raising by the Memorial Garden Trust.
- 1.4.11 Capital renewals provisions have been extended by a further year to enable the current level of assets (vehicles, plant and equipment) to be maintained. Figures

included in 2015/16 and subsequent years incorporate provision for inflation (typically an uplift of 2% per annum) and the tendency to underspend against budget is mitigated by a savings target. A savings target of 20% has been assumed in each year of the Plan. Average renewals spend over the seven-year period of the plan is now £823,000 per annum (2014/15 – 2020/21) compared to £829,000 per annum (2013/14 – 2019/20).

- 1.4.12 The process by which our capital renewals provisions are determined is the subject of a review by Overview and Scrutiny Committee. The interim report to the Committee anticipated that the savings target referred to above could be eliminated (and potentially enhanced) by increasing the estimated useful life attributed to each asset. Renewals provisions in respect of CCTV and recycling bank replacements have already been amended and budget reductions of £30,000 per annum in respect of CCTV replacements and £10,000 per annum for recycling bank replacements have been reflected in the Capital Plan. It is anticipated that further limited savings in respect of other assets will be identified from the Overview and Scrutiny Committee review.
- 1.4.13 Provision for recurring expenditure has also been extended by a further year (see table below). The grant allocation in respect of Housing disabled facilities grants (DFGs) for 2015/16 is £490,000, an increase of £66,000. The budgeted spend on DFGs has been increased by £40,000 to £665,000 producing a net saving of £26,000.

Capital Plan (List A) recurring expenditure		
	2020/21 £'000	Annex 2 Page
Planning, Housing and Environmental Health		
Improvements to existing car parks rolling programme	30	CP 14
Housing disabled facilities grants (net)	175	CP 18
Housing assistance (net)	60	CP 18
Street Scene and Leisure		
Green waste bins growth / replacement	52	CP 24
Refuse bins growth / replacement	52	CP 24
Leisure community group funding	8	CP 30
Corporate		
General IT developments	30	CP 36
Total	407	

- 1.4.14 A number of other minor adjustments to scheme budget provisions have been made. Any budget amendments have been highlighted in bold in the detailed scheme notes in **[Annex 2]**.

1.4.15 It is **RECOMMENDED** that Cabinet be asked to endorse the Capital Plan (List A) position as shown in **[Annex 2]**.

1.5 Selection of New List C Schemes

1.5.1 An updated schedule of List C schemes is attached at **[Annex 3]**. Since the January 2014 meeting of this Advisory Board schemes which have been approved for implementation and now appear in the Capital Plan (List A) have been removed from List C. The updated schedule includes schemes which are recommended to be added to List C and schemes to be deleted from List C. To assist Members a summary of the proposals is detailed in the table below.

List C additions and deletions	
	Annex 3 Page
Schemes to be added to List C	
Street Scene and Leisure	
Country Parks: Installation of Automatic Bollards	CP 52
Corporate	
IT Initiatives: Revenues and Benefits Document Management	CP 53
IT Initiatives: Revenues and Benefits Citizen's Access	CP 54
Schemes to be deleted from List C	
Corporate	
IT Initiatives: Public Access to Online Personal Data	CP 53

1.5.2 It is **RECOMMENDED** that Cabinet be asked to:

- 1) Amend List C as detailed in paragraph 1.5.1.

1.6 Selection of List C Schemes for Evaluation

1.6.1 At this meeting, Members have the opportunity to recommend schemes for evaluation over the coming year.

1.6.2 It is recognised that the evaluation of schemes imposes a resource requirement and, in consequence, Services have to establish a balance between the evaluation of new schemes and the delivery of existing approved schemes. The recommendations of schemes for evaluation have taken into account this balance. The selection of different schemes for evaluation may upset this balance.

1.6.3 The schedule of List C schemes in **[Annex 3]** indicates the schemes which have been recommended for evaluation including one recommended for Fast-Track evaluation. To assist Members, the table below summarises the schemes that

have been recommended for evaluation coming out of this Capital Plan Review. If the recommendations are accepted the evaluations, other than the one recommended for Fast-Track evaluation, will be reported to this Board in January 2016, together with three schemes selected for evaluation in a previous Review: Tonbridge Farm Sportsground Provision of Toilets, Leybourne Lakes Country Park Facility Improvements and Tonbridge to Penshurst Cycle Route Refurbishment.

Schemes selected for evaluation from List C	
	Annex 3 Page
Street Scene and Leisure	
Country Parks: Installation of Automatic Bollards	CP 52
Corporate	
IT Initiatives: Revenues and Benefits Document Management (Fast-Track)	CP 53
IT Initiatives: Revenues and Benefits Citizen's Access	CP 54

1.6.4 It is **RECOMMENDED** that Cabinet be asked to select those schemes listed in paragraph 1.6.3 for evaluation including one for Fast-Track evaluation.

1.7 Evaluation of List C Schemes

1.7.1 As part of the 2013/14 and previous Capital Plan reviews a number of schemes were selected for evaluation. The results of those evaluations which have been concluded are given in **[Annex 4]** including the scheme recommended for Fast-Track evaluation.

1.7.2 Members are reminded that the Capital Strategy sets out criteria for evaluation. These criteria are the basis for the pro forma structure for reporting on the evaluation which includes screening for equality impacts.

1.7.3 A report to the Planning and Transportation Advisory Board on 18 November 2014 advised Members on progress and provided an updated programme for the implementation of the Tonbridge Town Lock scheme where a funding shortfall in the order of £100,000 was identified. It is suggested that the shortfall be met from a pending developer contribution and in the interim from the Council's own resources.

1.7.4 The Tonbridge School Athletics Track Improvements will be progressed on a partnership basis between the School and the Council. It is hoped that the majority, if not all, of the Council's contribution can be met from developer contributions / external grant sources. The School has indicated that the works should be progressed in 2018/19.

- 1.7.5 The refurbishment of the Health Suite at Larkfield Leisure Centre is included in the Capital Plan in the current financial year and the associated budget provision is £240,000. However, the tenders received following a competitive tendering exercise were above the pre-tender estimate and, in turn, the current budget provision. As a result the scheme has been revisited in conjunction with the Tonbridge and Malling Leisure Trust. The original Capital Plan evaluation for the project recognised the current condition of the Health Suite to be extremely poor. A fact also recognised by Members on a tour of the facilities. The favoured option is a revised specification for the area and the scheme re-tendered with a total estimated project cost of £300,000. An increase in the capital cost and budget provision of £60,000.
- 1.7.6 Details of the evaluated schemes are summarised below. For information, indicative, estimated annual revenue costs (savings) are also shown. The amount and timing of the revenue impact depends on the profiling of the capital expenditure and the timing of any changes in activity levels which generate changes to running costs or income.

Capital / revenue consequences of evaluated schemes			
	Capital Cost	Estimated annual revenue / renewals cost	Annex 4 Page
	£'000	£'000	
Planning, Housing and Environmental Health			
Car Parking Action Plan Phase 9	20	1	CP 55
Tonbridge Town Lock	100		N/A
Street Scene and Leisure			
LLC Installation of UV Pool Disinfectant Plant	150	11	CP 56
Tonbridge School Athletics Track Improvements	150		CP 59
LLC Health Suite Refurbishment	60	3	N/A
Corporate			
IT Initiatives: Revenues and Benefits Document Management (Fast Track)	60	5	CP 61
Total	540	20	

- 1.7.7 The funding shortfall in respect of the Tonbridge Town Lock scheme; the Tonbridge School Athletics Track Improvements scheme; and the IT Initiatives: Revenues and Benefits Document Management scheme are expected to be funded from developer contributions / external grant sources. As a result the sum

to be met from the Council's own resources is £230,000 (£540,000 – 310,000) which is within the current annual capital allowance set by Members of £320,000.

- 1.7.8 Members are reminded that evaluated schemes can be recommended for inclusion on List B, retention on List C for further evaluation, or deletion from the Capital Plan process. Recommendation for inclusion on List B does not commit a scheme to be included in the Capital Plan, but is an expression of “in principle” support. Other than loss of investment income the figures in the above table have **not** been included in the draft revenue estimates reported elsewhere in these papers.
- 1.7.9 List B schemes will be considered by Cabinet on 12 February alongside the revenue estimates. Schemes may be selected for transfer from List B to the Capital Plan (List A) taking into account budget guidelines and the annual allowance.
- 1.7.10 It is **RECOMMENDED** that Cabinet be asked to endorse the transfer of the schemes listed in paragraph 1.7.6 from List C to List B noting:
- 1) In respect of the Tonbridge Town Lock scheme this is an additional funding requirement of £100,000 to that currently reflected in the Capital Plan to be met from a pending developer contribution and in the interim from the Council's own resources.
 - 2) The Tonbridge School Athletics Track Improvements scheme is expected to be progressed in the year 2018/19 subject to the identification of developer contributions / external grant sources.
 - 3) In respect of the LLC Health Suite Refurbishment scheme this is an additional funding requirement of £60,000 to that currently reflected in the Capital Plan.

1.8 Capital Strategy

- 1.8.1 The Chartered Institute of Public Finance and Accountancy has supplied the following background notes: “The Capital Strategy should describe how the investment of capital resources will contribute to the achievement of the authority's key objectives and priorities that are detailed in their Performance Plans and Community Plans/Strategies. An authority's Capital Strategy should be one of the key, overarching strategies that support service plans. The strategy will also determine priorities between the various services and look for opportunities for cross-cutting and joined-up investment. The authority's Capital Strategy should describe how the deployment of capital resources contributes to the achievement of the described goals. It will also help to ensure that issues around property and other assets are fully reflected in the Council's planning.”
- 1.8.2 The updated Capital Strategy attached at **[Annex 5]** has been designed to be published on the Council's website. The Strategy has no annexes but

incorporates links to a number of other documents or web pages which are referred to in the text and are available on the Council's website or the internet.

- 1.8.3 The update has followed the policy of evolution, rather than revolution. The Key Financial Statistics in paragraph 2.1 of the annex have been updated to reflect the 2014/15 estimates and the balance sheet as at 31 March 2014. Elsewhere, examples of our current practice have been updated where appropriate. Throughout the annex the type face of any new and or amended text and figures has been presented in bold italics.
- 1.8.4 The Peer Review Challenge reinforced the recognition that future strategies will need to take into account the fact that the main source of funding for new capital plan schemes, the revenue reserve for capital schemes, is expected to be exhausted in 2018/19 at which stage the Council will need to borrow to fund such expenditure.
- 1.8.5 It is **RECOMMENDED** that Cabinet be invited to endorse the Capital Strategy as attached at **[Annex 5]** for adoption by Council and publication on the Council's website.

1.9 Legal Implications

- 1.9.1 None.

1.10 Financial and Value for Money Considerations

- 1.10.1 The transfer of schemes from List C to List B has no financial impact. The transfer of schemes from List B to List A will be considered by Cabinet on 12 February in the context of the Medium Term Financial Strategy and the overall budget position.
- 1.10.2 The Capital Strategy outlines a capital plan process which follows the CIPFA Prudential Code and in addition to meeting the Council's Key Priorities and Improvement Actions, focuses on value for money.

1.11 Risk Assessment

- 1.11.1 Where a scheme is to be funded, in full or in part, from a pending developer contribution and in the interim from the Council's own resources there is a risk of an unbudgeted commitment if that developer contribution is not forthcoming.
- 1.11.2 Financial implications of new schemes to be considered by Cabinet at the February budget meeting.
- 1.11.3 Failure to endorse a satisfactory Capital Strategy may lead to a capital programme which does not fully support the Council's Key Priorities and Improvement Actions.

1.12 Equality Impact Assessment

1.12.1 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.

1.13 Summary of Recommendations

1.13.1 It is **RECOMMENDED** that Cabinet be asked to endorse the Capital Plan (List A) position as shown in **[Annex 2]**.

1.13.2 It is **RECOMMENDED** that Cabinet be asked to amend List C as detailed in paragraph 1.5.1.

1.13.3 It is **RECOMMENDED** that Cabinet be asked to select those schemes listed in paragraph 1.6.3 for evaluation including one for Fast-Track evaluation.

1.13.4 It is **RECOMMENDED** that Cabinet be asked to endorse the transfer of the schemes listed in paragraph 1.7.6 from List C to List B noting:

- 1) In respect of the Tonbridge Town Lock scheme this is an additional funding requirement of £100,000 to that currently reflected in the Capital Plan to be met from a pending developer contribution and in the interim from the Council's own resources.
- 2) The Tonbridge School Athletics Track Improvements scheme is expected to be progressed in the year 2018/19 subject to the identification of developer contributions / external grant sources.
- 3) In respect of the LLC Health Suite Refurbishment scheme this is an additional funding requirement of £60,000 to that currently reflected in the Capital Plan.

1.13.5 It is **RECOMMENDED** that Cabinet be asked to endorse the Capital Strategy as attached at **[Annex 5]** for adoption by Council and publication on the Council's website.

Background papers:

Nil

contact: Michael Withey
Neil Lawley

Sharon Shelton
Director of Finance and Transformation

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TONBRIDGE AND MALLING BOROUGH COUNCIL

CAPITAL STRATEGY

1 Introduction

- 1.1 The purpose of the Capital Strategy is to document the principles and framework that underpin the Council's capital investment and expenditure proposals. The strategy is drawn up under the framework provided by the Local Government Act 2003 and its associated regulations.
- 1.2 The principal aim of the Capital Strategy is to provide a context for a programme of capital investment (known as the Capital Plan) that will assist in the achievement of the Council's strategic priorities and objectives. The Capital Plan is published in the Council's [budget book](#) and available on the Council's website.
- 1.3 The component elements of the Capital Strategy comprise:
- A statement of the financial context within which the Council needs to determine its approach to capital investment (Section 2).
 - A description of the legislative framework and Central Government policies that will influence capital investment decisions (Section 3).
 - An explanation of the direct relationship between capital investment decisions and the Council's strategic priorities and objectives (Section 4).
 - The key principles supporting the Capital Strategy (Section 5).
 - Consideration of various partnership arrangements (Section 6).
 - Explanation of the processes to be followed in the implementation and management of the Capital Strategy (Section 7).
 - The Capital Plan (Section 8).
 - Post implementation reviews (Section 9).

2 The Financial Context

- 2.1 Key financial statistics are:

Net Budget Requirement 2014/15	£12.34 million
Government Grant / Business rates 2014/15	£4.36 million
Borough Council Band D Charge 2014/15	£183.85
Capital Plan 2014/15 to 2019/20 (Gross expenditure)	£12.65 million
Fixed Assets at 31 March 2014	£67.22 million
Debt Outstanding at 31 March 2014	Nil
Revenue Reserve for Capital Schemes at 31 March 2014	£7.50 million

- 2.2 The Council transferred its housing stock to Russet Homes (formerly known as Tonbridge and Malling Housing Association) in 1991 and from the proceeds repaid all external debt. It is not expected that the Council will need to borrow to fund its capital expenditure prior to 2018/19.
- 2.3 A [Medium Term Financial Strategy](#) (MTFS) was adopted in 2003/04. The MTFS together with the Council's key priorities and the Prudential Code (see

paragraph 3.1) form the basis for any capital investment decisions. The MTFs was used to guide the selection of new Capital Plan schemes in recent years and will continue to be a major influence on the **2014/15** and subsequent Capital Plan reviews. The MTFs is updated at least once a year and the latest version is published on the Council's website.

- 2.4 Although it no longer directly owns and manages a housing stock, the Council has a wide and varied strategic housing responsibility and has identified, through the Housing Strategy four key priorities:
- Provision of affordable housing
 - Tackling homelessness
 - Private sector renewals and energy efficiency
 - Assisting vulnerable households.
- 2.5 The Housing Strategy identifies means, outside the Capital Plan, by which the Council seeks to identify new funding opportunities for meeting these priorities and to support Registered Provider (RP) partners in accessing resources for new development and other initiatives. Details of the Council's housing investment priorities can be found in the Housing Strategy 2013-2016 approved by Council in April 2013.
- 2.6 Government support to the Council in terms of Capital funding is mainly focussed on mandatory Disabled Facilities Grants (DFGs) for adaptations to disabled persons' homes. In the past 60% of funding for DFGs, up to an annual limit, came from the government. Local authorities were required to find the remaining 40% from their own resources. From 2008/09 the DFG funding split of 60:40 no longer applies. Local authorities instead receive a DFG allocation without a specified requirement to match this **funding although demand for the service continues to grow**. For **2014/15** the DFG allocation from Government is **£424,000**.
- 2.7 The potential for generating future capital receipts is limited. The main source of capital receipts is the disposal of capital assets, mainly land, for which there are now limited opportunities. The Council's holdings of assets are kept under review so as to expose any further opportunities that may still exist to release resources for re-investment.
- 2.8 The demographic and economic features of the Borough give rise to a realistic assessment of very limited opportunities to attract funds from national and regional sources. From a European perspective the Borough does not have any specific objective areas status and thus European Union funding is also seen as limited. Nevertheless, the Council will continue to investigate and exploit external funding initiatives where projects are identified which deliver the Council's key priorities and do not generate unsustainable revenue budget commitments. European Union funding has previously been obtained for Tonbridge Castle Gatehouse and the Tonbridge to Penshurst Cycleway.
- 2.9 The Revenue Reserve for Capital Schemes (RRCS) contains funds the Borough Council has previously put aside from revenue to fund capital

expenditure. This reserve provides the main source of funding for existing and any new schemes that are introduced into the Capital Plan.

- 2.10 The reserve is generally topped up annually by a revenue contribution as part of the Council's budget setting process. That top-up is intended to contribute sufficient new funds to meet the cost of replacing existing plant and equipment as it reaches the end of its useful life as well as providing money for the non-grant funded element of statutory services such as Disabled Facilities Grants. Clearly, replacement of life expired assets such as IT and the equipment used in our leisure facilities and elsewhere is essential to enable the Council to continue to deliver services.
- 2.11 The 2008/09 original estimates made provision for a contribution to the RRCS of £450,000 which represents approximately one third of the Council's long term capital renewals and other annually recurring expenditure. As part of a package of measures to address the significant financial pressures facing the Council, Members agreed as part of the budget setting process for 2009/10 to temporarily suspend the RRCS annual top-up (Finance and Property Advisory Board, January 2009). Agreement to that suspension was predicated on:
- Deleting / scaling back existing approved capital budget provision where feasible
 - Limiting budget provision for new additions to the Capital Plan to no more than £600,000 in any one year, and
 - Re-introducing the RRCS annual top-up within a reasonable time frame and increasing the annual contribution over time to a level sufficient to meet capital renewals and other annually recurring expenditure, currently £1.5m per annum.
- 2.12 The RRCS balance at 31 March **2014** was **£7.50m**. The annual limit on new additions to the Capital Plan and commitment to re-introduce and increase the annual RRCS contribution over time will enable the authority to support new investment, without recourse to borrowing prior to 2018/19.
- 2.13 The annual limit on new additions to the Capital Plan and the annual RRCS contribution figures will be reviewed as part of each year's revenue and capital budget setting process. In setting the budget for **2014/15** Members agreed the annual limit for new schemes at **£320,000** per annum.

3 Legislative Framework and Central Government Policies

- 3.1 The legislative framework is set out by the Local Government Act 2003 and its subsidiary regulations. This framework provides for a prudential system based on borrowing limits set by each individual local authority. Under this system, local authorities must have regard to affordability, prudence and sustainability and must follow the "[Prudential Code for Capital Finance in Local Authorities](#)" published by the Chartered Institute of Public Finance and Accountancy (CIPFA).

- 3.2 The Prudential Code also requires that the CIPFA Code of Practice for Treasury Management in the Public Services is adopted. The Code of Practice adopted by Council in September 2003 was revised during 2009. The revised Code underpins the Council's Treasury Management Strategy Statement and Annual Investment Strategy for **2014/15** adopted by Council in February **2014**.
- 3.3 All government support for the Council's capital expenditure in **2014/15** is by way of capital grant. Government support through capital grants is usually ring-fenced for specific purposes. Recently, the Council has been successful on several fronts in securing grants, notably the Town Lock scheme in Tonbridge which has received capital grant from the Department for the Environment, Food and Rural Affairs (Defra). It is the Council's intention to try to secure capital grants, wherever possible, for schemes which advance the Council's key priorities.
- 3.4 The prudential framework for capital expenditure is intended to encourage local authorities to use resources more flexibly and plan for the longer term; provide more autonomy and accountability, with local authorities having greater responsibility for local capital spending decisions; move towards improved corporate and strategic working, with more effective tackling of cross-cutting issues; and better use and management of assets. Another key element of the legislative framework is the duty to secure economy, efficiency and effectiveness in the Council's use of resources. Achieving value for money is addressed in Section 5 of the Strategy as one of the key principles to be applied in capital investment decisions.

4 Key Priorities

- 4.1 The Council works with a range of partners and our local communities towards achieving the following key priorities:
- Continued delivery of priority services and a financially viable Council.
 - A clean, smart, well maintained and sustainable Borough.
 - Healthy living opportunities and community well-being.
 - Children and young people who are safe, involved and able to access positive activities.
 - Low levels of crime, anti-social behaviour and fear of crime.
 - A continuing supply of homes, including affordable housing to buy and rent, and prevention of homelessness.
 - Sustainable regeneration of Tonbridge town centre and economic development in communities across the Borough.
- 4.2 Our 2012/15 [Corporate Performance Plan](#) sets out how we are doing this. It justifies and sets out the context for each of our key priorities, and brings together the main ongoing activities, improvements and measures to achieve and assess progress. This requires a collective effort across all of the Council's services. First published in July 2012 it is reviewed and updated annually.

- 4.3 The improvement actions set out within our Corporate Performance Plan, together with a range of specific improvement projects and initiatives that underpin them are cascaded down into section plans across the Council. These section and other plans also cover a range of other priorities, improvements and indicators that are set and managed by individual services.
- 4.4 The Council's key priorities are supported by a wide range of Strategies, and Plans. These will be kept under review to ensure they provide sound linkages to the Capital Strategy.
- 4.5 The Council's capital investment decisions should be in support of its key priorities, and this is an integral part of the evaluation process for each project under consideration. The Council's Capital Plan specifically records the linkage between individual projects and the key priorities. No project should proceed to inclusion within the Capital Plan unless it furthers achievement of the Council's key priorities.

5 Principles Supporting the Capital Strategy

- 5.1 The key principles that underpin the Council's Capital Strategy are:
- 5.2 **Key Priorities.** Establishment of a direct relationship with the Council's key priorities, with a Capital Plan based upon investment needs and prioritised on an authority-wide basis. This demonstrates an explicit link with key strategic planning documents and recognition of the need for a corporate approach to cross-cutting issues such as the environment, social inclusion, affordable housing and community safety.
- 5.3 **Public Consultation.** The use of public consultation is, indirectly, an important part of developing the Capital Plan through its use setting priorities and developing strategies, which may lead to capital projects coming forward.
- 5.4 **Other Consultation.** As well as individuals communicating directly with Council Officers and Members, other conduits exist for expressing views to the Council. The Parish Partnership Panel, the Tonbridge Forum, the Tonbridge Sports Association, the Disability Working Party, and customer panels at leisure centres allow specific persons or groups of users to express their views.
- 5.5 **Partnerships.** Partnership initiatives are considered in Section 6 including the Tonbridge and Malling Local Strategic Partnership, the West Kent Partnership and the Community Safety Partnership which help shape policy objectives and which aim to deliver projects in conjunction with others.
- 5.6 **Procurement Strategy.** Corporate policies on procurement are detailed in the updated [Procurement Strategy](#) approved by Cabinet *in* March 2011. This strategy seeks to ensure that good procurement practice is applied consistently throughout the Council. It sets out how the Council will address procurement and establishes its importance to the Council and the contribution it can make to improved service delivery.

- 5.7 **Support for Regional and National Priorities.** To support, where possible, regional and national priorities, for example urban renaissance, transportation improvements, environmental initiatives such as increased levels of recycling.
- 5.8 **Support for Local Priorities.** The Borough Council has been consistently investing in its car parks to support the local economy through a phased programme of improvements. As a Flood Risk Management Authority, we will maintain our support for the flood defence schemes being developed for Aylesford, Little Mill and East Peckham.
- 5.9 **Availability of External Funding.** In support of the Council's strategic priorities and objectives to monitor and pursue available forms of external partnership and other funding including European and Lottery funds. Recent examples include the provision of all-weather pitches with community use at Wrotham and Hayesbrook schools, funded by grants from the Football Foundation and other partners augmenting School and Council contributions.
- 5.10 The Council's [Local Development Framework Core Strategy](#), adopted in 2007, supports the Government policy that development should contribute towards the community services and infrastructure that are necessary to support that development. Developer contributions (S106 obligations) are brought forward by planning conditions or legal obligations on a case by case basis. These arrangements have brought forward contributions to affordable housing, education facilities, children's play, sports pitches, leisure facilities, highway works and transportation services. However, the Government has quite clearly indicated its perception that the planning system is a 'drag anchor' on the economy. Our local analysis is that nothing that this Council is doing through the use of S106 obligations is holding back development. Indeed, development of key sites continues to progress well despite the current economic environment. Nevertheless, we must be alert to the fact that the Government is actively promoting the notion of reviewing and renegotiating S106 obligations. Funding properly made available from this source has been an important element of funding for the Council's Capital Plan but it has to be recognised that in the years ahead this may not be such a beneficial resource.
- 5.11 The Council has embarked on a new Local Plan for the Borough which will set out development policies and proposals **until 2031**. The funding of community infrastructure will be an important element in the new plan.
- 5.12 **Use of the Council's Assets.** Maintenance of an Asset Management Plan and performance measures for the use of Council owned assets to ensure optimum returns and early release of redundant assets in support of strategic investment priorities and to attract inward investment. ***An updated Asset Management Plan covering the period 2015-2020 is currently being prepared.***
- 5.13 **Consideration of the Impact on the Council's Revenue Budget.** To ensure that capital investment decisions are consistent with the Council's Medium

Term Financial Strategy, particularly the management of its revenue budget so as to reduce its dependence upon the use of revenue reserves.

- 5.14 **Value for Money.** Each year as part of the Annual Governance Report the Council's external auditor will express an opinion on whether the Authority has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources. Those arrangements amongst others will include:
- Planning finances effectively to deliver strategic priorities and secure sound financial health.
 - Having a sound understanding of costs and performance and achieving efficiencies in activities.
 - Commissioning and buying quality services and supplies that are tailored to local needs and deliver sustainable outcomes and value for money.
 - Producing relevant and reliable data and information to support decision making and managing performance.
 - Managing assets effectively to help deliver strategic priorities and service needs.
- 5.15 All of the Capital Plan processes from identification and selection of schemes, through implementation to subsequent review of completed schemes can contribute to achieving value for money.
- 5.16 **E-Government.** The government has previously set a target that all services should be available electronically, where feasible. Additionally the Department for Communities and Local Government (DCLG) has set 73 priority outcomes. The Borough Council has used its Capital Plan to meet these targets, assisted by the receipt of grant from the DCLG. Although the specific targets and priority outcomes are no longer applicable, the general objective to make services available electronically still applies and is a priority in order to improve efficiency and economy and to meet customer aspirations for self service, particularly via the website.

6. Partnerships

- 6.1 **The Tonbridge and Malling Local Strategic Partnership (LSP).** This partnership was launched in 2008 following a review of the role and remit of the West Kent Partnership. That review concluded that each of the three West Kent Districts should have their own district based [Local Strategic Partnership](#), leaving the West Kent Partnership to focus on issues of concern that were relevant to all three district areas including economic development and transport.
- 6.2 The Tonbridge and Malling LSP is now well established and has attracted a high level of representation from the public, private, voluntary and faith sectors. Its work focuses on addressing key issues of concern locally such as older people's services, the needs of young people, the local economy, affordable housing and public health issues.

- 6.3 **West Kent Partnership.** The Council is a founding member of the [West Kent Partnership](#), formed on a sub regional rather than district basis, reflecting the degree of economic and social homogeneity across West Kent and a shared community of interest. The other members are Kent County Council, Sevenoaks DC, Tunbridge Wells BC, Police, the FE Education Sector, Registered Providers and other Social Housing Providers, Kent Association of Parish Councils, transport providers and representatives of the business community.
- 6.4 The Partnership works with other partners in a joined up fashion for the benefit of the local community with a focus on economic development and infrastructure issues. The Partnership has also led a successful bid for Leader funding to support the rural economy. Over the past 4 years, a total of £1.6m has been invested in the area to support local farming, forestry and rural businesses. More recently, the Partnership has led a successful bid to the Government's Regional Growth Fund to provide funding of £5.5m to enable interest free business loans to be offered. In addition, a new West Kent business support programme has now been launched following a successful bid to the County Council's Regeneration Fund. ***A new 5 year LEADER programme is about to be launched and the Partnership has recently been successful in securing local growth funding finance for a number of local infrastructure projects.***
- 6.5 **Transportation Partnership.** The Borough Council has consistently sought to influence the quality of transportation services in its area and ***increase*** invested in them by the relevant authorities. These authorities include the local highway authority, (Kent County Council), the strategic road network ***agency*** (the Highways Agency), ***railway operators and Government Departments.***
- 6.6 The member-level manifestation of this is the Joint Transportation Board, comprising equal numbers of Borough and County Councillors guiding decision making on local traffic and highway matters. This is supported by joint working at officer level focussing on initiatives such as the Medway Valley Sustainable Transport Strategy (MVSTS). This strategy underpins and provides a framework for over £10m of contributions from various strategic development sites in the north of the Borough to fund elements of the strategy. These include the provision of service enhancements along the A20 corridor to make public transport more attractive and convenient for passengers.
- 6.7 A parallel component of the strategy is ***the current*** remodelling of the West Malling Station forecourt to radically improve multi-modal access to the station, including safe pedestrian access to the station building from nearby car parks, bus stops and non-motorised routes; access arrangements and layover space for buses and taxis; and 'kiss-and-ride' facilities. A partnership team including representatives from KCC, TMBC, Southeastern, Network Rail and local bus companies has been working to ***deliver*** this project.
- 6.8 The Borough Council's Rail Manifesto sets out clearly the service expectations that the Council has for rail services for the Borough. This has been submitted

to the Department for Transport in response to their various consultations ***regarding service provision and the award of franchises to operators. The Manifesto is kept under constant review to reflect the changing demand for rail travel in communities across the Borough.***

- 6.9 **Local Enterprise Partnership (LEP).** The Council, in partnership with the County Council and others, has been successful in promoting a bid for funding from the LEP, via the Local Growth Fund. ***A sum of £2.37m has been awarded to a traffic and environmental improvement project for Tonbridge High Street and a further £2.19m for substantial improvements to junction 4 of the M20 motorway at Leybourne. In addition the Council has access to part of a £4.89m fund allocated to West Kent as part of the Local Sustainable Transport Fund from the LEP. The Council will be working up improvement projects focussing on railway station improvements commencing with Snodland.***
- 6.10 **Other Partnerships.** ***The Borough Council is also part of a partnership that has promoted a bid to the Local Growth Fund to bring forward the much needed improvement to the Leigh Flood Storage area. This is a strategic infrastructure investment required to safeguard many residential and business properties in the southern part of the Borough and to enable future growth and new development to take place. The Borough Council remains committed to working with partners to address additional issues of future flood resilience and to aid recovery from any future flooding episodes that may occur.***
- 6.11 **Community Regeneration Partnership.** The Council has entered into partnerships which have made a genuine difference to the local community with clear and tangible outcomes. Partnerships are now in place for Snodland, East Malling and Trench ward in Tonbridge.
- 6.12 The Council contributes a range of resources in such partnerships, including, where appropriate, capital funding. At East Malling, the Council has supported the conversion of a former school to a much needed community centre using capital investment. The centre is now operational and will act as a hub for the provision of services to the most deprived community in the Borough.
- 6.13 **The Community Safety Partnership (CSP).** As well as the Council, the partnership includes organisations such as Kent Police Authority, Kent County Council, Kent Fire and Rescue, South West Kent and Maidstone Weald Primary Care Trust, Probation Service, Russet Homes, and Kent Drug and Alcohol Action. The partnership has influenced the installation of CCTV in Tonbridge town centre and other borough locations, in partnership with the Home Office, Tunbridge Wells Borough Council and local traders, which has led to a reduction in crime as identified in the 2011/12 Strategic Assessment of crime trends.
- 6.14 **Tonbridge Central Area Action Plan.** The Plan provides the context for partnership projects to attract private sector investment in the town centre and secure transport and environmental improvements. ***A number of key sites***

are allocated that have potential to deliver town centre and mixed use development that can generate increased vitality into the town centre and the High Street in particular. The Council is carrying out a review of its own land assets with a view to bringing forward a regeneration initiative for the town centre in the near future and at the same time consider the best use of the Council's assets.

- 6.15 The Borough Council is promoting an enhancement scheme at Town Lock *in* partnership scheme with the Environment Agency ***and utilising funds from nearby development*** to deal with an 'eye-sore' area in the heart of the town on the bank of the River Medway is also supported by funding contributions from developments in the area. The scheme is now likely to be completed in ***2015***.

7 Implementing and Managing the Capital Strategy

- 7.1 The Council has developed a process for considering and evaluating potential capital schemes as an integral part of its Capital Strategy. This process for selecting schemes is described below.
- 7.2 Schemes, subject to some exceptions listed below, are selected by a phased process. For convenience, the stages have been termed List A, List B and List C, with List A being the approved Capital Plan and List C being the entry level.
- 7.3 As schemes come forward they are stored in a list of schemes (List C) for consideration and possible evaluation. These schemes arise naturally from the Council's strategic priorities and objectives, particularly the key priorities, reflect the results of consultation, and are accompanied by a preliminary cost estimate. As part of the budget setting process for 2011/12 Members agreed a set of criteria to guide the inclusion of new schemes to List C and ultimately the inclusion of schemes on List A. The criteria are: to meet legislative requirements including health and safety obligations; funded from external resources; generate income or reduce revenue expenditure. Justification would need to be provided for any schemes that failed to meet one or more of these criteria in order for them to progress through the capital plan process.
- 7.4 From List C, Members select schemes for evaluation. Evaluations will include:
- Specification of the purpose of the scheme and its relevance to the Council's strategic objectives and any wider national policy objectives, the setting of targets by which the success or otherwise of the project can be judged post-implementation.
 - An outline design to facilitate costing and, where appropriate, consultation.
 - Consultation, including, where appropriate, public consultation on the scheme's principle.
 - The establishment of a realistic estimated capital cost, incorporating any consultation feedback on design issues.
 - An assessment of the ongoing revenue costs and income generating capacity of the completed scheme including an assessment of the loss of interest from investments and impact on capital renewals provisions.

- Consideration of partnership and external funding opportunities.
 - Consideration of the time after the end of the project during which the targets and objectives should be reviewed and reported to stakeholders.
- 7.5 The evaluation process will reveal the impact of the project on the revenue base budget, enabling Members to compare the value of the scheme with the financial savings required to pay for it or the impact on the Council Tax requirement. Schemes successfully passing through evaluation will be included in List B.
- 7.6 The Council is conscious that the process of evaluation is a revenue cost in itself; involving in-house staff and resources or the buying in of external resources and which may draw resources away from the implementation of the approved Capital Plan. In order to minimise the resource impact of evaluation it is important that restraint is exercised in selecting schemes for evaluation. A balance is struck each year between deliverability of the programme and the evaluation of new schemes.
- 7.7 Under the constitutional arrangements adopted by the Council, the evaluated schemes will be reported to Finance, Innovation and Property Advisory Board which will advise the budget meeting of Cabinet of those schemes deemed suitable to progress to be included on List B. Prior to the budget meeting of Cabinet that advice will be reviewed by Overview and Scrutiny Committee and may be updated. By considering all eligible schemes at the same time, a corporate approach can be taken to selecting those schemes deemed suitable to progress. Prioritisation of such schemes will be informed by the wider financial climate, the Medium Term Financial Strategy and the requirements of the CIPFA Prudential Code. Prioritisation will take account of national and regional priorities, the Council's own strategic priorities and objectives and the financial consequences arising from the schemes proposed.
- 7.8 The main exception to this selection procedure is the investment necessary to maintain existing levels of service. This will consist primarily of renewals provisions and some one-off items outside the basic renewal provisions. These provisions are subject to Member scrutiny within List A and application of best value principles.
- 7.9 Ultimately the selection of new Capital Plan schemes from List B for inclusion in the Capital Plan (List A) will be determined by the Council following recommendations from the Cabinet in the light of advice from the Finance, Innovation and Property Advisory Board and Overview and Scrutiny Committee.
- 7.10 Finance, Innovation and Property Advisory Board will also review existing Capital Plan (List A) schemes, advising Cabinet of the result. This provides an opportunity to review the budget and progress of existing schemes or even to propose their deferment or deletion.

8 The Capital Plan

- 8.1 The result of the process described in section 7 is the Council's Capital Plan. This is a medium term financial and capital planning document covering a seven-year period (current financial year + six).
- 8.2 Achievement against the Capital Plan is monitored regularly via monthly reports posted on the Council's intranet for use by the Council's staff. At the end of each quarter a statement is considered by the Council's Corporate Management Team and monitoring reports are presented to Members at meetings of the Finance, Innovation and Property Advisory Board.

9 Post Implementation Reviews

- 9.1 It is important that any issues relating to the implementation of a Capital Plan project are addressed as soon as possible; either during the project or shortly after completion. The wider issues of the effectiveness and value for money of a project are addressed through a formal system of post-implementation review. The reviews take place after completion of a project, at a time determined during the evaluation process and are reported to an appropriate Advisory Board. Lessons learnt inform future capital programme decision making and are part of a system of continuous improvement. Monitoring reports are presented annually to the July meeting of the Finance, Innovation and Property Advisory Board.

Strategy Updated December 2014

TONBRIDGE & MALLING BOROUGH COUNCIL

STRATEGIC HOUSING ADVISORY BOARD

10 November 2014

Joint Report of the Director of Planning, Housing and Environmental Health and the Cabinet Member for Housing

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 MOBILE HOMES ACT 2013 – CHANGES TO CARAVAN SITE LICENSING

Summary

This report updates Members on the recent changes to legislation surrounding caravan site licensing on permanent residential caravan sites. It also seeks Member approval for a Fees Policy in respect of charges for site licensing and applications and the deposit of site rules.

1.1 Introduction

- 1.1.1 The Mobile Homes Act 2013 (“the Act”) received Royal Assent in March 2013 and the changes to caravan site licensing came into force on 1 April 2014. The 2013 Act makes some significant changes to two long standing pieces of legislation, the Mobile Homes Act 1983 (“the 1983 Act”) and the Caravan Sites and Control of Development Act 1960 (“the 1960 Act”) and is designed to give greater protection to occupiers of residential mobile (park) homes on “relevant protected sites”.
- 1.1.2 A relevant protected site is a caravan site that is used for permanent residential occupation. It does not include those sites which have planning consent for holiday use or planning conditions limiting occupation to certain times or those sites with caravan site licenses exclusively for holiday use or under which permanent residential occupation is otherwise prevented.
- 1.1.3 The 1983 Act sets out the main provisions that apply to the contracts between a park owner and the resident, for example, site rules, pitch fees, transfer or selling of the homes. These are civil matters between the resident and park owner and have commonly been the subject of many of the disputes between parties. The 2013 Act looks to better define the parameters under which these agreements will operate and where necessary decide, if disputes arise. It introduces enhanced protection and regulation of site agreements in relation to relevant protected sites.
- 1.1.4 The 1960 Act sets out the provisions for the licensing and control of all types of caravan sites. The 2013 Act enables local authorities to monitor site licence compliance more effectively and have the tools to take enforcement action where

site owners are not managing or maintaining their sites and its services on relevant protected sites.

1.2 Changes to Caravan Site Licensing

1.2.1 The Mobile Homes Act 2013 amends the Caravan Sites and Control of Development Act 1960 to include provisions where:

- for the first time from 1 April 2014 local authorities can charge the site owner a fee for applying for a caravan site licence or transferring an existing site licence or amending caravan site licence conditions if requested by the owner.
- as well as charging an application fee, local authorities are also now permitted to charge site owners an annual fee for monitoring compliance with the caravan site licence conditions. The level of this fee will depend on various factors including the costs of the administration and inspection of sites. Failure to pay the annual fee may ultimately lead to the site licence being revoked. The Council does not currently inspect these sites pro-actively on an annual basis, responding only to requests for service.

1.2.2 Before the Council can introduce and charge fees it must prepare and publish a fees policy. When fixing a fee for an application, the Council must act in accordance with the fees policy, may fix different fees in different cases and in certain cases may determine that no fee is required.

1.2.3 If the Council introduces a charge for annual monitoring of a site licence the site owner can pass on the fee to the home owners on the site as part of their pitch fee. This additional charge to the annual pitch fee set by the site owner can only be included within the first year of the legislation, until 1 April 2015.

1.2.4 Other new powers permit the Council to:

- Serve a Compliance Notice where a caravan site licence condition is not being complied with or take emergency action where there is considered to be an imminent risk to health and safety. The Council may recover the costs it incurs in deciding whether to serve the notice, preparing and serving the notice as well as expenses incurred in serving the demand notice for recovery of costs. Enforcement Guidance for local authorities is due to be published by DCLG in the near future.
- refuse to grant a site licence where it considers that the applicant is unsuitable to hold a licence. In considering whether to grant a licence or approve a transfer of an existing one, a local authority must have regard to both the proposed management structures to be put into place by the new licence holder, the funding arrangements that will be in place for managing the site and the conduct of the existing licence holder if any. Licenses can

now be refused until arrangements can be made to satisfactorily resolve any issues, including accepting legally binding undertakings to pay outstanding debts or carry out site works required under the licence.

- 1.2.5 From the 4 February 2014 if a site owner of a relevant protected site wishes to enforce site rules, for example no dogs on the site, they must go through a prescribed consultation process and deposit them with the Council. The Council must create an up-to-date register of site rules in respect of relevant protected sites and publish this register on line.
- 1.2.6 There are currently twenty six single unit relevant protected sites with caravans on them licensed in Tonbridge and Malling and four larger relevant protected sites as follows:
- Bourne Park Home Estate, Golden Green – 10 caravans;
 - Towngate Wood Park, Tonbridge – 114 caravans;
 - Hilltop Manor Hotel, Stansted – maximum 20 caravans, currently seven caravans on site; and
 - Rear Harrow Public House, Hadlow – four caravans.
- 1.2.7 The first three are run as businesses whereas the last one is a Gypsy and Traveller family site.

1.3 Fee Policy

- 1.3.1 When setting an application fee for the licensing of a new relevant protected site the Council can take administration and site inspection costs into account and the costs included are illustrated in **[Annex 1]**. Typically this is likely to involve two site visits. One at planning stage or on immediate planning approval to discuss requirements with the site owner and a second visit following the issue of a new licence, to check conditions and site occupation. The total cost of processing a new caravan site licence application is determined to be £335. A caravan site must have planning consent for use as a caravan site before it can be licensed and once licensed it remains in perpetuity until a change of use or planning consent has expired. It is not envisaged the Council will receive a large number of applications for new relevant protected sites, a maximum of perhaps one a year.
- 1.3.2 An application to transfer an existing caravan site licence for a relevant protected site to a new owner will not generally require a site inspection and will be a desktop and administrative exercise. The costs included in administration of the transfer are illustrated in **[Annex 2]**. The total cost of processing a transfer application is determined to be £110. The Council generally receives no more than three transfer applications per year.

- 1.3.3 An application to alter a condition of an existing relevant protected site licence will also generally be a desk top exercise and any fee will be based on administration costs as in [Annex 2]. When setting conditions attached to a caravan site licence the Council has regard to the '2008 Model Standards for permanent residential sites' and the appropriate planning conditions; and also consults with the applicant. Given this consultation process any subsequent requests to change licence conditions are expected to be low and the cost of administering any charges are likely to outweigh making the actual alteration.
- 1.3.4 The cost of checking and publishing the deposit of site rules by the site owner of a relevant protected site is determined to be £60 based on one and a half hours of environmental health officer (EHO) costs and one hour of administration costs. Currently it is likely only Bourne Park and Towngate Wood Park will deposit site rules.
- 1.3.5 The annual monitoring of existing licensed relevant protected sites to check compliance with the caravan site licence conditions would be a new function. The Council already provides a prompt response to any licensing queries raised by residents and site owners. When deciding whether to introduce fees for annual compliance monitoring consideration will need to be given to the following:
- mobile home owners may argue they already pay for council services in terms of council tax and therefore the cost of this licensing function should be covered in this;

if the Council charges there will be a legitimate expectation from mobile home owners that they will get a better licensing service over and above what they currently receive; and
 - if certain relevant protected sites should be exempt from paying an annual fee such as:
 - sites based on a minimum size – this may be single unit sites or sites less than three or five units. The rationale being they are low risk, tend to be family run sites that are not considered commercially viable on their own as a business, are rarely subject to complaints and the cost of inspection is outweighed by the cost of administering any charges;
 - sites not run as a business – this would include family run sites and typical small Gypsy Roma and Traveller sites. Consideration needs to be given how the Council will qualify 'family site' and the evidence required to show that the site is not run as a business if challenged.

1.4 Legal Implications

- 1.4.1 The Council is not under a statutory requirement to charge for its licensing functions of relevant protected sites but if it chooses to do so, it must publish a

fees policy. Similarly it is not a statutory requirement to undertake annual compliance visits.

1.4.2 It is a statutory requirement to establish and keep an up to date register of site rules and publish the register online.

1.4.3 Once a caravan site licence is granted it is not time limited and will run for perpetuity as long as the site continues to have planning consent for a caravan site.

1.5 Financial and Value for Money Considerations

1.5.1 Charging for applications for licensing of relevant protected sites and the deposit of site rules will provide a revenue stream to fund these functions whereas previously this was not available. It is important in the current difficult financial climate that the authority recovers costs to support these functions going forward. If these costs are not recovered, then it will have an adverse impact on the levels of resources available to undertake this work.

1.5.2 Officers have had regard to the Council's fee setting guidance when determining the fee levels referred to in 1.3.

1.6 Risk Assessment

1.6.1 None arising from this report.

1.7 Equality Impact Assessment

1.7.1 See 'Screening for equality impacts' table at end of report

1.8 Recommendations

CABINET is **RECOMMENDED** to **AGREE** to Tonbridge & Malling Borough Council

1.8.1 Charging an application fee of £335 for processing a new caravan site licence for a relevant protected site.

1.8.2 Charging an application fee of £110 for the transfer of a licence to a different licence holder for a relevant protected site.

1.8.3 Not charging for alterations to existing site licence conditions attached to a caravan site licence.

1.8.4 Charging a fee of £60 for administering the deposit of site rules, maintaining and publishing the site rules online.

1.8.5 Undertaking a consultation exercise with residents and site owners on the four larger relevant protected sites identified in 1.2.6 to determine their view regarding annual compliance monitoring of site licence conditions detailed in 1.3.5 and the

charging of a fee for this function. The findings of this consultation exercise to be reported in a further paper to this Board.

Background papers:

contact: Hazel Skinner

Nil

Steve Humphrey

Councillor Jill Anderson

Director of Planning, Housing &
Environmental Health

Cabinet Member for Housing

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	The charging of a fee is applicable to all applicants for a new licence or the transfer of a licence on a relevant protected site. Similarly the fee for the deposit of the site rules by the site owner on a relevant protected site is applicable to all.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	Caravan site licence applicants already have equal opportunity to make a caravan site licence.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.

Processing costs for a new caravan site licence application

	Action	Time (Mins) EHO	Time (Mins) TO	Time (Mins) Admin
1	Enquiry received and service request entered on computer system.			30
2	Obtain planning documents. Record type of development permitted and restrictions etc on computer worksheet. Print hard copies of planning documents.			30
3	Make up new caravan site/Park home site file and attach above documentation			20
4	Send out site application form with covering letter and enter action on computer worksheet.		15	
5	Contact applicant and make appt to carry out initial site inspection enter action of computer worksheet		10	
6	Carry out initial site inspection. Advise applicant as necessary on layout, spacing and other site licence conditions. Help applicant complete application form, if required. Enter record of inspection on computer worksheet.		30	
7	Travel Time		60	
8	Enter particulars on application form on to premises record on computer system. Scan and save application form to computer system and link to worksheet.			30
9	Check application valid e.g. all compulsory questions completed and correct fee included Check all particulars entered on computer premises record correctly	40		
10	Carry out LRS to verify applicant is owner of land			15
11	Examine electrical certificate and any other documentation submitted with licence for validity. Enter action on computer worksheet.		20	
12	Carry out checks with other council services e.g. Finance and external agencies e.g. other local authorities. Record Action on computer work sheet.		20	
13	Obtain next consecutive site licence number on park home licence spreadsheet and enter details of site against that number.			10
14	Prepare draft site licence and send to applicant with covering letter. Include any recommendations and works required		60	

	resulting from initial site inspection. Save draft licence and letter to Uniform and link to RP module.			
15	Discuss any feedback with applicant on proposed site licence conditions with applicant. If amendments requested seek authority with line manager to amend conditions.	60		
16	Upon expiry of consultation period amend site licence if required. Print out two copies of site licence and proof read.		60	
17	Site licence to be checked and signed by line manager	30		
18	Send out site licence to applicant with covering letter.		10	
19	Scan and save signed copy of site licence to Uniform system and link to RP module. Insert hard copy of licence to paper file.			20
20	Update public register of licensed sites.		15	
21	Upon occupation of site contact site owner to make appointment for licensing inspection		10	
22	Carry out full site inspection. Make note of any breaches of site licence conditions/ works required		60	
23	Travel time		60	
24	Record visit and details on computer worksheet		20	
25	Complete risk assessment spreadsheet to determine next routine visit.		10	
26	Enter date of inspection and next routine inspection on park homes inspection worksheet. Next routine inspection as scheduled inspection on premises worksheet.		10	
27	Send letter to applicant notifying them of outcome of licensing visit.		60	
28	Additional 1 Complicated Cases			
29	Additional 2 Production of drawings			
30	Additional 3 Resolve application form queries on site			

	Total (Mins)	130	530	155
	Total hours as a Decimal	2.2	8.8	2.6
	Cost £	70.4	237.6	28.6

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Processing costs for the transfer of a caravan site licence

	Action	Time (Mins) EHO	Time (Mins) TO	Time (Mins) Admin
1	Enquiry received and service request entered on computer system.			20
2	Send out application form and covering letter detailing fee required		15	
3	Upon receipt of application form, scan and attach form to computer worksheet. Attach hard copy to paper file. Enter action on computer database and associated details Generate acknowledgement letter and send to applicant.			30
4	Enter particulars on application form on to premises record on computer system			15
5	Check application valid e.g. all compulsory questions completed and correct fee included Check all particulars entered on computer premises record correctly	30		
6	Carry out checks with other council services e.g. Finance, and external agencies e.g. other local authorities		20	
7	Carry out LRS to confirm applicant is new owner of the site			15
8	Amend site licence print out and proof read		30	
9	Amended site licence to be checked signed by line manager	30		
10	Look up records of outstanding historic breaches, outstanding notices etc.		15	
11	Send amended site licence to site owner with covering letter. Send written notification of outstanding historic breaches and outstanding notices to new site owner. Add to actions to electronic worksheet.		20	
12	Scan and attached signed copy of site licence to electronic worksheet and attached signed hard copy to paper file.			20
13	Attach hard copy of covering letter and notification of outstanding historic breaches and outstanding notices etc to electronic and paper file			15
14	Amend park home site licence spreadsheet and public register of park home site		20	

	licences.			
15	General additions time taken with telephone conversations and correspondence with applicant on typical variation enquiry		15	
16	Additional1 Complicated Cases			
17	Additional 2 Resolve queries on site			
	Total (Mins)	60	135	115
	Total hours as a Decimal	1.0	2.25	1.9
	Cost £	32.0	60.75	20.9

TONBRIDGE & MALLING BOROUGH COUNCIL

LEISURE and ARTS ADVISORY BOARD

08 December 2014

Report of the Director of Street Scene and Leisure and the Director of Finance and Transformation

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 LEISURE SERVICES – REVIEW OF CHARGES 2015/16

Summary

This report outlines charging proposals in respect of Tonbridge Cemetery, Tonbridge Pitch Hire Charges and the Summer Playscheme.

1.1 Introduction

- 1.1.1 In bringing forward the charging proposals for 2015/16 consideration has been given to a range of factors, including the Council's overall financial position, market position, trading patterns, the current rate of inflation, competing facilities and customer feedback. The Board is reminded of the Council's Leisure Pass Scheme which enables financially disadvantaged residents to participate in leisure activities at concessionary rates.
- 1.1.2 The proposed charges for 2015/16 have also taken into account the set of guiding principles for the setting of fees and charges approved by Members of the Finance, Innovation and Property Advisory Board and reproduced below for the benefit of the Board:
- 1) Fees and charges should reflect the Council's key priorities and other corporate aims and priorities recognising there may be trade-offs as these are not mutually exclusive.
 - 2) Fees and charges should have due regard to the Council's Medium Term Financial Strategy.
 - 3) If there is to be a subsidy from the council tax payer to the service user this should be a conscious choice.
 - 4) The Council should look to maximise income subject to market conditions, opportunities and comparable charges elsewhere, in the context of its key priorities and other corporate aims and priorities.

- 5) Fees and charges should normally be reviewed at least annually (unless fixed by statute or some other body).
- 6) Fees and charges should not be used to provide a subsidy from the council tax payer to commercial operators.
- 7) There should be consistency between charges for similar services.
- 8) Concessions for services should follow a logical pattern so as not to preclude, where appropriate, access to Council services on the grounds of ability to pay.

1.1.3 The proposed charges for 2015/2016, in relation to the Council's facilities managed by the Tonbridge and Malling Leisure Trust will be brought forward for Member consideration at the next meeting of this Board in February 2015.

1.2 Consultation

1.2.1 Proposed charges in respect of facilities used by Tonbridge sports clubs are the subject of consultation with the Tonbridge Sports Association. The Chairman of Tonbridge Sports Association has stated that "the proposed charges in respect of Tonbridge Sportsgrounds are acceptable".

1.3 Tonbridge Cemetery – Proposed Charges 2015/16

1.3.1 As Members may be aware, there is a decreasing availability of new graves at Tonbridge Cemetery. The charging strategy, therefore, takes into account the longer term management of the Cemetery's capacity.

1.3.2 In bringing forward the proposed charges for Tonbridge Cemetery a number of key principles have been taken into consideration:

- The need to cover all costs, including some internal costs on new burials and services.
- The need to compare costs with other cemeteries in Kent **[Annex 1]**. It should, however, be noted that direct comparison with other cemeteries is difficult as pricing brackets, services and available grave space differ.
- The need for the charging strategy to support the management of the remaining capacity in the Cemetery.
- The need to provide some affordable options, whilst supporting the principles of the Council's Medium Term Financial Strategy.

1.3.3 The principles referred to above have been applied to the existing charges and are reflected in the proposed charges shown at **[Annex 2]**. In general, charges have been increased by 2.5% to reflect the increase in grounds maintenance

costs. An exception has been made in regard to burial of stillborn to one year olds, which have been retained at the present minimal level.

- 1.3.4 It is anticipated that these proposals will generate additional net income of £1,500, which will be reflected in the 2015/16 revenue budget reported to the Finance, Innovation and Property Advisory Board on 7 January 2015.

1.4 Tonbridge Sportsgrounds – Proposed Pitch Hire Charges 2015/16

- 1.4.1 This Council has an agreed policy with Tonbridge Sports Association of amending pitch hire charges to local sports clubs by the October Retail Price Index and rounded to the nearest pound. The Retail Price Index for October 2014 was 2.3% and it is, therefore, proposed that charges be increased in accordance with this indexation. The Tonbridge Sports Association has been consulted and is happy with this approach.

- 1.4.2 The sports pitch income is taken by the Tonbridge & Malling Leisure Trust as part of the Council's management agreement.

1.5 Summer Playscheme – Proposed Charges 2015

- 1.5.1 Attached at **[Annex 3]** is a copy of the 2014 charges. Income from the Summer Playscheme charges in 2014 was £30,059.
- 1.5.2 Members will note from **[Annex 3]** that the full weekly charge for the Summer Playscheme in 2014 was £38. This entitled children to 20 hours of supervised activities, equating to £1.90 per hour. Registration levels were high with 91% of the places booked, and a number of venues reaching full capacity. Encouragingly, 99% of the parents completing the 2014 Summer Playscheme market survey felt the scheme offered good value for money.
- 1.5.3 In order to meet the needs of those parents who are considered to be financially disadvantaged, significant reductions are offered to Leisure Pass holders. In 2014 a weekly charge of £13 per family was applied to Leisure Pass holders, with no limit on the number of children attending from the same family. This level of concession is generous compared to other leisure activities provided by the Council and resulted in 35% of the children registered on the Playscheme benefitting from the Leisure Pass scheme.
- 1.5.4 In order to support large families, parents are only required to pay for their first two children. Discounts are also offered to parents booking two weeks (5%) or all three weeks (10%).
- 1.5.5 A proposed list of charges for 2015 is also shown in **[Annex 3]** showing an increase of £1 on the weekly charge. It is felt that in the current financial climate, only a minimal charge in line with the rate of inflation should be applied. An increase of 50 pence on the Leisure Pass rate is also proposed, continuing to ensure that the Playscheme remains socially inclusive, with cost not presenting a

barrier to those families most in need. With regard to the daily standby charge it is proposed to also increase this by 50 pence, retaining the policy of encouraging parents to book for the full week.

- 1.5.6 It is anticipated that additional income of £900 will be generated from the proposed increase in charges, which will be reflected in the 2015/16 revenue budget reported to Finance, Innovation & Property Advisory Board on 7 January 2015.

1.6 Legal Implications

- 1.6.1 The Council's Financial Rules require that all fees and charges must be reviewed at least once a year, and be reported to the appropriate Advisory Board.

1.7 Financial and Value for Money Considerations

- 1.7.1 The proposals within this report have taken into account economic factors and Members will note that, in the main, they represent a relatively modest increase to the Council's revenue stream.
- 1.7.2 Charges for the Cemetery [**Annex 2**], the Summer Playscheme [**Annex 3**] and Pitch hire charges (excluding casual lettings) are exempt of VAT.

1.8 Risk Assessment

- 1.8.1 As highlighted in paragraph 1.1 to this report, the proposed charges take into account a range of factors including market conditions and customer feedback and have been brought forward within the context of the Council's Medium Term Financial Strategy.
- 1.8.2 There is clearly a risk in proposing increased charges that those people on a low income and from target groups will no longer be able to afford to take part in activities and benefit from a healthy lifestyle. The wide range of concessions available within the charging structure and the Leisure Pass scheme are, therefore, essential to ensure the Council's leisure facilities and services are available to all. There is also clearly a risk of increasing prices in light of current economic conditions.

1.9 Equality Impact Assessment

- 1.9.1 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

1.10 Policy Considerations

- 1.10.1 Community, Equalities/Diversity, Healthy Lifestyles, Young People.

1.11 Recommendation

1.11.1 It is, therefore, **RECOMMENDED TO CABINET** that:

- 1) the proposed charges for Tonbridge Cemetery as detailed at **[Annex 2]** be agreed and implemented with effect from 1 April 2015;
- 2) pitch hire charges at Tonbridge Sportsgrounds be increased as outlined within the report for implementation from 1 April 2015;
- 3) the proposed charges for the 2015 Summer Playscheme as detailed at **[Annex 3]** be approved.

Background papers:

Nil

contact: Stephen Gregg
Darren Lanes
Paul Worden

Robert Styles
Director of Street Scene & Leisure

Sharon Shelton
Director of Finance & Transformation

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**TONBRIDGE CEMETERY PROPOSED CHARGES 2015/16
COMPARISON WITH OTHER KENT DISTRICTS**

		Maidstone ¹	Medway ¹	Dover ¹	Gravesham ¹	TMBC ¹ Current	TMBC ² Proposed
Purchase (£)	Baby	0.00	0.00	0.00	0.00	1.00	1.00
	Child	N/A	*515.00	0.00	330.00	135.00	138.00
	Adult	750.00	*1150.00	605.00	880.00	899.00	921.00
Plot 23 (single)	Adult	750.00	N/A	N/A	440.00	461.00	473.00
Interment (£)	Baby	0.00	0.00	54.50	0.00	0.00	0.00
	Child	260.00	255.00	237.00	360.00	181.00	186.00
	Adult	630.00	630.00	860.00	880.00	515.00	528.00
Plot 23 (single)	Adult	525.00	630.00	750.00	660.00	515.00	528.00
Combined Interment and Purchase (£)	Baby	0.00	0.00	54.50	0.00	1.00	1.00
	Child	260.00	770.00	237.00	690.00	316.00	324.00
	Adult	1380.00	1,780.00	1,465.00	1,760.00	1,414.00	1,449.00
Plot 23 (single)	Adult	1275.00	630.00	750.00	1,100.00	976.00	1001.00
Period of Lease (years)		30 years	50-99 years	50-99 years	60 years	60 years	60 years
Memorial Permit (£)	Small	95.00	165.00	160.00	220.00	106.00	109.00
	Large	190.00	400.00	360	340.00	224.00	230.00
Chapel (£)		200.00	77.00	145.00	140.00	88.00	90.00
Search Fees (£)		£10 - £35	15.00 (per name)	37.00 (over 1hr)	20.00 (per name)	46.00 (per 5 names)	47.00 (per 5 names)
Interment of Ashes (£)		210.00	134.00	179.00	290.00	134.00	137.00
Memorial Wall Plaque (£)		N/A	N/A	85.00	N/A	134.00	137.00

¹ 2014/15 charges

² 2015/16 proposed charges

* Price includes memorial permit

NOTE: Costs are based on comparable services where available.

All charges shown are exempt of VAT

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TONBRIDGE CEMETERY CHARGES
PROPOSED CHARGES 2015/16

- Please Note:**
1. For burials in graves at Tonbridge Cemetery the fee payable will normally be both Section 1 and Section 2 charges.
 2. All charges apply where the person to be buried or the person leasing the grave, etc., are residents of the Borough. Residents of the Borough who have moved into a home or hospital outside the Borough prior to death are charged as residents.
 3. All charges are doubled for non-residents.

Section 1:	Exclusive right of burial in a grave for 60 years	Current (£)	Proposed (£)
	(a) Stillborn – 1 year (inclusive) Children's Plot only	1.00	1.00
	(b) 2 – 12 years (inclusive) – Children's Plot only	135.00	138.00
	(c) Over 12 years	899.00	921.00
	(d) Plot 23 – single graves	461.00	473.00
Section 2:	Interment (including digging of grave)		
	(a) Stillborn – 1 year (inclusive)	NIL	NIL
	(b) 2 – 12 years (inclusive)	181.00	186.00
	(c) Over 12 years	515.00	528.00
	(d) Ashes (Memorial Wall or Grave, where exclusive right has been granted)	134.00	137.00

Please note: These charges apply to interments taking place between 0900 hours – 1500 hours (Monday – Thursday) and 0900 hours – 1300 hours (Friday). In other cases, the Council's additional costs may be payable. A fee of £50 per hour may be charged for late arrivals.

Section 3:	Permits for Monuments, Memorials & Inscriptions	Current (£)	Proposed (£)
	(i) Memorial not exceeding 1 metre in height and occupying an area not exceeding 2' x 4'	106.00	109.00
	(ii) Memorial larger than specifications in (i)	224.00	230.00
	(iii) For each additional inscription after the first	81.00	83.00

Please note: Permits will only be approved in accordance with the Cemetery Regulations.

		Current (£)	Proposed (£)
Section 4:	Memorial Garden		
	(i) Memorial tablet and vase block (to include plaque, inscription, 20 year lease and scattering of ashes if required) (Currently not available)	492.00	504.00
	(ii) Double Underground Vault, Memorial Tablet and Vase Block. (To include plaque, inscription, 20 year lease and interment of up to 2 urns)	928.00	951.00
	(iii) Double Overground Vault, Memorial Tablet and Vase Block (To include plaque, inscription up to 80 letters, 20 year lease and interment of up to 2 urns)	928.00	951.00
	(iv) Additional Tablets	175.00	179.00
	(v) Sanctum Panorama Vault and Memorial Tablet (To include plaque, inscription up to 80 letters, 20 year lease and interment of up to 3 urns) Optional bronze vase container	928.00 29.00	951.00 30.00
	(vi) Photo plaque or design on plaque for Sanctum 2000 Overground Vault or Sanctum Panorama	Individually priced	Individually priced
	(vii) Additional cost for inscriptions for Sanctum 2000 and Panorama over 80 letters	£1.50 per gilded letter	£1.50 per gilded letter
Section 5:	Chapel Area – Memorial Wall		
	(i) Memorial Plaque. (Includes supply and installation of plaque, 20 year lease and scattering of ashes if required)	134.00	137.00
	(ii) Additional Inscription. (Includes new plaque, installation and scattering of ashes, if required)	134.00	137.00
Section 6:	Miscellaneous		
	(i) Use of Chapel	88.00	90.00
	(ii) Transfer of Burial Rights/admin fee	74.00	76.00
	(iii) Entry in Book of Remembrance	At Cost + Admin Fee	At Cost + Admin Fee
	(iv) For up to and including five searches for names by one applicant	46.00	47.00
Notes:	(i) Other services/options may be available and charged on an “at cost” basis plus an administration fee. Please discuss any items with the Cemetery Registrar		
	(ii) A copy of the Cemetery Regulations is available free of charge from the Cemetery Registrar		

- (iii) For the repurchase of burial rights for unused graves by T&MBC the Council will pay:
The current purchase price times the remaining duration of the exclusive right less the Council's administration fee ruling at the time

All charges shown are exempt of VAT

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**SUMMER PLAYScheme
PROPOSED CHARGES 2015**

	Tonbridge & Malling BC Existing Charges 2014 (£)	Tonbridge & Malling BC Proposed Charges 2015 (£)
Standard Weekly Charge		
1 child	38.00	39.00
2 children	76.00	78.00
3 children	76.00	78.00
4 children	76.00	78.00
Leisure Pass Weekly Charge		
1 child	13.00	13.50
2 children	13.00	13.50
3 children	13.00	13.50
4 children	13.00	13.50
Daily Standby Charge		
Standard rate	9.00	9.50
Leisure Pass rate	4.50	4.75
Social Services Referrals	Free *	Free *

* Funded by KCC Social Services.

All charges shown are exempt of VAT

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TONBRIDGE & MALLING BOROUGH COUNCIL

FINANCE, INNOVATION and PROPERTY ADVISORY BOARD

07 January 2015

Report of the Management Team

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 REVIEW OF FEES AND CHARGES 2015/16

This report brings forward for consideration as part of the budget setting process for 2015/16 proposals in respect of those fees and charges that are the responsibility of the Cabinet Member for Finance, Innovation and Property or not reported elsewhere.

1.1 Introduction

1.1.1 The purpose of this report is to set out for 2015/16 the proposals for those fees and charges which fall within the remit of this Board or which have not been reported elsewhere.

1.1.2 The budgetary guidance issued to Chief Officers for the 2015/16 budget cycle, and approved by Cabinet, reiterated the objective to maximise income subject to market conditions, opportunities and comparable charges elsewhere. In bringing forward proposals officers have paid due regard to the guiding principles for the setting of fees and charges previously approved by this Board and endorsed by Cabinet.

1.1.3 The proposals regarding fees and charges outlined in this report are incorporated within the Revenue Estimates to be found elsewhere on this agenda. Any changes required following this meeting will be incorporated before the Estimates are presented to Cabinet on 12 February 2015. The proposals are set out on a service by service basis with the recommendations at the end of each section.

LEGAL SERVICES

1.2 Legal Fees Payable by Third Parties

1.2.1 From time to time the Council's legal fees can be recovered from third parties, for example costs in connection with section 106 agreements. Our level of fees have historically followed the Supreme Court guideline hourly rates, which are currently as follows:

Solicitors with over 8 years post qualification experience including at least 8 years relevant experience	£217
Solicitors and legal executives with over 4 years post qualification experience including at least 4 years relevant experience	£192
Other solicitors and legal executives and fee earners of equivalent experience	£161
Trainee solicitors, paralegals and fee earners of equivalent experience	£118

1.2.2 It is **RECOMMENDED** to Cabinet that the Council's charges follow the rates set out above with effect from 1 April 2015.

1.3 Land Charges

1.3.1 The Local Authorities (England) (Charges for Property Searches) Regulations 2008 enable local authorities to charge for their property search services – charging for access to property records or responding to official search requests.

1.3.2 This is a volatile area of activity where income can fall, or alternatively increase, quickly. The prolongation of the recession, together with the revocation of the personal search fee, has of course had an impact upon our activity, although we are currently experiencing an upturn in the number of searches.

1.3.3 In bringing this report forward market considerations have been taken into account where permissible within the appropriate legislation and we will of course operate a competitive charging policy where we are able to do so. In reality, save for unrefined data fees (which were introduced in 2009), the current charges have not increased since 2008. This reflects the challenging market conditions faced by this service.

1.3.4 Furthermore, the size of the land charges team remains at only 2 FTE staff now and the turnaround time for dealing with official searches is currently 6-7 days. This remains unchanged from last year. Our continued move towards automation of electronic data e.g. all searches are now returned via e-mail, should also see a corresponding reduction in turnaround time.

1.3.5 The following table shows the proposed fees for local land charges searches and enquiries proposed to be effective from 1 April 2015. No changes are proposed to the current fee levels.

	Current Charge £	Proposed Charge £
LLC1 (the Official Certificate of Search and the search of the Land Charges Register).	35	35
Con29 R (the enquiries of Local Authority's form, comprising of a list of questions including matters relating to highways, building control, environmental health and housing).	135 (Residential) 293 (Commercial)	135 (Residential) 293 (Commercial)
Combined LLC1 & Con29R (full search on domestic property)	148	148
Commercial Search	299	299
Standard optional enquiry	15	15
Non-standard optional enquiry	18	18
Expedition charge	49	49
Additional parcel fee	10	10
Cancellation fee	31	31

- 1.3.6 It is **RECOMMENDED** to Cabinet that the proposed scale of fees for local land charges searches and enquiries set out in this report be adopted with effect from 1 April 2015.
- 1.3.7 Members should note that during the next financial year a new form for enquiries of local authority Con29 is likely to be introduced. This may result in a need to change the level of fees due to new information being provided by external bodies such as KCC Highway PROW and Access Service, who provide public rights of way and common land and village green information (for which we have to recover the fees they charge TMBC) or to deal with fees for additional information requirements which may be set. When the new form is finalised any fee changes required will be reported to the Council for approval.

ADMINISTRATIVE SERVICES

1.4 Photocopying Charges

- 1.4.1 A photocopying service is offered for members of the public calling at the council's main offices or requiring copies of Council documents sent by post. The current charges are 10p for each page of the same document or additional copies of the same page plus postage as appropriate.
- 1.4.2 These charges are intended to cover the costs of the photocopy meter charge (including toner), paper and an allowance towards the staff time in looking out documents and postage where appropriate.
- 1.4.3 The level of charge was reduced in 2007/08 after remaining static for a number of years to comply with Freedom of Information requirements. The marginal cost per copy (including paper) is still approximately £0.10 per copy. Comparative charges in neighbouring authorities have been somewhat difficult to ascertain and many appear not to charge for photocopying. However, it is considered appropriate to retain a charge to avoid requests for multiple copies of pages and to cover cases where documents cannot be provided by email. It is therefore suggested that the current charge be maintained.
- 1.4.4 It is **RECOMMENDED** that Cabinet be recommended to retain the current photocopying charges of £0.10 (inclusive of VAT) for each page of the same document or additional copies of the same page plus postage as appropriate.

TONBRIDGE CASTLE

1.5 Tonbridge Castle Gatehouse Charges

- 1.5.1 As Members may be aware, the charges for Tonbridge Castle Gatehouse are reviewed at this time for implementation in the next financial year. This allows the revised prices to be incorporated in tourism marketing material, much of which is published during the winter months.
- 1.5.2 Visitors to the Gatehouse continue to be very positive about the experience and the value for money offered. The schools market has shown growth this year, but it is essential to remain competitive in this market.
- 1.5.3 A feedback form has been introduced for monitoring school groups. To date all elements of the service provided at the Gatehouse have been rated as either "very good" or "excellent".

The current 2014/15 charges for a number of neighbouring attractions, along with the current charges for Tonbridge Castle Gatehouse are shown at **[Annex 1]**. Members will be aware that when reviewing charges, the general approach is to consider not only the prevailing inflation figures, but also to take account of

competitor charges and local market conditions. The following table shows the proposed charges:

	Existing Charge 2014/15 (£)	Proposed Charge 2015/16 (£)
Adult	7.70	8.00
Concessions (Jun/OAP/Student/Leisure Pass)	4.40	4.70
Family ticket	21.00	22.00
Education Facilities (1 teacher free per 10 children. For special needs groups, carers admitted free as required)	65.00	65.00
Season ticket (adult)	20.00	20.00
Season ticket (concession)	15.00	15.00

1.5.4 It is estimated that the proposed increases will provide approximately £1,800 of additional income.

1.5.5 It is, therefore, **RECOMMENDED** to Cabinet that:

- 1) the proposed charges for Tonbridge Castle Gatehouse as outlined above be agreed for implementation from 1 April 2015; and
- 2) these charges be reflected in the appropriate tourism marketing material.

1.6 Tonbridge Castle Hire Charges

1.6.1 The Council Chamber is used for a number of purposes, including Member and Officer meetings, weddings, private hire and concessionary use by a number of local organisations.

1.6.2 Several years ago a minimal charge was introduced for concessionary users. It is recognised that this concessionary charge is greatly valued by these organisations. It is proposed that a concessionary user charge be retained to reflect ongoing support for local organisations.

1.6.3 The list of concessionary users was agreed by Cabinet on 4 February 2014 (D140011CAB) and some amendments are proposed as shown in bold [see **Annex 2**]. Concessionary use is subject to a number of restrictions as shown in **[Annex 3]**.

1.6.4 The Director of Central Services has brought forward proposed charges for all users of the Chamber, which are set out at **[Annex 4]**. Annual income from the hire of the Chamber is approximately £2500, and it is estimated that the proposed charges will generate additional income of £80.

1.7 Tonbridge Castle Wedding Charges

- 1.7.1 Current wedding charges were agreed by Cabinet on 4 February 2014 (Decision D140011CAB). Members agreed a charge of £735 for weddings in the Chamber and £1100 for weddings in the Gatehouse for 2014/15. Charges of £770 and £1150 respectively were also agreed for 2015/16
- 1.7.2 The current charges at a number of premises licensed for Civil Marriages are shown in [Annex 5]
- 1.7.3 Weddings are often booked more than one year in advance and applications are now being received for 2016/17. It is, therefore, necessary to consider a charge for implementation from 1 April 2016, as Members have already agreed the charges for 2015/16. The Director of Central Services has proposed an increase of around 4% for the following charges in 2016/17, which will generate additional net income of approximately £800:

	Current Charge 2014/15 (£)	Agreed Charge 2015/16 (£)	Proposed Charge 2016/17 (£)
Weddings			
• Chamber	735	770	800
• Gatehouse	1100	1150	1200
Renewal of Vows/Baby Naming			
• Chamber	540	560	560
• Gatehouse	875	900	900

- 1.7.4 NB: Non-returnable deposit - £100
- 1.7.5 To aid Members, all proposed charges are inclusive of VAT where applicable.
- 1.7.6 There is a risk that excessive increases in charges could deter our customers and lead to a fall in overall income. Dialogue with customers and comparison with other attractions has been taken into consideration in bringing these charges forward.
- 1.7.1 It is, therefore, **RECOMMENDED** to Cabinet that:
- 1) the proposed charges for Tonbridge Castle Chamber as set out in Annex 4 be agreed for implementation from 1 April 2015; and
 - 2) the proposed charges for Weddings as outlined in paragraph 1.7.3 above be agreed for implementation from 1 April 2016.

1.8 CAR PARKING

- 1.8.1 A comprehensive review of parking charges was undertaken towards the end of 2013 which resulted in a number of changes which came into effect in April 2014. We have reviewed the level of our current charges against the prevailing picture in

nearby areas and generally against the current economic climate and have come to the general conclusion that no changes are appropriate currently. Moreover, most of the car parks where we currently charge are located in central Tonbridge and in view of KCC's significant enhancement works for Tonbridge High Street programmed for 2015 we consider the next review of parking charges should be undertaken following these works in about 12 months' time.

- 1.8.2 It is **RECOMMENDED** to Cabinet that no changes are made to parking charges this year and that these should be reviewed again in 12 months' time.

1.9 BUILDING CONTROL

- 1.9.1 Our Building Control fee structure was aligned to Sevenoaks in 2012, that alignment has eased the transition to the shared Building Control Partnership, which went live on 1 October 2014.
- 1.9.2 The shared service has resulted in savings in the region of £100,000 across the two Councils. Given the level of saving and the requirement to ensure that the customer pays for the cost of the service delivered, but no more and no less, it is **RECOMMENDED** that the fees are held at the same level as last year for a further 12 months, when they will be reviewed again. It should be noted that the current level of fees remain competitive with the private sector.

ENVIRONMENTAL HEALTH AND STREET SCENE SERVICES

1.10 Condemned Food Certificates

- 1.10.1 This is a service available to food businesses in the borough which properly controls the safe surrender and disposal of food deemed by environmental health staff as unfit for human consumption. The service continues to reflect legislative requirements for stricter controls and is based on total cost recovery. The proposed charges, as set out below, continue to reflect this approach and to reflect the Council's Budget Strategy.
- 1.10.2 Recent years have seen a significant decline in the number of certificates requested. The lower income rate is reflected in the revised and estimated revenue budgets.

Service	Current Charge	Recommended Charge 15/16	Income Full Year
For each Condemned Food Certificate issued	£135 for first hour plus £135 for each additional hour plus VAT	£138 for first hour plus £138 for each additional hour plus VAT	£138

The proposed total charge of £138 + VAT is within the range of those Kent authorities that provided information. Dartford & Sevenoaks Environmental Health Partnership charge £165 + VAT minimum charge for up to 2 hours and £65 for

every hour or part thereof. Gravesham charge £100 plus £25 per hour for every hour or part thereof. Maidstone charge £73.50 plus officer time at £78.75 per hour.

1.11 Exported Food Certificates

- 1.11.1 This is a service provided by the Council for a food exporter who exports food outside the European Union. In this instance, authorising officers of the Borough Council certify that the food products being exported have been manufactured and held under hygienic conditions in accordance with the requirements of Regulation (EC) 852/2004 and The Food Safety & Hygiene (England) Regulations 2013. The premises are subject to regular inspection by Food and Safety Officers.
- 1.11.2 The proposed charges, as set out below, continue to reflect this approach and to reflect the Council's Budget Strategy. As with condemned food certificates this service reflects legislative requirements and is based on total cost recovery.
- 1.11.3 The number of certificates required has remained high for several years and it is anticipated this higher level will be maintained.

Service	Current Charge	Recommended Charge 15/16	Income Full Year
For each Exported Food Certificate issued	£135 plus VAT per certificate	£138 plus VAT per certificate.	£1900

- 1.11.4 The proposed total charge of £138 + VAT is within the range of those Kent authorities that provided information. Dartford & Sevenoaks Environmental Health Partnership charge are not currently charging for these as they only have 2 or 3 requests per year. Maidstone charge 121.80 + VAT. Gravesham Borough Council have not been required to issue any for a number of years but would charge as per Condemned Food Certificates.

1.12 Contaminated Land

- 1.12.1 The Environmental Protection Act 1990 Part 2A requires local authorities to implement a system for the identification and remediation of land where contamination is causing a risk to human health or the wider environment because of historic or current uses.
- 1.12.2 The Environmental Protection Team provides a contaminated land information service or assessment of risk for which it currently makes a charge of £50 per hour in responding to these requests for information
- 1.12.3 Guidance from the Information Commissioner advises that local authorities can make a reasonable charge. We have assumed that a reasonable charge includes the hourly rate of the officer responsible for providing information, on-costs and an administration charge.

- 1.12.4 The fee has been derived based upon comparison with other Kent local authorities. Sevenoaks charge £50, Tunbridge Wells £150, Maidstone BC charge £63; Medway a one off charge of £150. Thanet DC, Swale BC and Gravesham BC currently charge between £36 and £75 per hour. There is no maximum fee under the legislation.
- 1.12.5 The revised income estimates for this year and next have risen from £1,000 to £2,500 (based on the current year) and it is assumed the number of requests for information will remain high.

The officer in charge of providing this information is in a shared post arrangement with Gravesham Borough Council. We propose to maintain the charge at £50 per hour in responding to these requests for information.

Service	Current Charge	Recommended Charge	Income Full Year
Responding to requests for information relating to contaminated land	£50 per hour (1 hour minimum charge)	£50 per hour (1 hour minimum charge)	£2,500

1.13 Private Water Supplies

- 1.13.1 The Private Water Supplies Regulations 2009 introduced a statutory and more onerous regime for the risk assessment and sampling of private water supplies.
- 1.13.2 In a report to the Local Environmental Management Advisory Board on 28 February, 2011 it was agreed to introduce a charge to recover the cost of officers' time. In addition, owners of private water supplies and private distribution networks will be charged for the cost of sample analysis.
- 1.13.3 We have reviewed the cost of providing this service and propose to maintain the charge at £45 per hour, plus the cost of sample analysis.
- 1.13.4 The fee has been derived based upon comparison with other Kent local authorities. Maidstone BC £105 one off Tunbridge Wells BC (£40 per hour), Sevenoaks DC (£35 per hour), Medway (£41.50), Dartford (NA) and Gravesham BC currently charge between £35 and £60 per hour. These charges are subject to a maximum limit which is set out under the Private Water Supplies (PWS) Regulations 2009.
- 1.13.5 As each private water supply is very different, the officer time for each visit/ risk assessment is difficult to quantify. The projected income for the year is based upon the officer's projected workload for the year.

Service	Current Charge	Recommended Charge	Income Full Year
Carrying out sampling and risk assessment of private water supplies	£45 per hour (1 hour minimum charge) plus VAT	£45 per hour (1 hour minimum charge) plus VAT	£1,550

1.14 Stray Dog Redemption Fees

1.14.1 The Environmental Protection Act 1990 prescribes that a person claiming to be the owner of a dog seized as a stray by the Council shall not be entitled to the return of the dog unless all the expenses incurred by reason of its detention, and such further amount as is for the time being prescribed, are met. The Environmental Protection (Stray Dogs) Regulations 1992 set down a prescribed redemption fee of £25 and provides for local authorities to recover their other reasonable expenses, in addition to any other expenses incurred, such as kennelling costs.

1.14.2 Where a dog is taken to kennels we charge the owner for the other reasonable expenses, associated with the costs of providing our Dog Warden contract and admin costs. This is presently set at £53. The total fee charged by the Council is £78. We recommend that the administration fee be increased this year to £54 with no formal waiver or discount, but we will continue to exercise discretion to allow payment by instalments. The proposed total charge of £79 is still within the range of those of neighbouring councils as below.

Maidstone B.C.	Sevenoaks D.C.	Tun. Wells B.C.	Dartford B.C
£60 including statutory fee. Not including Kennelling fees.	£80 including statutory fee. Not including Kennelling fees.	£55 including statutory fee. Not including Kennelling fees.	£55 including statutory fee. Not including Kennelling fees.

1.14.3 This year has seen a significant increase in the number of stray dogs reported and collected out of hours. The increased cost to our contractor Ward Security is offset by the increased income.

1.14.4 At present, where the Dog Warden returns a stray dog to the owner without the need for kennelling, a charge is made at the prescribed fee of £25. This rate was introduced, after agreement by the Local Environmental Management Advisory Board, in July 2009. We do not propose increasing this fee as the low fee encourages owners to identify their dog by microchipping their pet.

Service	Current Charge	Recommended Charge	Income Full Year
Stray Dog Redemption Fee - Return Direct to owner	£25 (Statutory fee)	£25 (Statutory fee)	£1500
Stray Dog Redemption Fee - Kennelling required	£78 plus detention (kennelling) expenses Includes statutory fee.	£79 plus detention (kennelling) expenses. Includes statutory fee.	£7600

1.15 Household Bulky Refuse Collection Service

1.15.1 This service provides for the collection of up to six items of household waste which will not otherwise fit within the wheeled bin. The current charge is £47. The contractor charges the Council for each collection. The Council may then pass on our costs to the householder including our handling costs.

1.15.2 The Council's policy is to waive recharge of the costs where the person requesting the service is in receipt of Council tax reduction benefit. In order to encourage residents to look at more sustainable disposal options the free service is limited to one every three months.

1.15.3 We have reviewed the administration costs and feel that from April 2015, a charge of £48.20 should apply for each service request which allows for the collection of up to six items.

Service	Current Charge	Recommended Charge	Income Full Year
Household Bulky Refuse Collection	£47	£48.20	£41,750

1.15.4 The proposed total charge of £48.20 for six items is within the range of those of neighbouring councils who tend to charge per item:

Maidstone B.C.	Sevenoaks D.C.	Tun. Wells B.C.
1-4 Items : £22.50 5-8 Items- £32.50. No concessions.	£17 per item No Concessions	£30 per item. Concessions at one item per month.

1.15.5 This service does not include fridge and freezer collections which are free of charge to all residents due to the potential damage from CFCs.

1.16 Refuse collection

- 1.16.1 On occasion the waste services team receive requests from customers to empty wheeled bins where the customer has not placed the bin out for collection. In general, where it is the resident's fault the contractor is not obliged to return. On these occasions the team are often asked by the customer if they can pay for a collection.
- 1.16.2 We propose introducing a collection charge of £15 to cover these circumstances. This charge covers the contractor cost, £13.41 rising by RPI annually and a small administration fee.
- 1.16.3 We propose that this service is introduced for a trial period of 6 months starting February 2015. We will then review and report back to the Local Environmental Management Advisory Board following the trial.
- 1.16.4 Cabinet is **RECOMMENDED** to:
- 1) approve the scale of charges for condemned food certificates, exported food certificates, contaminated land monitoring, sampling private water supplies, stray dog redemption fees, household bulky refuse collection with effect from 1 April 2015 as detailed in the above report; and
 - 2) approve the introduction of a charge for emptying wheeled bins, where the contractor is not at fault and the customer requests paying for the service, with effect from 1 February 2015 for a trial period of 6 months.

STREET NAMING & NUMBERING SERVICES

1.17 Street Naming & Numbering - Introduction

- 1.17.1 The requirement to provide a Street Naming & Numbering service is derived from the Towns Improvement Clauses act 1847, the Public Health Acts Amendment Act 1907 and the County of Kent Act 1981. The TMBC Street Naming & Numbering Policy sets out the framework under which the service is delivered in this authority.
- 1.17.2 IT Services GIS section have been responsible for delivery of this service for just over a year. During this time the actual cost of service delivery has been calculated by recording staff processing time, software costs and postage costs.
- 1.17.3 In line with the previous fee schedule the following priorities have been accounted for in the latest review:

- There should be no overall reduction of income to the Council through the SNN function;
- The cost of SNN to the Council should, where possible, be recovered through fees and charges (noting that this is not always possible, and not always desirable);
- Ensure there are no 'perverse incentives' to apply for alternative naming schemes to minimise costs;
- Ensure there is clarity in the fee schedule to avoid confusion and the need for officer discretion in charging fees.; and
- Where workloads are sufficient to justify such, additional new fees should be considered.

1.17.4 The changes introduced in the fee structure last year continue to address the five principles set out above. For the purposes of this year's review I have concentrated on principles 1 and 2 ensuring that the cost of SNN to the Council is recovered where possible through fees and charges.

1.18 Proposed Fee scale for Street Naming and Numbering

1.18.1 A development is considered to be separate if they are received on separate applications and/or they do not share a common road which is also being named for the first time as part of the application.

1.18.2 Individual flats are considered as individual plots.

1.18.3 New Properties

Up to three in-fill properties on an existing street	Current Fee 2014/15	Proposed Fee 2015/16
Addressing one new in-fill property	£169	£175
Addressing two to three in-fill properties	£87 per property	£90
Where four or more properties are to be named or numbered, the fee for new developments (below) will be levied.		

Four or more in-fill properties on an existing street, or new properties on a new street		
Fee for naming of a street, other than in relation to new property addressing	£205	£210
Fee for addressing plots, including street naming if Required 1- 4 Units	£205 +£31 per unit	£210 +£35
5 – 10 Units	£205 +£26 per unit	£210 +£30
11 or more units	£410 +£11 per unit	£415 +£15

1.18.4 Existing Properties

Renumbering an existing property	£51	£60
Renaming an existing property, not in a current numbering scheme	£51	£60
Registering the addition or change or an alias to a numbered property	£51	£60
Removing an existing alias from a numbered property	No charge	No charge
Rename an existing street	£1,540	£1,640
Rename a block of flats	£1,540	£1,640
Fee for addressing units (flats) when splitting an existing property	£87 per unit	£90
Fee for addressing a single property when merging separate units	£169	£170

1.18.5 It is **RECOMMENDED** to Cabinet that the above fee Schedule for Street Naming and Numbering be adopted from 1 April 2015.

1.19 Legal Implications

1.19.1 The Council's financial rules require that all fees and charges must be reviewed at least once a year and be reported to Members.

1.20 Financial and Value for Money Considerations

1.20.1 As set out above in relation to individual fees and charges.

1.21 Risk Assessment

1.21.1 As part of the review of fees and charges Chief Officers will consider the risks associated with any proposals.

1.22 Equality Impact Assessment

1.23 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.

1.24 Recommendations

1.24.1 Recommendations are set out at the end of each section.

Background papers:

contact: Adrian Stanfield
Tina Levett

Nil

Mike O'Brien
Jane Heeley
Michael Campbell-Lenaghan
David Partridge

Sharon Shelton
Director of Finance & Transformation on behalf of Management Team

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TONBRIDGE CASTLE GATEHOUSE CHARGES

2014 TOURIST ATTRACTION CHARGES

Venue	Adult (£)	Child (£)	Family (£)
Tonbridge Castle	7.70	4.40	21.00
Lullingstone Castle	7.00	4.00	18.00
Arundel Castle	16.00	9.00	41.00
Hever Castle	15.50	8.70	39.70
Chiddingstone	8.00	4.00	21.50
Penshurst Place	10.00	6.50	28.00
Leeds Castle	19.00	11.00	-
Groombridge Place	9.95	8.45	33.95

Prices may vary as these are set at different times of the year

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Tonbridge Council Chamber
Concessionary Users 2015/16

- Bridge Trust
- Citizens Advice Bureau
- Guide Dogs for the Blind
- Home Start West Kent
- KCC Walking Bus (Kent County playing fields)
- **Lyons Commuters (Tonbridge) To be approved**
- Mencap
- Police
- Platonic Arts
- Relate
- Royal British Legion –Tonbridge Branch
- Slade Residents Association
- Small Businesses Federation
- Tonbridge Adult Education Centre
- Tonbridge Access Group
- Tonbridge Allotments and Garden Association
- Tonbridge Arts Group
- Tonbridge Camera Group
- Tonbridge Civic Society
- Tonbridge Historical Society
- Tonbridge Memorial Gardens
- Tonbridge Model Engineering Society
- Tonbridge Sports Association
- Tonbridge Lions Club
- Tonbridge Town Lands & Richard Mylls Charity
- Voluntary Action within Kent -VAWK
- West Kent Chamber of Commerce & Industries
- West Kent Community Health Forum
- West Kent Victim Support

Proposed changes are highlighted in bold above

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**TONBRIDGE CASTLE COUNCIL CHAMBER
CONCESSIONARY USERS**
Terms & Conditions

Due to the increased number of requests by Concessionary Users to book the Council Chamber certain restrictions have had to be put in place to ensure fair usage for all concerned.

We would ask you to take into account the following restrictions when making your bookings.

- Free use will be limited to two sessions per month between 01 October until 31 March each year (a session being morning or afternoon) or a seven day period in the case of exhibitions.
- Free use will not be available on Friday evenings as this time may be required to set up and rehearse for weddings the following day.
- Free use is limited to 5pm, after which caretaking costs become payable.
- Concessionary bookings will not be accepted more than 12 months in advance.
- A charge will be made for cleaning in the event of food being consumed.
- One Parking Permit only will be issued to the hirer.

NB – If charges are agreed for concessionary use, the above will be amended to refer to “concessionary charge” rather than “free use”

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TONBRIDGE CASTLE COUNCIL CHAMBER**PROPOSED CHARGES 2015/16**

Hire Charge	Current 2014/15 (£)	Proposed 2015/16 (£)	Current Concessionary Rate 2014/15 (£)	Proposed Concessionary Rate 2015/16 (£)
First 3 hours	95.00	95.00	23.00	24.00
Plus each additional hour or part	40.00	40.00	8.00	8.00
Caretaking per hour	30.00	30.00	16.00	16.00
Cleaning charge ^{*(1)}	45.00	45.00	35.00	35.00
Daily rate	200.00	200.00	38.00	38.00
Weekly rate	895.00	895.00	95.00	95.00
Drinks machine	99p per cup	99p per cup	99p per cup	99p per cup

^{*(1)} Cleaning charge only applies to users where food is eaten.

All charges shown are inclusive of VAT where applicable.

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TONBRIDGE CASTLE WEDDING CHARGES 2014/15
COMPARISON WITH OTHERS

VENUE	PRICE (£)
Tonbridge Castle Chamber	735
Tonbridge Castle Gatehouse	1,100
Boughton Monchelsea Place	1200
Registrar's Office (Standard Charge) Tonbridge Wells (for 50 people)	667
Hever Castle (Astor Room)	2250
Chiddingstone Castle	2,950
Penshurst Place (Monday-Friday only)	2,394

All charges shown are inclusive of VAT.

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TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

03 February 2015

Report of the Chief Executive

Part 1- Public

Executive Non Key Decisions

1 RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE – REVIEW OF CAPITAL RENEWALS PROVISIONS

To endorse the recommendations arising from the review.

1.1 Background

1.1.1 The Overview and Scrutiny Committee has undertaken a review of Capital Renewals Provisions. The recommendations of the review group established to undertake the review are set out below. The Overview and Scrutiny Committee is due to meet on 27 January 2015 to formally consider and agree these recommendations. If there are any amendments made to these recommendations, a supplementary report will be tabled at the meeting.

1.2 Review Recommendations

1.2.1 The review group has recommended the following:

Members are invited to recommend that Cabinet replace the existing capital renewals budget provisions with those summarised in Annex 1.

1.3 Legal Implications

1.3.1 None

1.4 Financial and Value for Money Considerations

1.4.1 As dealt with by the review.

1.5 Risk Assessment

1.5.1 As dealt with by the review.

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 Recommendations

- 1.7.1 That the recommendations of the Overview and Scrutiny Committee regarding the review of Capital Renewals Provisions **BE ENDORSED** for consideration as part of the Budget report.

Background papers:

contact: Gill Fox

Nil

Julie Beilby
Chief Executive

CAPITAL PLAN REVIEW 2014/15

Capital Plan (List A) Summary - As presented to FIPAB 7 January 2015 adjusted for the results of the Overview and Scrutiny Review of capital renewals

	Expenditure To 31/03/14	2014/15 Estimate inc Prior Year Slippage	2015/16 Estimate	2016/17 Estimate	2017/18 Estimate	2018/19 Estimate	2019/20 Estimate	2020/21 Estimate
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Capital Plan Schemes								
Service								
Planning, Housing & Environmental Health	635	603	505	965	265	265	265	265
Street Scene & Leisure	543	548	102	112	112	127	112	112
Corporate	71	64	30	90	30	30	30	30
Sub-total	1,249	1,215	637	1,167	407	422	407	407
Capital Renewals - Updated for Scrutiny Review savings								
Service								
Planning, Housing & Environmental Health	n/a	20	10	165	38	11	26	46
Street Scene & Leisure	n/a	329	471	288	521	290	334	415
Corporate	n/a	462	287	271	365	337	266	288
Sub-total	n/a	811	768	724	924	638	626	749
Grand Total	1,249	2,026	1,405	1,891	1,331	1,060	1,033	1,156

Annex 1

s

Total Scheme Estimate
£'000
3,768 1,768 375
5,911
316 2,648 2,276
5,240
11,151

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

03 February 2015

Report of the Chief Executive

Part 1- Public

Executive Non Key Decisions

1 RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE – REVIEW OF THE ACTIONS UNDERTAKEN TO RETURN EMPTY HOMES TO ACTIVE USE

To endorse the recommendations arising from this review.

1.1 Background

1.1.1 The Overview and Scrutiny Committee has undertaken a review of the actions undertaken to return empty homes to active use. The recommendations of the review group are set out below. The Overview and Scrutiny Committee is due to meet on 27 January 2015 to formally consider and agree these recommendations. If there are any amendments made to these recommendations, a supplementary report will be tabled at the Cabinet meeting.

1.2 Review Recommendations

1.2.1 The review group has recommended the following:

(a) That the Housing Service takes the corporate lead for Empty Homes

(b) A corporate working group be established to tackle the issue of Empty Homes

(c) Raising public awareness of Empty Homes through a variety of communication medium and simplifying the process of reporting Empty Homes.

1.3 Legal Implications

1.3.1 As dealt with by the review.

1.4 Financial and Value for Money Considerations

1.4.1 As dealt with by the review.

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 Recommendations

- 1.7.1 That the recommendations of Overview and Scrutiny Committee regarding the Review of Actions Undertaken to Return Empty Homes to Active Use **BE ENDORSED.**

Background papers:

contact: Gill Fox

Nil

Julie Beilby
Chief Executive

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

03 February 2015

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Executive Non Key Decisions

1 THE AIRPORTS COMMISSION – RESPONSE TO THE PUBLIC CONSULTATION ON THE SHORTLISTED OPTIONS FOR ADDITIONAL RUNWAY CAPACITY (NOVEMBER 2014)

Summary: This report seeks endorsement for a response to the recent consultation by the Airports Commission into additional runway capacity in the UK.

1.1 Introduction

1.1.1 The Airports Commission consultation was launched in November 2014 and seeks comments on three shortlisted options for additional runway capacity, two at Heathrow and one at Gatwick.

1.1.2 The Planning and Transportation Advisory Board considered a brief report summarising the options at its meeting on 18th November. A copy of the report including the summaries can be found at Appendix 1 to this report. The Board noted that a full response to the Commission's consultation, including addressing the specific questions was to be compiled taking into account other views that may be expressed locally. The response returned to the Commission in advance of the deadline, which is today (3rd February) can be found at Appendix 2. This response has been prepared in consultation with the Leader of the Council and Cabinet Member for Planning and Transport and is reported to Cabinet for ratification.

1.2 An Assessment of the Costs and Benefits of the Three Options

1.2.1 The purpose of the Airports Commission is to make recommendations to the Government in the summer of 2015 over future airport capacity in the UK to maintain and enhance its position as a global destination and international hub.

1.2.2 All three shortlisted options would deliver a new runway and terminals, to increase capacity for flights and passengers sufficiently to meet expected demand by 2030. Each option includes estimates for economic benefits as a result of the investment, although the Commission has reviewed these and suggested a more

conservative impact is more likely in all three cases. The land take needed for the new runways and the anticipated environmental impacts from increased flights also needs to be taken into consideration.

1.2.3 Table 1 below represents a simple comparison of some of the main costs and benefits, excluding noise.

Table 1

Option	Cost*	Land take	Green belt losses	Wider economic benefits	New jobs /homes needed for workforce by 2030
Gatwick	£9.3bn (£7.4bn)	624Ha plus 78 Ha for surface access	9 Ha	£42-127bn	500-23,600/ 18,400
Heathrow (North)	£13.5bn (£10.1bn)	724Ha plus 330Ha for surface access and 60Ha for flood storage	238Ha	£101-214bn	47,400 – 96,200/ 60,600
Heathrow (North West)	£18.6bn (£14.8bn)	569Ha plus 294Ha for surface access and 43Ha for flood storage	431Ha	£112-211bn	47,400-112,400/ 70,800

* The estimated financial cost as adjusted by the Airports Commission (For information, the bidder's estimate is shown in the brackets)

1.2.4 In terms of this simple comparison therefore, the Gatwick option is the lowest cost in financial terms requiring less land take and loss of green belt, however it only generates approximately half of the wider economic benefits and considerably fewer new jobs than either of the two Heathrow options.

1.2.5 The most optimistic cost to benefit ratio (dividing the upper end of the wider economic benefits by the financial cost) sees the Gatwick option in second place behind the Heathrow North option (13.7 compared to 15.9). The Heathrow North-West option has a relatively low ratio of 11.3.

1.2.6 All of the options will have significant additional impacts on the numbers of people affected by aircraft noise. The Commission notes that the additional runway at Gatwick could lead to a doubling or even trebling of affected populations. Although these numbers are less than those at Heathrow, the Commission recognises that the areas and settlements around Gatwick are predominantly rural in nature and

therefore the impacts on tranquillity in these areas will be significantly more noticeable.

- 1.2.7 To illustrate this point, changes to flying patterns during 2014 generated a significant number of complaints from residents affected, including some from west Kent and the southern part of the borough. In a recent public consultation meeting arranged by the Airports Commission, Stuart Wingate, the CEO of Gatwick Airport Ltd noted:
- 'From February to August of this year, the airport ran an airspace trial that was called ADNID. This involved the use of precision-based navigation for departing aircraft flying over communities that had not previously been directly overflown. This resulted in the airport receiving over 9,000 complaints from some 500 concerned residents over a six-month period. The number of complaints per resident reflects the strength of feeling these individuals were experiencing. To put this into context, it is worth noting that we would typically expect to receive only 3-4,000 complaints over an entire year for the entire airport area. The ADNID trial finished in August. I am pleased to say that we have no immediate plans to pursue a course of action to introduce this route on a permanent basis.'
- 1.2.8 Notwithstanding the ADNID trial the number of flights between 2013 and 2014 also increased. In July for example the number of air movements recorded at Gatwick was 743 higher than in 2013 (a total of 25,406 movements for the month). Kent County Council has estimated that this equates to an average increase in the number of hourly arrivals over west Kent from 8 per hour in 2013 to 12 per hour in 2014.
- 1.2.9 During the same event Mr Wingate also explained that should the second runway be built at Gatwick this would significantly affect approximately 18,200 residents, who had not been previously affected. Other speakers, including Kent County Council's David Brazier and representatives from Gatwick Area Conservation Campaign (GACC) and the High Weald Councils Aviation Action Group also emphasised the impact of noise. This was in respect of current operations, particularly the number of night flights permitted at Gatwick (these limits are set by the Department for Transport and are reviewed every five years, but currently more flights are permissible at Gatwick than at Heathrow) and also with regard to the potential future disruption arising from a second runway.
- 1.2.10 Both of the Heathrow options will also lead to increases in those affected by noise, although the North West option could result in a decrease in night noise due to the availability of late evening and early morning arrivals being able to land to the west of the current runways.
- 1.2.11 Based on the above, Heathrow North offers the greatest potential economic benefits. The Heathrow North West option would appear to be the most expensive, with the highest impact and offering comparatively fewer benefits. All of the options will have a significant adverse impact on the numbers of residents

and properties affected by noise. Although the absolute numbers of those affected by increased noise levels are higher in the case of Heathrow, the impact on more tranquil areas associated with the Gatwick proposals represent more of a fundamental impact for those experiencing them bearing in mind the starting point or bench mark is at a much lower level overall, by comparison. Additionally, the impact on very rural tranquil areas of special significance such as Areas of Outstanding Natural Beauty and important historic and heritage assets is greater for similar reasons.

1.2.12 It is perhaps worth pausing at this point to consider whether expansion at either of the two locations is better from a national perspective.

1.2.13 One of the main drivers for increasing capacity is to maintain the UK's pivotal position as a global destination and international hub for connecting flights to other parts of the world. The CBI in making their comments to the Commission have made it very clear that from a business perspective the Commission's recommendation to Government should:

'Set out clearly the type of capacity required to maximise the UK's connections with the rest of the world. The CBI recommends hub capacity at a single location as the best way of boosting connectivity with new markets.'

1.2.14 Currently Gatwick specialises in point to point destinations, with a significant low cost element, while Heathrow is the UK's established international hub airport. Non-hub airports tend to generate passengers and freight from a local or regional catchment area, while hub airports attract passengers from a much wider national or international catchment. This means that hub airports are more cost effective for establishing new routes to emerging markets because they are more likely to attract sufficient passengers to make the route profitable. For example, airports in Paris, Amsterdam and Frankfurt offering flights to Manila, Chile and Bogota respectively, nearly 80% of passengers using these services are transfers making these marginal routes profitable. The key to attracting new routes is having spare capacity for transfer flights.

1.2.15 Heathrow is currently near to capacity and therefore is constrained when it comes to competing for new routes. Consequently it is likely to be losing out to European competitors. The CBI believe that new hub airport capacity is key to opening up new trade routes to emerging markets in the far east and south America and argue that one new daily route to an emerging market can generate £128m of growth to the economy per year.

1.2.16 The CBI asked businesses whether they were satisfied with air connectivity to established and emerging markets and interestingly, while over 80% were satisfied with connectivity to the established markets in US and Europe, less than half felt the same about connections to destinations such as China and Brazil.

1.2.17 The UK share of new EU flights to emerging markets over the last 20 years shows that we have been losing out to our competitors (for example, for new flights to

China – only 14% of new routes originating in Europe over the last 20 years were based in the UK. For Brazil it was 17% and Russia only 8%).

- 1.2.18 The business sector represented by the CBI seem, therefore seem to be supporting Heathrow as an option because of its hub status and current lack of capacity. While expansion at Gatwick could potentially lead to more long haul flights and provide competition in the London airport system it could lead to a less dominant hub airport in the UK by diluting the current and potential role and function of Heathrow. The Airports Commission report also suggests that new long haul flights at Gatwick would most likely come from the low-cost sector rather than from major airlines relocating from Heathrow.
- 1.2.19 From a national and business sector perspective the clearly favoured option would appear to be Heathrow over Gatwick and, based on Table 1 above, Heathrow North rather than North-West.
- 1.2.20 From a local perspective clearly there are more potential costs and benefits on residents and businesses in the Borough connected to any expansion at Gatwick than the other two options at Heathrow. The main approach to Gatwick is from the east meaning arriving flights tend to be quite low (around 4,000 feet) and descending over west Kent (occasionally this is reversed if the wind direction is from the east). Expanding capacity at Gatwick will inevitably increase the number of flights and the disturbance they bring to those under the flight paths.
- 1.2.21 These impacts can be managed to some degree, for example, by ensuring that flight paths are regularly rotated to offer periods of respite to those affected or by placing restrictions on night flights, but the increase in the number of flights will ultimately and inevitably mean more disturbances affecting more people and businesses over a wider area, including the impact on the rural tranquillity which is characteristic of much of the sub-region.
- 1.2.22 The key consideration locally is, therefore, whether any economic benefits generated by the expansion of Gatwick outweigh the harm.
- 1.2.23 In July of 2013 Gatwick Airport Ltd prepared an initial analysis of the potential economic and housing growth associated with a second runway to support their submission to the Airports Commission. It identified a study area comprising the 14 Local Authorities, which had at least 1% of the 2012 workforce based at Gatwick. This study area included 80% of the total workforce (about 21,000) and extended as far east as Tandridge and Wealden, but excluded Sevenoaks, Tunbridge Wells and Tonbridge and Malling. Nearly 32% of the workforce live in Crawley where the airport is based.
- 1.2.24 Assuming these figures are correct, this means that between 0 and 210 employees working at Gatwick *may* be based in Tonbridge and Malling. The drive time to the airport from Tonbridge is approximately 40 minutes assuming no hold ups on the M25/M23 and by train it takes 54 minutes with a change at Redhill (the service is hourly). There are currently no plans to improve rail services from Kent

to Gatwick. If the Gatwick workforce is doubled by 2030 as a result of an extra runway and the theoretical maximum number of workers living in the borough and directly employed at the airport were to double this could potentially mean up to 210 extra jobs.

- 1.2.25 This does not take into consideration employees living and working for businesses based in the borough that exist because of the airport. Existing or new businesses could benefit from the estimated £42 - £127bn wider economic benefits associated with expansion, but like the assumptions made about future employees it is likely that most of this will be located in the local authorities nearest to the airport.
- 1.2.26 Therefore it is unlikely that the economic benefits will outweigh the environmental impacts on those parts of west Kent affected by the flight paths, including Tonbridge & Malling.
- 1.2.27 In terms of ground based transport investment the majority of the planned improvements to serve the Gatwick option are, in fact, projects that are already in hand or proposed. There is some doubt that the forecast increased movement that would accompany expansion at Gatwick could be readily managed with that level of investment, bearing in mind the current pressure on the strategic road and rail routes serving the existing airports.
- 1.2.28 Kent County Council has objected to the Gatwick proposal based on the environmental impacts associated with increased flights over parts of the County and current unresolved issues relating to night flights. KCC has also pointed to the fact that any compensatory economic growth benefits arising will be negligible for Kent Authorities. This formed the subject of a Cabinet report on the 18th December.
- 1.2.29 There have been other objections to Gatwick along similar lines to those of KCC, for example from the Gatwick Area Conservation Campaign (GACC) and the High Weald Councils Aviation Action Group. However, there have also been expressions of support for expansion at Gatwick, from some businesses and local authorities with workforces that rely on the airport.

1.3 Conclusions

- 1.3.1 All three of the shortlisted options for additional runways have the essential potential to deliver the extra capacity that the UK needs by 2030. All will have significant environmental impacts as a result of the extra flights and the surface transport movements and they all have the potential for considerable economic benefits.
- 1.3.2 The Gatwick option would in my view have the most measurably greatest environmental impacts in terms of noise and disturbance than the Heathrow options. Although the number of people affected might be less the impacts will be significantly more detrimental due to current baseline of the noise background and

the widespread tranquil nature of much of the areas affected. In addition the potential economic benefits are also significantly less than other options and relatively modest for west Kent and this Borough. Significantly, the aviation and business communities appear to have a preference for expanding Heathrow in its role as an international hub airport.

- 1.3.3 Therefore in the spirit of this national consultation on future airport capacity in the UK the Heathrow options would appear to offer the greatest benefits to the national economy balanced against the additional environmental impacts. Based on the simple cost to benefit ratio using the information in Table 1, the Heathrow North options seems to offer the greatest return.
- 1.3.4 At a local level it is not immediately obvious how local businesses and residents will benefit significantly from any of the options. There is more potential for access to new jobs and/or business from an expanded Gatwick, but this is marginal and, balanced against the known additional environmental impacts, there is no clear case for supporting Gatwick over Heathrow.
- 1.3.5 For the reasons outlined in this report, the position that I am recommending to Cabinet is that the Borough Council oppose the Gatwick option but importantly lend support to the Heathrow North option as the best overall solution to the matters before the Airports Commission.

1.4 Legal Implications

- 1.4.1 There are no legal implications arising from this report.

1.5 Financial and Value for Money Considerations

- 1.5.1 There are no financial and value for money considerations arising from this report.

1.6 Risk Assessment

- 1.6.1 Not taking the opportunity to respond to the consultation would result in the views of this Council not being taken into consideration by the Airports Commission.

1.7 Equality Impact Assessment

- 1.8 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 Cabinet note and endorse the response found at Appendix 2 which has already been returned to the Airports Commission.

Background papers:

Nil

contact: Ian Bailey/
Steve Humphrey

Steve Humphrey
Director of Planning, Housing and Environmental Health

TONBRIDGE & MALLING BOROUGH COUNCIL
PLANNING and TRANSPORTATION ADVISORY BOARD

18 November 2014

Supplementary Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Information

1 THE AIRPORTS COMMISSION – PUBLIC CONSULTATION ON THE SHORTLISTED OPTIONS FOR ADDITIONAL RUNWAY CAPACITY (NOVEMBER 2014)

Summary: This report briefly summarises the Airports Commission consultation, which was launched on 11th November and runs to 3rd February 2015. At this stage only the headline points are covered and a full response will be prepared by the deadline.

1.1 Background to the Airports Commission and Purpose of this Consultation

1.1.1 The Airports Commission is an independent body established by the Government in November 2012 to review airport capacity in the UK. An interim report was published in December 2013, which included a shortlist of three options for increasing airport capacity in the long term (two at Heathrow, by different proposers and one at Gatwick). This consultation seeks views on the options and the Commission's assessment of them.

1.1.2 The proposal for a new airport in the Thames Estuary was not shortlisted for final evaluation by the Commission and does not form part of this consultation.

1.1.3 The Commission's remit is to examine the scale and timing of any necessary steps to maintain the UK as Europe's most important aviation hub. The preliminary findings are that the UK faces no immediate capacity crisis and the country is currently one of the best connected in the world, with London having the largest origin and destination market. However, problems are beginning to emerge with Heathrow operating close to capacity. London's airport system is likely to be under considerable pressure by 2030 and demand will significantly exceed total available capacity by 2050.

1.1.4 The Commission considered how best to address this and concluded that there was a case for at least one net additional runway in London and the South East by

2030. The consultation document also notes that there may be a demand case for a second additional runway by 2050, but the Commission is not inviting views on this. The Commission will make recommendations to the Government in its final report in the summer of 2015.

1.1.5 The consultation documents explains the Commission's work so far, summarises the three shortlisted options and asks 8 set questions although more general comments are also welcomed.

1.1.6 At section 2.80 it states:

'The Commission is not attempting to set out in these documents which of these impacts is the most important, or matters most to people's lives. Its intention is to provide comparable data and analysis, so that the people reading these documents can make their own judgments.'

1.2 Summary of the Three Options

Gatwick Airport Second Runway

1.2.1 This proposal is for a second runway at Gatwick to the south of the existing. In the space in between there will be a new terminal, main pier and satellite for accessing aircraft. The new terminal will have capacity for 50 million passengers per annum (the combined capacity of the two existing terminals is currently 45mppa).

1.2.2 The land take would be in the region of 624 hectares plus up to 78 hectares for surface access improvements. 168 residential properties and 9 hectares of Green Belt would be affected.

1.2.3 The new runway will allow for Gatwick to accommodate up to 560,000 ATMs (air traffic movements) per year, which is approximately double the current capacity and sufficient to meet the Commission's assessment of need for new capacity to 2030.

1.2.4 The wider economic benefits are estimated to be between £42-127 billion, although the Commission acknowledges that these estimates should be 'interpreted with caution' given the innovative methodology used. At the local and regional level the number of jobs directly and indirectly related to Gatwick's expansion is estimated to be between 500 and 23,600 higher by 2030 compared to the 'do minimum' scenario, rising to between 7,900 and 32,600 in 2050.

1.2.5 The extra jobs will have an impact on future housing need for the 14 Local Authorities nearest to the airport (this does not include Tonbridge and Malling). The upper end of the jobs growth estimates would require up to an additional 18,400 new homes.

- 1.2.6 The new runway will have a significant impact on the numbers of people affected by noise compared with the 'do minimum' scenario, with some metrics indicating a doubling or trebling of affected populations. However, the numbers affected even at the higher end are significantly fewer than those affected by noise at Heathrow. The Commission does recognise however that areas around Gatwick are rural and have higher levels of tranquillity that would be adversely affected.
- 1.2.7 The Commission estimate the cost to be up to £9.3 billion (this is higher than Gatwick Airport Ltd's estimate of £7.4 billion).

Heathrow Extended Northern Runway

- 1.2.8 The first of the two Heathrow options is to extend the existing northern runway to the west, in effect creating two, 3,000m, in-line runways, with a 600m safety zone in between (total length 6,600m). The extended length enables the runway to be used for both departures and arrivals at the same time to increase capacity. This proposal will also incorporate a new terminal building (35-45mppa) located to the west of existing terminals 1-3.
- 1.2.9 The extension would increase the airport's capacity by 220,000 ATMs to 700,000, sufficient to meet the Commission's assessment of need for additional capacity by 2030. Passenger numbers could reach between 126-142 million by 2050, which would be larger than any current airport and compares with plans for Istanbul's new airport, which is being designed to accommodate up to 150 million passengers per year.
- 1.2.10 The land take will be 724 hectares with an additional 330 hectares for surface access improvements and 60 hectares for flood storage areas. 238 hectares of this land will be in the Green Belt. There will also be some losses of commercial and residential property, but no numbers are included in the consultation document. A section of the M25 would have to be diverted and bridged by the new runway.
- 1.2.11 Benefits to the wider economy are estimated to be between £101-214 billion. Jobs forecast are between 47,400-96,200 higher than the 'do minimum' in 2030 and 54,800-92,900 in 2050. The upper end additional housing need to meet the requirements of these extra jobs would be 60,600 homes. The Commission recognises that this 'may present challenges for local authorities' but that these are likely to be achievable.
- 1.2.12 The Commission believes an extended northern runway will lead to a significant growth in the number of people affected by aviation noise compared to the do minimum scenario due to the number of extra flights.
- 1.2.13 The estimated cost is approximately £13.5 billion (Heathrow Hub Ltd's) estimate was £10.1 billion).

1.2.14 Heathrow Airport North West Runway

- 1.2.15 The second Heathrow proposal is for a new full length runway (3,500m) to the north west of the current northern runway. Although this configuration could allow for fully independent mixed mode operations on all runways, a system of alternating runway usage would be maintained. The proposal also includes a new terminal with a capacity for 35 mppa (similar to T5, currently 30 mppa).
- 1.2.16 Land take would be 569 hectares plus 294 hectares for surface access and 43 hectares for flood storage. 431 hectares is designated Green Belt and at least 783 residential properties would be lost.
- 1.2.17 This proposal would increase the airport's capacity to 740,000 ATMs, 260,000 more than current movements, sufficient to meet the Commission's estimated additional need assessment by 2030. Passenger numbers could reach 132-149 million by 2050.
- 1.2.18 Wider benefits to the economy range between £112-211 billion. Total job creation forecast to be 47,400-112,400 higher in 2030 compared with 'do minimum' and 64,100-108,300 higher by 2050. This could require up to 70,800 new homes.
- 1.2.19 The Commission believe that this proposal would lead to a growth in the number of people affected by noise compared to the do minimum. However, there may be a decrease in night noise (between 2300 and 0700) due to the ability of late evening and early morning arrivals to land further to the west.
- 1.2.20 The estimated cost is approximately £18.6 billion (Heathrow Airport Ltd's estimate was £14.8 billion).

1.3 Conclusions

- 1.3.1 All of the shortlisted options will meet the Commission's estimated need for additional capacity for 2030 and all will have significant costs and benefits.
- 1.3.2 Gatwick is the least expensive option at £9.3bn and represents a smaller impact in terms of land take (approx. 700ha) and loss of Green Belt (9ha). However, the wider economic benefits are significantly less than the two Heathrow options (up to £127bn and 32,600 jobs) and there would be a more noticeable noise impact.
- 1.3.3 Of the two Heathrow options, the extended northern runway has a larger land take at nearly 1,100ha, but much less Green Belt would be lost than the new north west runway option (238ha compared to 431ha).
- 1.3.4 The wider economic benefits and job creation are similar (in the region of £200bn and 100,000 jobs in the higher end scenarios). Both are considerably more expensive than Gatwick, with the north western runway topping the scale at £18.6bn.

- 1.3.5 In preparing a response to the Commission we will need to consider in some more detail the cost, impact and benefits of all the options.. In particular the Council will need to have careful regard to the environmental considerations that might impact on the Borough, particularly in connection with the option for a second runway at Gatwick, as well as economic and development impact. We should also consider which option, on balance, represents the best solution for resolving the predicted shortfall in the UK's future airport capacity.
- 1.3.6 It is intended that a response to the Commission's consultation, including addressing the specific questions will be compiled over the coming weeks. That period will also enable some account to be taken of other views that are expressed locally. It is intended that the response is prepared in consultation with the Leader of the Council and Cabinet Member for Planning and Transport and be reported for ratification to the Cabinet meeting on 3rd February, the closing day for the consultation.

1.4 Legal Implications

- 1.4.1 There are no legal implications arising from this report.

1.5 Financial and Value for Money Considerations

- 1.5.1 There are no financial and value for money considerations arising from this report.

1.6 Risk Assessment

- 1.6.1 Failing to respond to the consultation will mean that the Council's comments will not be taken into consideration.

Background papers:

contact: Ian Bailey

Nil

Steve Humphrey
Director of Planning, Housing and Environmental Health

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APPENDIX 2

Tonbridge & Malling Borough Council Response to the Airports Commission Consultation (November 2014)

<p>Questions inviting views and conclusions in respect of the three short-listed options</p>	<p>Q1: What conclusions, if any, do you draw in respect of the three short-listed options? In answering this question please take into account the Commission’s consultation documents and any other information you consider relevant. The options are described in section three.</p> <p>Response: This Council welcomes the Commission’s decision <u>not</u> to shortlist the Estuary Airport option.</p> <p>This Council opposes the option for expanding Gatwick Airport for the reasons set out in the Cabinet report of 3rd February 2015.</p> <p>Of the three shortlisted options the Heathrow (North) option would appear to offer the best solution to meeting future airport capacity in terms of building on the airport’s international hub status; delivering what the business and aviation sectors want; and providing the potential for the greatest benefit to cost ratio.</p>
	<p>Q2: Do you have any suggestions for how the short-listed options could be improved, i.e. their benefits enhanced or negative impacts mitigated? The options and their impacts are summarised in section three.</p> <p>Response: Given the detrimental effects of the environmental impacts associated with airport expansion on the communities affected, taking a considered view on the options has to be fully informed by a detailed assessment of the potential benefits to offset the costs.</p> <p>In the case of the Gatwick option there is little detail of what these benefits might be beyond the 14 nearest local authorities in GAL’s own study area, which does not extend into Kent.</p> <p>The potential for increased disturbance in west Kent due to overflying is well understood, but there is insufficient information on any benefits to make a balanced judgement.</p>
<p>Questions on the Commission’s appraisal and overall approach</p>	<p>Q3: Do you have any comments on how the Commission has carried out its appraisal? The appraisal process is summarised in section two.</p> <p>Response: The methodology adopted by the Commission seems to be sound.</p>

	<p>Q4: In your view, are there any relevant factors that have not been fully addressed by the Commission to date?</p> <p>Response: Now that there are a limited number of options to consider an assessment of the opportunity cost of choosing one option over another would be helpful (i.e. if Heathrow were to be chosen over Gatwick what would be the consequences for Gatwick going forward and visa versa).</p>
<p>Questions inviting comments on specific areas of the Commission's appraisal</p>	<p>Q5: Do you have any comments on how the Commission has carried out its appraisal of specific topics (as defined by the Commission's 16 appraisal modules), including methodology and results?</p> <p>Response: No comment.</p>
	<p>Q6: Do you have any comments on the Commission's sustainability assessments, including methodology and results?</p> <p>Response: No comment</p>
	<p>Q7: Do you have any comments on the Commission's business cases, including methodology and results?</p> <p>Response: No comment</p>
<p>Other comments</p>	<p>Q8: Do you have any other comments?</p> <p>Response: No comment.</p>

TONBRIDGE & MALLING BOROUGH COUNCIL

STRATEGIC HOUSING ADVISORY BOARD

10 November 2014

Joint Report of the Director of Planning, Housing and Environmental Health and Cabinet Member for Housing

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 PRESENTATION- HOUSING ALLOCATIONS SCHEME REVIEW

Summary

This report updates Member on the suggested revisions to the Housing Allocations Scheme and seeks Member endorsement for the way forward.

1.1 Introduction

1.1.1 Members will recall that the Council's Housing Allocations Scheme was reviewed in 2012/13 following the introduction of the Localism Act 2011 and went live in September 2013.

1.1.2 The revised policy has now been in operation for over a year. Whilst it has generally operated satisfactorily, it is timely to now review the scheme to address some of the operational and strategic issues that have emerged since its implementation; to consider recent government guidance; and to reflect changes in the housing market and economy.

1.1.3 The issues and proposed changes will be addressed with Members by way of a presentation at the meeting. Members will be asked to endorse the proposed content and timetable for revisions to the scheme.

1.1.4 A further more detailed report will be tabled at the next meeting of this Board in February 2015.

1.2 Legal Implications

1.2.1 The Council has a legal duty under Part VI of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011) to produce a Housing Allocations Scheme that sets out how affordable housing in the Borough is allocated.

1.2.2 There is some discretion which allows authorities to frame the scheme to meet the needs of their District/Borough, however, emphasis is placed on ensuring that affordable housing goes to the most vulnerable and those most in housing need.

1.3 Financial and Value for Money Considerations

1.3.1 None at this stage.

1.4 Risk Assessment

1.4.1 Failure to properly assess housing need and homelessness would leave the Council open to legal challenge.

1.5 Equality Impact Assessment

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

1.6 Policy Considerations

1.6.1 The Housing Allocation Scheme touches upon a number of key corporate priorities including Housing, Health and Wellbeing, Community Safety and Children and Young People.

1.7 Recommendations

1.7.1 **CABINET** is **RECOMMENDED** to **ENDORSE** the proposed content and timetable for revisions to the Housing Allocations Scheme that is presented to Members at the meeting.

Background papers:

contact: Satnam Kaur

Nil

Steve Humphrey
Director of Planning, Housing and
Environmental Health

Councillor Jill Anderson
Cabinet Member for Housing

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	There is no change to the current policy at this time. A more detailed impact assessment will be required prior to drafting the revised policy and going out to public consultation.

Screening for equality impacts:		
Question	Answer	Explanation of impacts
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	There is no change to the current policy at this time. A more detailed impact assessment will be required prior to drafting the revised policy and going out to public consultation. .
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		A more detailed impact assessment will be required prior to drafting the revised policy and going out to public consultation..

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

18 November 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 LOCAL PLAN UPDATE

Summary: To update Members on progress on the Local Plan and seek approval for the revised timetable.

1.1 Introduction

- 1.1.1 Good progress on the evidence base for the Local Plan has continued over the period since the last update at the June meeting of this Board, particularly in respect of the update of the Strategic Housing Market Assessment (SHMA) and the Strategic Housing Land Availability Assessment (SHLAA), which will be explained in more detail below.
- 1.1.2 There have also been area-based briefings on the Local Plan, which have sought to update Members in terms of progress and process and also the implications for the timetable of ongoing planning reforms and outstanding pieces of evidence.
- 1.1.3 This report summarises the latest position in terms of timescales and next steps. Another report on this agenda will seek approval for two statutory parts of the emerging Local Plan, the Statement of Community Involvement (SCI) and the scoping report for the Sustainability Appraisal (SA).

1.2 Local Plan Evidence Base

- 1.2.1 SHMA Addendum
- 1.2.2 At the time of the last update Members were advised that in order to ensure the SHMA, (the key piece of evidence which assesses the objectively assessed needs for housing for the plan period) is up to date and relevant, an addendum should be prepared in the light of the Government's revised Sub-National Population Projections published in May.
- 1.2.3 Members were also advised that an opportunity would be taken to assess the needs for institutional accommodation (Class C2 in the Use Classes Order), which the Planning Practice Guidance also published in May, now allows to be counted towards meeting housing needs.

- 1.2.4 The three commissioning Local Authorities (Tonbridge and Malling, Maidstone and Ashford) retained G L Hearn and Partners to prepare the addendum, which was finalised in August.
- 1.2.5 The revisions to the population projections resulted in a slight uplift of the housing need figures for Tonbridge and Malling from 650 to 665 per year or from 13,000 to 13,300 additional dwelling over the period 2011-31.
- 1.2.6 The reason for the uplift is due to the Government updating its assumptions for future fertility and mortality rates and also for net migration rates. The latter includes migration between other areas in London and the south east as well as international migration and reflects the fact that Tonbridge and Malling is recognised as an attractive place to live.
- 1.2.7 The uplift in the annual need figure has increased the requirement to identify a 5 year land supply (plus 5%) by a corresponding amount. The latest version of the Annual Monitoring Report (2012/13) shows that 5.1 year's supply can be identified based on these revised figures and this does not take into account an allowance for windfalls or the recent approval for a third phase of housing development at Kings Hill.
- 1.2.8 The addendum also assessed needs for future institutional accommodation, which in Tonbridge and Malling is almost exclusively for care home beds. This identified a need for 462 additional bedspaces over the plan period or 23 per year. If there is a significant oversupply this may be offset against the housing need, but for the time being the need for this type of accommodation will be kept separate.
- 1.2.9 The SHMA as amended by this latest information and analysis provides a clear position in identifying the 'Objectively Assessed Need' for new homes in the Borough for the Plan period. Members will recall that this is an important starting point for the local plan and one which will provide a sound basis for shaping the future development strategy.
- 1.2.10 SHLAA Progress
- 1.2.11 Turning to progress on completing the SHLAA, a healthy response was received to the Call for Sites exercise earlier this year which generated in the region of 200 submissions. This exercise is being carried out in house and due to the volume of sites to register, process, arrange site visits and carry out assessments, this is taking longer than initially envisaged, which was to complete this by the autumn.
- 1.2.12 Some key pieces of evidence, which will be important for the assessment of the suitability of sites, are yet to be finalised, for example, the Strategic Flood Risk Assessment. This will be informed by the Environment Agency's revisions to the Middle Medway Strategy, which updates the hydrology, flows and potential for flooding along a significant stretch of the river as it passes through the borough. If flood risk areas expand in the light of last year's events it would be premature to assess a site in the absence of this information. Officers were led to believe this

work would be completed by November, but it is now expected to be March next year.

1.2.13 It is also important to note that the Call for Sites is only one element of the SHLAA and that there will be other sites that the Local Planning Authority will wish to consider in the process and put forward for examination. Consequently it is not anticipated that the results of the Call for Sites exercise will be finalised until the early summer of 2015. Those who submitted sites and others that have an interest in the SHLAA will be informed of the changes to the timetable and the web-site updated in due course.

1.2.14 Other Evidence

1.2.15 The Employment Land Review has also been updated in the light of the population projections and this is nearing completion. In short, the review has shown that while there is sufficient employment land allocated to meet future needs, there is an imbalance between land allocated for office use and land for other types of employment.

1.2.16 The type of accommodation and its suitability for meeting modern requirements is also something the report highlights and the continuing importance of the rural economy is also recognised.

1.2.17 Nathaniel Lichfield and Partners have been retained to roll out the retail study across the rest of the Borough building on the work they have already carried out for Tonbridge. Officers are currently liaising with the consultants over the form and content of the work and the timing, so that this complements the rest of the evidence.

1.2.18 The Strategic Flood Risk Assessment as already noted is effectively delayed until next spring, but officers will continue to work closely with the Environment Agency to ensure that the best available information is incorporated into the emerging Local Plan.

1.2.19 The Infrastructure Delivery Plan is awaiting the outcome of the rest of the evidence base to link up future planned growth with necessary infrastructure. Officers are continuing to build relationships with infrastructure providers and monitor existing capacity against potential future needs.

1.2.20 Although there is scope for new infrastructure to be delivered off the back of potential new developments, this is normally only for bridging any gaps in provision to enable development to proceed. However there may be an opportunity through the plan making process to highlight areas where existing infrastructure could be enhanced so that improvements could be considered as part of provider's long term maintenance plans, particularly in areas where new growth may be planned.

1.2.21 Ensuring that highway infrastructure to accompany new growth is particularly important in preparing the Local Plan. The Government has introduced the 'severity' test for highway impacts associated with new development, which means that impacts have to be severe before applications can be refused on these grounds. There is no specific definition of 'severe', but the lack of cases where this has been upheld suggests the threshold is quite high. Another consideration is neighbouring Planning Authorities which are at different stages of plan making and are determining major planning applications that may have impacts on the local highway network in this borough. Officers are working with colleagues in Kent Highways to discuss these issues in the light of the challenges we face in progressing our Local Plan.

1.3 Ongoing Planning Reforms

1.3.1 As noted in previous updates the Government's ongoing planning reform agenda continues to present further challenges to those preparing Local Plans, both in terms of the resources employed in considering the reforms and responding to them, but also in terms of anticipating the impacts they may have on the draft plan and building in contingencies to respond accordingly.

1.3.2 There are other reports on this agenda which illustrate this point including those on the DCLG consultations for Planning for Gypsies and Travellers and the proposed Right to Build.

1.3.3 In addition in recent months the Secretary of State in announcing a new Waste Planning Policy and through changes to Planning Practice Guidance in October the position on interpreting Green Belt policy has been addressed once again. In the former the waste policy has been amended to remove the implication that the need for waste facilities could trump Green Belt policy and in the latter Green Belt has been included in the list of policy constraints when considering whether housing and economic need should take precedence.

1.3.4 Although the main thrust of the Government's policy is unchanged, (i.e. that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation of a Local Plan) these changes have had the effect of sending a strong message that Green Belts should remain permanent. The Government has been less clear how this should be interpreted in those Local Planning Authorities with Green Belt that have to meet their objectively assessed housing needs, which also remains a priority. This again could have implications for the local plan and ultimately how we approach our development strategy and the identification of land allocations.

1.3.5 In some ways the attempts at clarity on key planning issues have served to increase the apparent tension and conflict between important policy considerations. Depending on the approach of Government following the General Election in May next year, there may be further planning reforms to respond to.

These factors have also led to the conclusion that the timetable for preparing the Local Plan should be revised.

1.4 Community Engagement and Revised Local Plan Timetable

- 1.4.1 The current Local Plan timetable anticipates a first round of public consultation on the Local Plan this autumn. This has also been communicated to Parish Councils through the 1-1 meetings earlier this year and also those making submission during the Call for Sites.
- 1.4.2 In the light of the latest information available regarding the Call for Sites assessments, the availability of outstanding pieces of evidence such as the Strategic Flood Risk Assessment and the uncertainty surrounding on-going planning reforms a new timetable is proposed for approval. This can be found at Annex 1 to this report.
- 1.4.3 It is now proposed to not hold the first public engagement exercise for the Local Plan until after the summer of next year. This will allow for the remainder of the evidence base to be prepared and for the new Council following May's local elections to become familiarised with the process and progress made so far. It will also allow for any implications arising from the General Election to be taken into account and avoid consulting over the summer holidays.
- 1.4.4 In order to keep those with an interest in the new Local Plan informed and up to date, it is proposed that a position statement will be prepared and made available that will update on the progress so far and the revised timetable. We envisage that being a helpful outline of what the Local Plan has to address and why the development needs of the Borough are important. The web-site will also be updated and anyone who has asked to be kept informed will be contacted.

1.5 Legal Implications

- 1.5.1 The Council as Local Planning Authority is required to prepare a Local Plan for its area.

1.6 Financial and Value for Money Considerations

- 1.6.1 Ensuring that the Local Plan is prepared in accordance with national planning policy and guidance and based on a robust, up to date and proportionate evidence base will reduce the risks associated with submitting an unsound Plan for examination.

1.7 Risk Assessment

- 1.7.1 Failure to maintain an up to date Development Plan runs the risk of a lack of control in managing future development in the Borough and potentially increasing appeal costs, however this has to be balanced with making the best use of the Council's resources.

1.8 Equality Impact Assessment

1.8.1 See 'Screening for equality impacts' table at end of report

1.9 Policy Considerations

1.9.1 The Local Plan will be the Council's primary land use planning policy document.

1.10 Recommendations

1.10.1 That the Board note the content of this report and

1.10.2 Approve the revised Local Plan timetable at Annex 1.

Background papers:

contact: Ian Bailey

Nil

Steve Humphrey

Director of Planning, Housing and Environmental Health

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	This report is a progress update on the preparation of the Local Plan.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	This report is a progress update on the preparation of the Local Plan.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.

Timetable for the Local Plan to form the basis of a new Local Development Scheme – (Revised November 2014)

ANNEX 1

Year	2014					2015					2016				
------	------	--	--	--	--	------	--	--	--	--	------	--	--	--	--

Stage	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D			
Evidence Base	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y																							
Issues & Options Reg 18																																							
Draft Plan Reg19/20																																							
Submission Exam Report																																							
Adoption																																							

Notes: C = Consultations, S = Submission, P = Pre-examination meeting, E = Examination, R = Inspector’s Report received, A = Adoption

Timetable for the Local Plan to form the basis of a new Local Development Scheme

Year	2017	2018	2019
------	------	------	------

Stage	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Evidence Base																																				
Initial Public Engagement Exercise																																				
Issues & Options Reg 18																																				
Draft Plan Reg19/20																																				
Submission Exam Report		R																																		
Adoption							A																													

Notes: C = Consultations, S = Submission, P = Pre-examination meeting, E = Examination, R = Inspector's Report received, A = Adoption

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TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

18 November 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet

1 LOCAL PLAN PROCESS AND PROGRAMMING

Summary: This report examines some of the statutory elements making up the Local Plan and seeks approval for a new Statement of Community Involvement and Scoping report for a Sustainability Assessment.

1.1 Introduction

1.1.1 Although the National Planning Policy Framework replaced the previous development plan regime (Regional Spatial Strategies and Local Development Frameworks), some of the statutory elements making up the new Local Plans remain. These are:

- Statement of Community Involvement;
- Sustainability Appraisals and
- Local Development Scheme.

1.1.2 The adopted Tonbridge and Malling LDF has these elements in place, but they need updating for the new Local Plan. The purpose of this report is to explain what the documents are and seek approval for the revised versions appended.

1.1.3 Statement of Community Involvement (SCI)

1.1.4 The requirement to produce a SCI was introduced by the Planning and Compulsory Purchase Act 2004 and TMBC's first SCI was adopted in July 2005. The purpose of a SCI is to set out how the Local Planning Authority will engage with local communities and other interested parties on the preparation of the Local Plan and also consult on planning applications. How the Local Planning Authority complies with the SCI is one of the tests of soundness at the Local Plan Examination.

1.1.5 A revised SCI can be found at Annex 1 to this report.

1.1.6 Sustainability Appraisal (SA)

1.1.7 The requirement to carry out a SA of a Local Plan is set out in Section 19(5) of the Planning and Compulsory Purchase Act. The appraisal should be carried out throughout its production to ensure that it is fully consistent with and helps to implement the principles of sustainable development. The SA process also incorporates the requirements of the Environmental Assessment of Plans and Proposals Regulations 2004, for plans that have a significant effect on the environment to be subject to Strategic Environmental Assessment (SEA).

1.1.8 The first step is to prepare a Scoping Report to set out:

- The policy context in which the SA and Local Plan will be prepared;
- The relevant baseline information;
- Key sustainability issues and problems; and
- An appraisal framework consisting of objectives and decision making criteria against which the Local Plan can be considered.

1.1.9 In accordance with the regulations a scoping report is subject to a 5 week consultation period with the statutory consultees: Natural England, the Environment Agency and English Heritage.

1.1.10 The SA scoping report can be found at Annex 2. A full SA report will eventually accompany the draft Local Plan.

1.1.11 Local Development Scheme (LDS)

1.1.12 Section 15 of the Planning and Compulsory Purchase Act sets out the requirement for Local Planning Authorities to prepare a LDS. Amendments have been made since the Act, which effectively remove the requirement to submit a copy to the Secretary of State, but the rest of the provisions remain.

1.1.13 Under the previous LDF system the LDS played a more important role as there were different Development Plan Documents being prepared at the same time that required careful programming of resources. The new Local Plan will be a single document and so the main component of the LDS will be the timetable.

1.1.14 A revised timetable for the Local Plan is annexed to the Local Plan Update report also on this agenda, for approval. Subject to that approval, the revised timetable will form the basis of the new LDS.

1.2 **Conclusions**

1.2.1 These three elements of the Local Plan are statutory requirements. Subject to Member's approval they will be uploaded onto the Local Plan pages of the Council's website.

1.3 Legal Implications

1.3.1 The three statutory components of the Local Plan in this report will be required to be in place in order for the Plan to be found sound.

1.4 Financial and Value for Money Considerations

1.4.1 These elements of the Local Plan will be prepared in house within existing budgets.

1.5 Risk Assessment

1.5.1 There is a risk that the Plan will be found unsound if these documents are not in place and adhered to. This will be tested at the Examination.

1.6 Equality Impact Assessment

1.6.1 See 'Screening for equality impacts' table at end of report

1.7 Policy Considerations

1.7.1 The Local Plan will replace the adopted suite of documents making up the Local Development Framework for Tonbridge and Malling and will be the main land use planning document for determining future development proposals.

1.8 Recommendations

1.8.1 That the documents annexed to this report are approved and recommended to Cabinet for adoption and that the revised Local Plan timetable annexed to the Local Plan Update report also on this agenda forms the basis of a new Local Development Scheme.

Background papers:

contact: Ian Bailey

Nil

Steve Humphrey

Director of Planning, Housing and Environmental Health

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	This report seeks approval of three statutory elements of the new Local Plan as required by the Planning and Compulsory Purchase Act 2004 as amended.

Screening for equality impacts:		
Question	Answer	Explanation of impacts
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	This report seeks approval of three statutory elements of the new Local Plan as required by the Planning and Compulsory Purchase Act 2004 as amended.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.

Tonbridge and Malling Borough Council

Statement of Community Involvement (SCI)

November 2014

Introduction

Tonbridge and Malling Borough Council want to encourage more people to engage in planning the future of the borough. We understand that in order to try and reach agreement with local communities on how the Borough should evolve over time, people need to be given the opportunity to be involved in the planning process from the earliest stages.

The Council has prepared this Statement of Community Involvement (SCI) to make sure that we effectively engage our communities and stakeholders in both the development of local planning policy and in decisions on planning applications by setting out how and when people can contribute.

The requirement to produce a SCI was introduced in the Planning and Compulsory Purchase Act 2004, and the Council adopted its first SCI in July 2005. However over recent years there have been a number of changes to the planning system, notably the introduction of the Localism Act in 2011, the publication of the National Planning Policy Framework (NPPF) in 2012 and the National Planning Practice Guidance in 2014. Therefore the Council has taken the opportunity to update this document to reflect these changes as well as developments in best practice, advances in technology and experience gained.

Getting involved

There are two main areas of planning that this Statement covers:

- 1) Planning Policy (Local Plans and Supplementary Planning Documents) – these set the policy framework against which planning applications are assessed; and
- 2) Development Management (Planning Applications) – most types of development require a planning application to be submitted and approved. Anyone can comment on a planning application.

Planning applications are determined in accordance with the Local Plan, therefore it is important to get involved with strategic planning policy making as well as specific planning applications.

When we will consultLocal Plan

The Local Plan is a single document that contains all the Council's planning policies. These policies must be supported by evidence, comply with national planning policy and be subject to an on-going process of sustainability appraisal.

There are a number of stages in the production of the Local Plan during which the local community and stakeholders can get involved (see table below). The Local Development Scheme (LDS) sets out these key stages and the detailed timetable for production. The LDS can be viewed on our website

<https://www.tmbc.gov.uk/services/environment-and-planning/planning/local-development-framework/ldf/1182>.

Key Stages	Town and Country Planning (Local Plan) (England) Regulations 2012	Consultation details
Plan Preparation	Regulation 18	A period of on-going consultation with communities and stakeholders, including at least one formal public consultation period for a minimum of 6 weeks.
Plan Publication	Regulation 19	Statutory public consultation period of 6 weeks on the draft plan. This is effectively the final stage when representations can be made to the Council.
Submission of Plan to Secretary of State	Regulation 22	A copy of the proposed Local Plan and associated documents are submitted to the Secretary of State for examination.
Independent Examination	Regulation 24	An Independent Inspector is appointed to examine the soundness of the plan. At this stage, the Council cannot consider new formal

		representations. However opportunities exist for additional statements to be made to the Inspector to elaborate on representations previously made under Regulation 19. Those parties who made representations under Regulation 19 may also be invited by the Inspector to participate in Hearing Sessions.
Receipt of Inspector's report and adoption	Regulations 25 & 26	The Inspector writes a report of the examination, and decides what changes (if any) need to be made. Once this report is received, the Council have to amend the plan in line with the recommendations. It is this version of the plan that will be adopted.

Supplementary Planning Document (SPD)

A Supplementary Planning Document (SPD) is a document which can be used to add further detail to policies in a Local Plan. They can be used to provide additional guidance on the development of a specific site or on a particular issue. SPDs are a material consideration in determining planning applications, but do not form part of the development plan. The following table provides an overview of the preparation stages:

Key Stages	Town and Country Planning (Local Plan) (England) Regulations 2012	Consultation details
Consultation on draft SPD	Regulation 12	A copy of the proposed SPD is made available for public consultation for a period of 4-6 weeks.
Adoption	Regulation 14	Following public consultation, the draft SPD may be amended to take into account issues raised before being adopted by the council.

The National Planning Policy Framework states that SPDs should only be produced where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.

Who we will consult and how

The Planning Regulations¹ require local authorities to undertake a certain level of community involvement and specify a number of organisations which must be consulted, known as statutory consultees and general consultation bodies. Local Authorities are required to publish all consultation documents on their website and make copies available at the Council Offices, in the case of Tonbridge and Malling this is the Kings Hill office and Tonbridge Castle; as well as all libraries in the Borough.

The Council recognise the value in going beyond these measures and including more of the community in the planning policy process in order to best reflect local needs and priorities.

To reflect this, the Council will apply the following general principles to consultations where appropriate:

- We will work with parish councils and elected Members to achieve consensus;
- We will make full use of community information networks, including local publications, to disseminate information and seek views;
- We will seek views of interested and affected parties as early as possible;
- We will continue to co-operate with neighbouring boroughs and public bodies to ensure that strategic matters are appropriately addressed;
- Involvement will be open to all regardless of gender, faith, race, disability, sexual orientation, age etc;
- We will consult local community and voluntary bodies in accordance with the terms set out in the Kent Partners Compact;
- We will consult the Council's Residents Panel;
- We will choose consultation processes which balance appropriately cost and time constraints, community impact and available resources;
- We will publish all consultation documents and response forms on the website;
- We will seek to maximise the use of electronic communication methods when contacting stakeholders and the community;
- Consultation publications will be clear and concise and avoid unnecessary jargon, without understating the complexities of any decisions; and

¹ Town and Country Planning (Local Plan) (England) Regulations
<http://www.legislation.gov.uk/uksi/2012/767/made>

- We will inform those who respond to a consultation of any outcomes and of later stages in the process.

Arrangements will be made, on request, to make all documents available in alternative formats such as Braille, should this be required. Assistance for those whose first language is not English will be provided, including, where appropriate, the use of Language Line.

Duty to Cooperate

In addition, in relation to plan making, the government introduced a Duty to Cooperate in the Localism Act 2011; many of the consultees required under the Duty to Cooperate are already included in the list of 'statutory consultees' and 'general consultation bodies'.

This Duty to Cooperate is not defined as consultation, but ensures that the Council works with neighbouring authorities and other public bodies to address strategic issues that affect local plans and cross local authority boundaries. This will ensure that infrastructure providers are involved in decisions about how the Borough may change over time, and are able to incorporate this into their calculations for the provision of their services. This is important, as the planning system does not have control over all infrastructure and services and is therefore reliant on their provision by external bodies. The Council will report on how it meets the Duty to Cooperate in its Annual Monitoring Report.

Consultation Database

The Council have a planning policy consultation database of around 900 consultees who have either previously commented upon, or expressed an interest in being involved in the production of our planning policy documents. This database is kept up to date and is used to keep registered individuals, organisations and groups informed on the production of any local planning documents. New consultees are added to the database as requested and any individual or organisation wishing to be included should contact the Planning Policy Team at localplan@tmbc.gov.uk, or at:

Tonbridge and Malling Borough Council
Gibson Building
Gibson Drive
Kings Hill
West Malling
Kent
ME19 4LZ
01732 876266

Sustainability Appraisal

Local Authorities must undertake a Sustainability Appraisal (SA) of their Local Plan. SA aims to ensure that the policies and proposals reflect the principles of sustainable development. A SA Scoping Report will be produced at the start of the Local Plan preparation, and further SA work will be undertaken whilst preparing each stage of the Local Plan. A Final SA Report will be published and consulted on alongside the Local Plan Publication Stage (Reg. 19).

How your comments help

The information we obtain through community and stakeholder engagement will be used to inform our decisions and shape the documents we produce. The Council acknowledges that an important part of community involvement is to report back to those who have taken the time to get involved. Whilst we welcome and encourage comments, it is difficult to find solutions that satisfy all, but we do listen and seriously consider all comments and suggestions that are put forward in response to consultations.

Following a period of consultation, a summary report will be produced outlining all representations received. This is a formal stage of the Local Plan process and a Consultation Report will be submitted to the Planning Inspectorate with the draft plan for independent examination.

Planning Applications

The Council has a long standing practise of encouraging developers to discuss their proposals with planning officers prior to submitting an application. This helps to confirm whether the principle of development is acceptable and to clarify the format, type and level of detail required enabling the Council to determine an application. Pre-application advice is currently provided on request and is subject to a fee, which will vary in scale, depending on the type of development proposed and the officer time required. More information on the Council's charging regime and the level of information required to enable the Council to provide a detailed response is available via the following link <http://www.tmbc.gov.uk/services/environment-and-planning/planning/planning-advice-and-guidance/pre-application-advice>

In many cases, the Council encourages applicants to enter into early engagement at the appropriate level with the local community and other interested parties as advocated by the National Planning Policy Framework (NPPF) (2012).

Where applicable, planning applications should be accompanied by a document setting out what consultation has been carried out by the applicant, including details

of public involvement and how this might have influenced the planning application proposals.

Once an application has been submitted, validated and entered onto the Planning Register, the consultation process will commence and representations will be invited in accordance with the relevant legislation (Article 13 of the Town and Country Planning (Development Management Procedures) (England) Order 2010). These requirements vary according to the type of development proposed and any particular designations applicable to the application site.

In addition, the Council publishes a weekly list of planning applications received. This is published on the Council's website and can be viewed in person at the Council Offices. <http://www.tmbc.gov.uk/services/environment-and-planning/planning/planning-area-search-service/Weekly-list-of-planning-applications>

Planning applications are public documents and can be viewed on the Council's website. <http://publicaccess2.tmbc.gov.uk/online-applications/>

All planning application decisions are published on the Council's website along with the reasons for the decision.

Tonbridge and Malling Borough Council

Local Plan

Sustainability Appraisal Scoping Report

September 2014



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1. INTRODUCTION

1.1. Background

1.1.1 A Local Plan guides the future development in the Borough and provides the planning framework within which this will be delivered. The adopted Tonbridge and Malling Local Development Framework (LDF)¹ covers the period to 2021. There is a need to review the current LDF documents to take into account changes to government legislation, policy and guidance. The current suite of LDF documents will remain in place until a new Local Plan is adopted

1.1.2 The Tonbridge and Malling Local Plan is a document which will contain the strategic policies, site allocations and development management policies which will influence development in the Borough until 2031.

1.2. Sustainable Development

1.2.1 The term “sustainable development” has been used in policy-making since 1987 following the publication of the World Commission on Environment and Development Report ‘Our Common Future’, commonly referred to as the Brundtland Report. The report developed guiding principles for sustainable development as it is generally understood today, and contained the following definition of sustainable development.

“Development that meets the needs of the present without compromising the ability of future generations to meet their own needs”

1.2.2 The concept of sustainable development gained additional momentum after the Rio Earth Summit in 1992, which encouraged the UK government to develop its own themes for sustainable development. The initial themes were presented in a document entitled ‘A Better Quality of Life: a Strategy for Sustainable Development in the United Kingdom’. This was updated in 2005, when the Government produced a new UK framework for sustainable development ‘Securing the Future’. This document listed the following five principles of sustainable development which are used to guide the implementation of sustainable development in the UK:

- Living within environmental limits;
- Ensuring a strong, healthy and just society;
- Achieving a sustainable economy;
- Promoting good governance; and
- Using sound science responsibly.

¹ Comprising Core Strategy, Development Land Allocations, Tonbridge Central Area Action Plan and The Managing Development and the Environment Development Plan Documents

- 1.2.3 In March 2012 the UK Government published the National Planning Policy Framework (NPPF). Paragraphs 18-219 of the NPPF indicate the Government's view of what sustainable development in England means for the planning system, but three dimensions are specifically highlighted:
- “an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - “a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
 - “an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.” (DCLG, 2012)

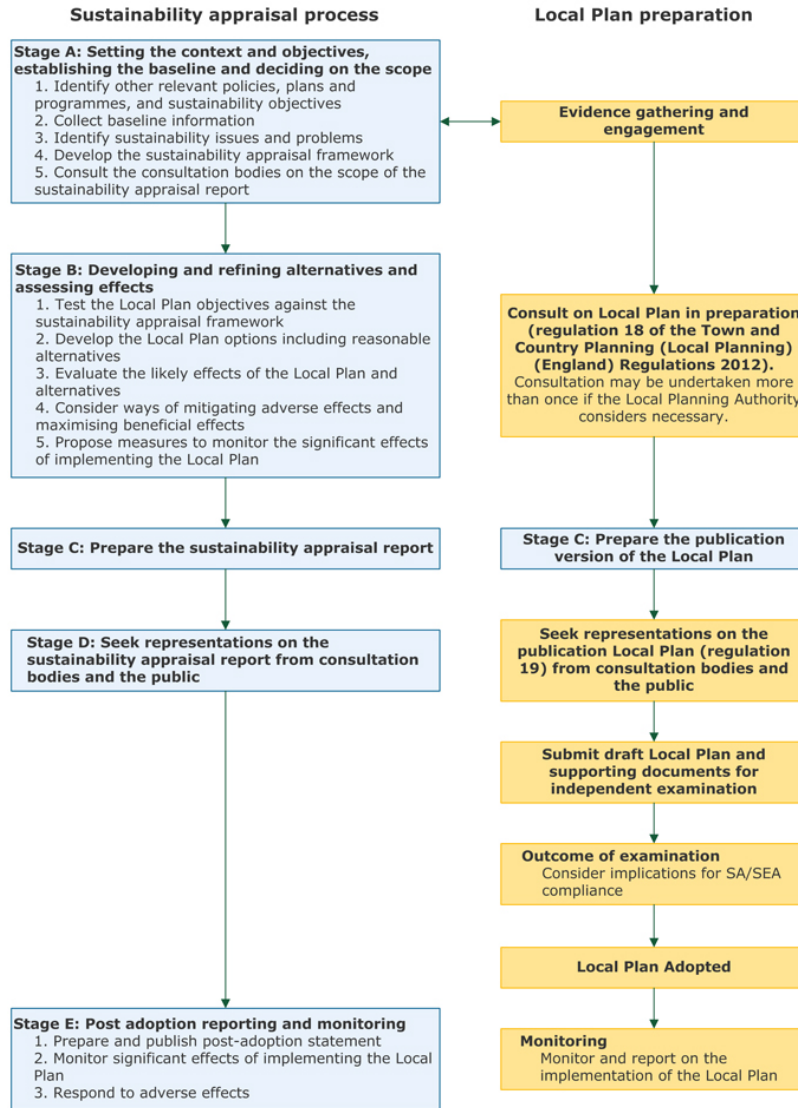
1.3. Sustainability Appraisal and Strategic Environmental Assessment

- 1.3.1 Sustainability Appraisal (SA) is required in the UK by the Planning and Compulsory Purchase Act 2004. All Local Plans are subject to SA. SA considers how the principles of sustainable development have been taken into account in the development of the Local Plan.
- 1.3.2 Strategic Environmental Assessment (SEA) is required in the EU by EU Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment (often referred to as the SEA Directive). Plans and programmes with the potential to have significant environmental effects (positive or negative) are required to undergo SEA. All Local Plans are considered to have the potential for significant environmental effects.
- 1.3.3 SA and SEA are required by separate legislation, however, as there are many cross-overs between the two processes, they are usually undertaken together. The Government's approach is to incorporate the requirements of the SEA Directive into a wider SA process. To this end the Government has published guidance² on undertaking SA of Local Plans that incorporates the requirements of the SEA Directive. The combined SEA / SA process is referred to in this document as Sustainability Appraisal (SA).

² Contained within the National Planning Practice Guidance website (<http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/>) and A Practical Guide to the Strategic Environmental Assessment Directive, ODPM September 2005

1.3.4 There are several stages to the SA process. Figure 1 sets out these stages and indicates how these relate to the different stages of preparing a Local Plan.

Figure 1



1.3.5 This SA Scoping Report represents Stage A. The following section will outline in more detail the methodology that has been followed.

2. STAGE A: SCOPING

2.1. Introduction

2.1.1 This section of the report sets out how the scoping stage of the SA has been carried out with reference to the tasks listed under Stage A in Figure 1.

2.2. Policy Context

Task A1: Identify relevant policies, plans and programmes, and sustainability objectives.

2.2.1 This task requires a review of policies, plans and programmes relevant to the Local Plan to establish the sustainability objectives which need to be considered.

2.2.2 A comprehensive review of relevant policies, plans and programmes highlighting their key sustainability objectives is provided in Appendix A. This information will be kept under review as it is likely that further related policies, plans and programmes will emerge during the preparation of the Local Plan. Table 1 below lists all the documents included.

Table 1: Policies, plans and programmes

International
SEA Directive 2001 Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment
Energy Performance of Buildings Directive 2010 on the energy performance of buildings 2010/31/EU
The Birds Directive 2009 Directive 2009/147/EC is a codified version of Directive 79/409/EEC as amended
The Waste Framework Directive 2008 Directive 2008/98/EC on waste
The Water Framework Directive 2000 Directive 2000/60/EC establishing a framework for community action in the field of water policy
The Environmental Noise Directive 2002 Directive 2002/49/EC relating to the assessment and management of environmental noise
The Landfill Directive 1999 Directive 99/31/EC on the landfill of waste
The Drinking Water Directive 1998 Directive 1998 Directive 98/83/EC on the quality of water intended for human consumption
Air Quality Directive 2008 Directive 2008/50/EC on ambient air quality and cleaner air for Europe
The Habitats Directive 1992 Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora
The Nitrates Directive 1991 Directive 91/676/EEC on nitrates from agricultural sources
EU (2009) Directive 2009/28/EC on the promotion of the use of energy from renewable sources
National
National Planning Policy Framework (NPPF) (DCLG, 2012)

Planning Policy for Traveller Sites (DCLG, 2012)
National Planning Practice Guidance (2014)
Natural Environment White Paper, 2011 The Natural Choice: securing the value of nature (HM Government, 2011)
Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services (DEFRA, 2011)
Laying the Foundations: A Housing Strategy for England (DCLG, 2011)
Securing the Future: Delivering UK Sustainable Development Strategy (DEFRA, 2005)
The Energy Efficiency Opportunity in the UK (DECC, 2012)
The National Adaptation Programme – Making the Country Resilient to a Changing Climate (Defra, 2013)
Healthy Lives, Healthy People: our Strategy for Public Health in England (DoH, 2010)
The Air Quality Strategy for England, Scotland Wales and Northern Ireland (Defra, 2007)
The National Flood and Coastal Erosion Risk Management Strategy for England (Environment Agency, 2011)
Defra (2013) Governments Forestry and Woodlands Policy Statement
HM Government (2008) Climate Change Act
Defra (1981) Wildlife and Countryside Act as amended by the Countryside and Rights of Way Act 2000
Housing Standards Review (2014)
Local
Kent Local Transport Plan (2011-2016)
Kent Minerals and Waste Local Plan (Reg.19) (July 2014)
West Kent Homelessness Strategy (2011-2016)
Kent Health and Affordable Warmth Strategy (2012-2014)
Kent Environment Strategy (2011)
South East LEP: Growth Deal and Strategic Economic Plan (March 2014)
Kent and Medway Unlocking the Potential: Going for Growth (2013)
West Kent Investment Strategy and Action Plan (2010-2015)
West Kent Priorities for Growth (2014)
Kent Downs AONB Management Plan (2014-2019)
High Weald AONB Management Plan (2014-2019)
Kent Biodiversity Action Plan (updated) – formed of 28 Habitat Action Plans (HAPs)
River Basin Management Plan: Thames River Basin District (2009)
Medway: Catchment Flood Management Plan (2009) – applicable to the fluvial section of the Medway
Medway Estuary and Swale Shoreline Management Plan (2010) – applicable to the tidal section of the Medway
Upper Medway Internal Drainage Board Policy Statement on Flood Protection and Water Level Management (2006)
Water Resources Management Plan (2010-2035) (Southern Water)
Water Resources Management Plan (2010-2035) (South East Water)
Joint Strategic Needs Assessment: Working Together to Keep Kent Healthy (2012)
Kent Joint Health and Wellbeing Strategy (2012)
Kent's Health Inequalities Action Plan (2012-2015)
A Strategic Framework for Sport and Physical Activity: A Ten Year Vision (2012)
TMBC Core Strategy (2007)
TMBC Development Land Allocations DPD (2008)
TMBC Tonbridge Central Area Action Plan (2008)
TMBC Managing Development and the Environment DPD (2010)
TMBC Strategic Flood Risk Assessment (2006) + Updated Flood Mapping (2011)
TMBC Strategic Housing Market Assessment (2014)

SA/SEA of Local Plan – Scoping Report (September 2014)

TMBC Economic Futures Forecasting Study (2014)
TMBC Development Capacity Study (2013)
TMBC Leisure and Arts Strategy (2008-2013)
TMBC Open Space Strategy (2009)
TMBC Cycling Strategy (2014-2019)
T&M Community Safety Partnership Plan (2013-2014)
TMBC Gypsy and Traveller Accommodation Needs Assessment (2013)
TMBC Air Quality Action Plan (draft) (2011)
TMBC Contaminated Land Inspection Strategy (2010)
TMBC Housing Strategy (2012-2015)

2.3. Baseline

Task A2: Collecting baseline information

- 2.3.1 This task requires the collection of baseline information about the plan area and anywhere outside the plan area which may be relevant. This section initially presents a series of indicators and then goes on to a profile Tonbridge and Malling Borough, highlighting information on the state of the environment, local people, housing and the economy. This is followed by an analysis of how this will evolve moving forward, highlighting what would happen if there was a future without a new Local Plan being prepared.
- 2.3.2 Since the first Sustainability Appraisal work was undertaken for the Core Strategy, back in 2004, the monitoring framework of indicators has changed significantly. In 2010, the government removed the requirement on Local Authorities to report on their performance through the Local Area Agreements and as a result the number of local indicators, previously monitored by a Local Authority, was significantly reduced. It is now for each Local Authority to determine what is monitored locally through their Corporate Performance Plan. Table 2 sets out those local indicators relevant to the Local Plan.

Table 2: Baseline Indicators

Theme	Indicator	Source	Target	Performance commentary
Community and Wellbeing	Total number of crimes recorded by the police	Corporate Performance Plan 2012/15	5,508 2012/13	5,471 2012/13
Economy	Percentage of properties vacant in Tonbridge Upper High Street and Lower High Street	Corporate Performance Plan	Reduction in vacancy rate from the previous year	Upper High Street: 7.82% (2013/14) Lower High Street: 10.39% (2013/14)
	Pedestrian counts at various locations along	Corporate Performance	Increase from	Botany - 1110

SA/SEA of Local Plan – Scoping Report (September 2014)

Theme	Indicator	Source	Target	Performance commentary
	Tonbridge High Street	Plan	previous year	Pavillion - 1590 High Street east - 1643 High Street west - 1489
	New floor space developed for employment (financial and professional services, offices, industry and storage/distribution)	Corporate Performance Plan (HIA)	Increase from previous year	1378m ² 2011/12
Housing	Number of new affordable housing completion to buy or rent	Corporate Performance Plan 2012/15	108 2012/13	100 2012/13
	Number of completions (housing trajectory)	Annual Monitoring Report 2013	517 ³ 2012/13	394 2012/13
Land and Soil	Percentage of new and converted dwellings on previously developed land	Annual Monitoring Report 2012	90%	98.7% 2011/12
Waste	Percentage of household waste sent for reuse, recycling and composting	Corporate Performance Plan 2012/15	45% 2012/13	42.04% 2012/13
Water Resources and Flood risk	Number of properties at risk from flooding	Annual Monitoring Report 2012		The current total number of properties at risk (within Flood Zone 3) in Tonbridge and Malling Borough Council area is 3490, this figure is for Tonbridge and Malling Constituency (MP) boundary. The figure for Tonbridge and Malling District (B) is 6583 (Flood Zone 2 & 3).
	Number of planning permission granted contrary to the advice	Annual Monitoring Report 2012	0	0 2011/12

³ http://www.tmbc.gov.uk/_data/assets/pdf_file/0019/109522/AMR_2012.pdf

Theme	Indicator	Source	Target	Performance commentary
	of the Environment Agency on either flood defence grounds or water quality			

Profile of the Environment

2.3.3 Appendix B maps existing environmental designations and assets. These include:

- Flood Zones 2 and 3
- Landscape Constraints
- Ecology and Biodiversity Constraints
- Heritage Constraints
- Agricultural Land

2.3.4 This mapping has been drawn from the Development Capacity Study (December 2013) prepared by Nathaniel Lichfield & Partners which is available from the Council’s Local plan web page:

<http://www.tmbc.gov.uk/services/environment-and-planning/planning/planning-local-plans>. This Study analyses in more detail the existing evidence for environmental designations in terms of their ability to potentially constrain the ability of the Borough to accommodate development. It then draws conclusions, taking into account the provisions of the NPPF.

Flooding

2.3.5 The River Medway runs through the Borough, flowing from the upper reaches through the town of Tonbridge to the downstream section through and beyond Aylesford. The Medway is fluvial between the outer north-western limits of Hildenborough down to Allington Lock (in Maidstone). Downstream from the Lock, including Aylesford, the Medway is tidal, eventually feeding into the Thames Estuary.

2.3.6 It is evident from the flood mapping that a significant section of the central area of the principal town in the Borough, Tonbridge, is at high risk from flooding. In addition, the Rural Service Centre of East Peckham is at high risk whilst parts of Aylesford in the north-eastern parts are at medium and high risk from flooding. This assessment is based upon current flood mapping from the Environment Agency.

Tidal and Fluvial Events in December 2013

2.3.7 In December 2013 the Borough experienced very significant levels of flooding. After the tidal flooding event at the beginning of the month,

significant rainfall fell during the days leading up to Christmas making it the wettest December in 79 years. During the Christmas period the flow in the Upper Medway was the highest ever recorded at 300+m³/second. To put this into context, a figure of 220 m³/second was recorded in the year 2000 whilst 250 m³/second in 1968, the last two severe rain events.

- 2.3.8 High flows in the River Medway are controlled by sluice gates and a flood storage area at Leigh. Within the town itself there are flood walls which are built along the banks of the Medway. Even with the presence of flood defences, the town of Tonbridge is not completely protected from flooding. During the severe weather event in December 2013 the Leigh Flood Storage Area managed to halve the flow of the Medway to 160m³/sec. In total, 335 homes were flooded by these two flood events, mostly within Hildenborough, Tonbridge, East Peckham and Aylesford.

Landscape Constraints

- 2.3.9 There are two Areas of Outstanding Natural Beauty (AONB) that fall within Tonbridge and Malling Borough. Part of the Kent Downs AONB covers significant areas of the northern and north-western parts of the Borough whilst a very small part of the High Weald AONB covers the area south of Tonbridge. The Management Plans for both AONBs covering parts of Tonbridge and Malling were reviewed by the Joint Advisory Committees in 2013 and adopted as a material consideration by the Council in 2014.

Green Belt

- 2.3.10 The Metropolitan Green Belt covers 17,060 ha of Tonbridge and Malling which represent over 70% of the total area of the Borough.

Ecology and Biodiversity Constraints

- 2.3.11 There are two Special Areas of Conservation (SAC) that fall wholly or partially within the borough: North Downs Woodland SAC (287.58 ha) and Peters Pit SAC (28.3 ha). These have been designated because of their wildlife value according to the criteria in the European Union's Habitats Directive. They both lie in the northern part of the Borough.
- 2.3.12 Eleven Sites of Special Scientific Interest (SSSIs) are located in Tonbridge & Malling, with the largest being the Halling to Trottiscliffe Escarpment and the Holborough to Burham Marshes. These are designated because their wildlife/geological value is of national importance.
- 2.3.13 Just under 11% of the Borough is covered by Ancient Woodland (2,621 ha).

- 2.3.14 There are over 40 Local Sites across the Borough. These Local Sites include: Local Wildlife Sites; Regionally Important Geological Sites (RIGS); and Local Nature Reserves (LNRs).

Heritage Constraints

- 2.3.15 Within Tonbridge and Malling there are 60 Conservation Areas and over 1,300 Listed Buildings.
- 2.3.16 There is an identifiable band of 23 Historic Parks and Gardens (5 of which are recognised as being of national interest) crossing the Borough from east to west from Mereworth Castle to Fairhill at Hildenborough which individually and collectively make a major contribution to the character of the landscape in the locality.

Agricultural Land Quality

- 2.3.17 Extensive areas of higher quality agricultural land are found in Tonbridge and Malling including the foot of the North Downs, parts of the East Bank of the Medway and the Greensand Ridge.

Minerals

- 2.3.18 Silica sand is considered to be a mineral of national importance, due to its limited distribution. The Folkestone Beds, west of Maidstone is the traditional extraction area for silica sand in Kent and includes Wrotham Quarry (Addington Sand Pit) which falls within Tonbridge and Malling.
- 2.3.19 Safeguarding –The geology of Tonbridge and Malling means that there are several known mineral resources in the Borough including construction sand, silica sand (see previous paragraph) and limestone (Kentish Ragstone). The emerging Minerals and Waste Local Plan (MWLP) prepared by Kent County Council (Reg.19, July 2014) proposes to protect these mineral resources from unnecessary sterilisation through the designation of Mineral Safeguarding Areas (MSAs). The purpose of MSAs is to ensure that mineral resources are adequately and effectively considered in land-use planning decisions, so that they are not needlessly sterilised, so thereby compromising the ability of future generations to meet their own needs. The MWLP has not been subject to a public examination.
- 2.3.20 Hermitage Quarry (crushed rock) is an operational quarry in the north-east part of the Borough which has received a recent planning permission for extension.
- 2.3.21 The site of the proposed Medway Cement Works, Holborough and its permitted mineral reserves are together identified as the Strategic Site for Minerals in Kent in the emerging Kent and Minerals and Waste Local Plan.

Waste

- 2.3.22 Over 90% of the waste collected by the Borough Council is either recycled, composted or used to produce energy from⁴.
- 2.3.23 80% of the waste collected by the Borough Council is processed in the borough.
- 2.3.24 The Allington Energy from Waste (EfW) plant is located in the Borough and can treat residual household waste. It enables Kent to divert waste from landfill and to meet the national planning policy objective to move the treatment of waste up the hierarchy of treatment options.⁵
- 2.3.25 Blaise Farm, near West Malling has a large, modern enclosed plant for composting of green and kitchen waste.

Profile of the People

- 2.3.26 This section sets out the key profile statistics for the community of Tonbridge and Malling, including a projection of what will happen to this profile going forward up until 2031. The source of the current profile data is the Office for National Statistics (ONS) (mid-2012 estimates). Data on the distribution of population 2011 and 2031 is taken from the Council’s Strategic Housing Market Assessment (2014) and is sourced from the ONS, in particular 2012-based Sub-National Population Projections (SNPP). Data on ethnicity is derived from the 2011 Census.

Current Profile (mid-2012):

Population by Gender	
Males:	59,800
Females:	62,100
Total Population:	121,900

Population by Age Group	
0-15:	25,100
16-64:	75,200
65+:	21,600

Population by Ethnicity	
All People:	120, 805
White:	115,872
BME:	4,933

- 51% of the population are females
- 62% of the population are of working age (16-64)
- Nearly a quarter (23.5%) are aged 60+
- 96% of the population are white

⁴ Tonbridge and Malling Corporate Performance Plan 2012-15 (Review and update, July 2014)
⁵ Kent Minerals and Waste Local Plan (2013-30)

Future Profile – 2031

Total Population Projection	
2012	121,900
2021	133,000
2031	145,000

2031 Population by Gender	
Males:	71,000
Females:	73,000

Figures in 000s to one decimal place

Distribution of Population 2011 and 2031 – Tonbridge & Malling



Source: ONS

Population Change 2011 to 2031 by Five Year Age Bands – Tonbridge & Malling

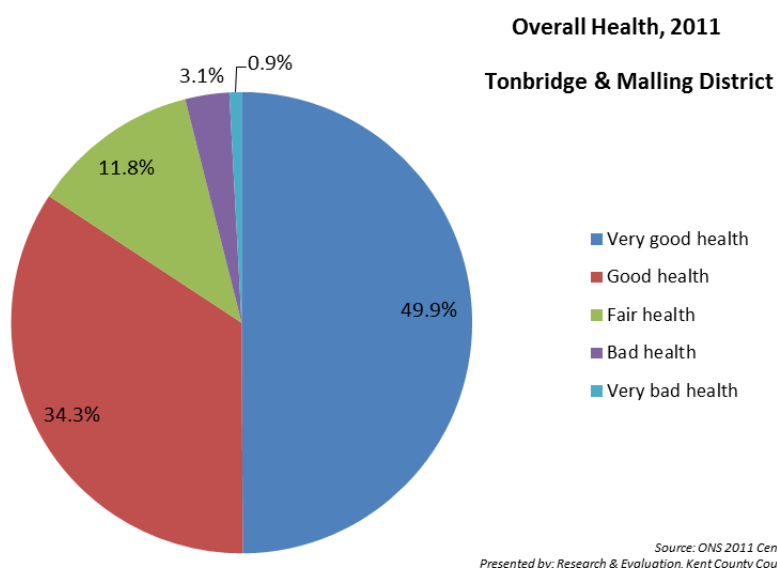
Age group	Population 2011	Population 2031	Change	% change from 2011
Under 5	7,453	8,136	683	9.2%
5-9	7,712	9,090	1,378	17.9%
10-14	8,124	9,657	1,533	18.9%
15-19	8,187	8,977	790	9.7%
20-24	5,824	5,968	144	2.5%
25-29	5,824	6,378	554	9.5%
30-34	6,587	7,300	713	10.8%
35-39	8,356	9,312	956	11.4%
40-44	9,849	9,725	-124	-1.3%
45-49	9,671	9,202	-469	-4.9%
50-54	8,361	8,898	537	6.4%
55-59	6,975	8,984	2,009	28.8%
60-64	7,482	9,508	2,026	27.1%
65-69	6,286	9,091	2,805	44.6%
70-74	4,908	7,473	2,565	52.3%
75-79	4,085	5,818	1,733	42.4%
80-84	2,921	5,494	2,573	88.1%
85+	2,482	5,711	3,229	130.1%
Total	121,087	144,722	23,635	19.5%

Source: ONS

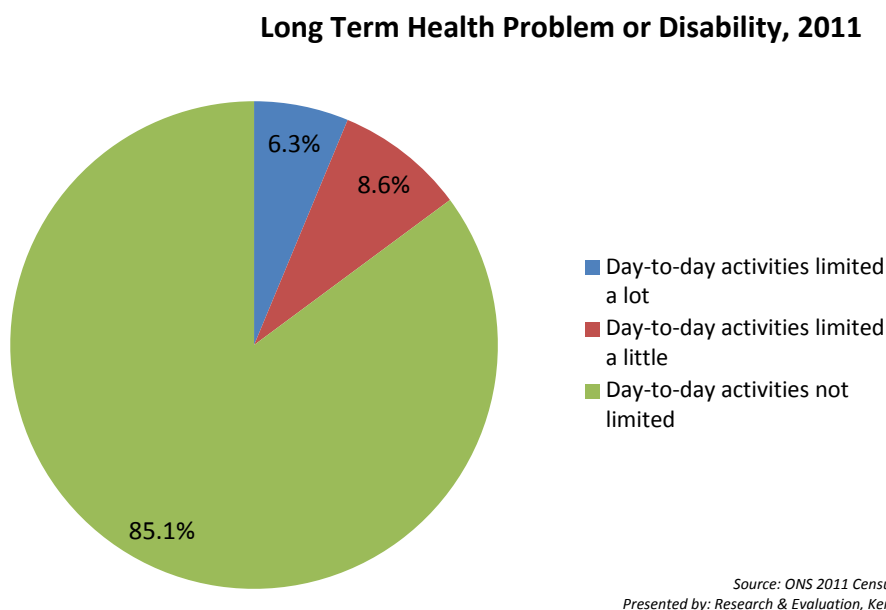
2.3.27 The pyramid and table (see above) clearly show the growth in population overall and highlight the ageing of the population with a greater proportion of the population expected to be in age groups aged 60 and over (and even more so for older age groups) – in particular the oldest age group (85+) shows an increase of 130%.

Profile of Health of Population

2.3.28 According to the Census 2011, half of the people in Tonbridge & Malling enjoy very good health. Less than 1% enjoys very bad health (see below).



2.3.29 Only 6.3% of the resident population in Tonbridge & Malling experience a long-term health problem or disability that limits their day-to-day activity by a lot (see chart below).



2.3.30 The following section sets out baseline information on child and adult health plus local priorities for health. The source of the data is the ‘Tonbridge and Malling District Health Profile 2014’ produced by Public Health England (July 2014) whilst the local priorities are sourced from the West Kent Clinical Commissioning Group. Headline figures include:

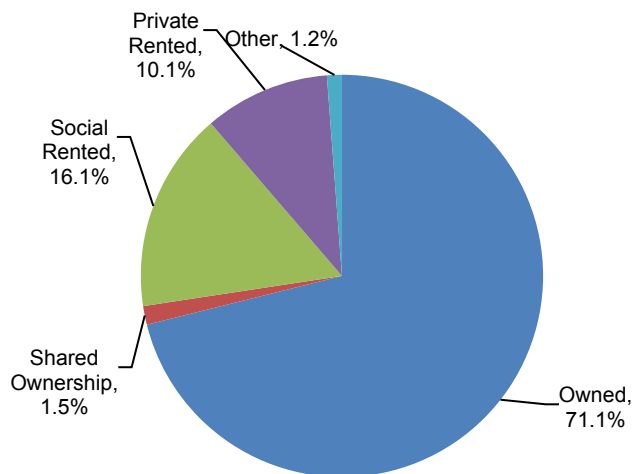
- In Year 6, 17.6% (227) of children are classified as obese.

- In 2012, 21.2% of adults were classified as obese.
- Life expectancy is 7.8 years lower for men and 5.5 years lower for women in the most deprived areas of Tonbridge and Malling than in the least deprived areas.
- Priorities⁶ in Tonbridge and Malling include increasing the number of healthy births, increasing breastfeeding prevalence, reducing obesity levels, reducing risk taking behaviour, drug and alcohol misuse and mental health and wellbeing.

Profile of Housing

2.3.31 This section profiles the existing housing stock, housing market, housing affordability and the Objectively Assessed Need for Housing (OAN). The source of this data is the Strategic Housing Market Assessment (SHMA) published by the Borough Council in March 2014. This is available online from the Council’s Local Plan webpage: <http://www.tmbc.gov.uk/services/environment-and-planning/planning/planning-local-plans>. The SHMA sources the majority of the data from the 2011 Census.

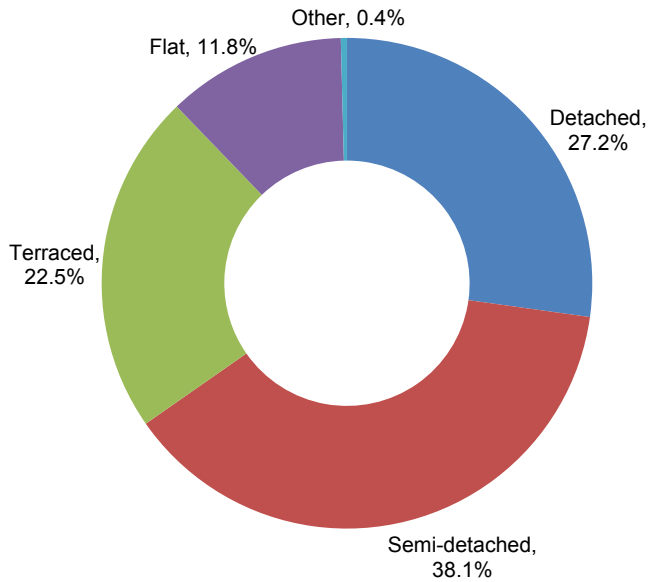
Tenure Profile (2011)



Source: Census 2011

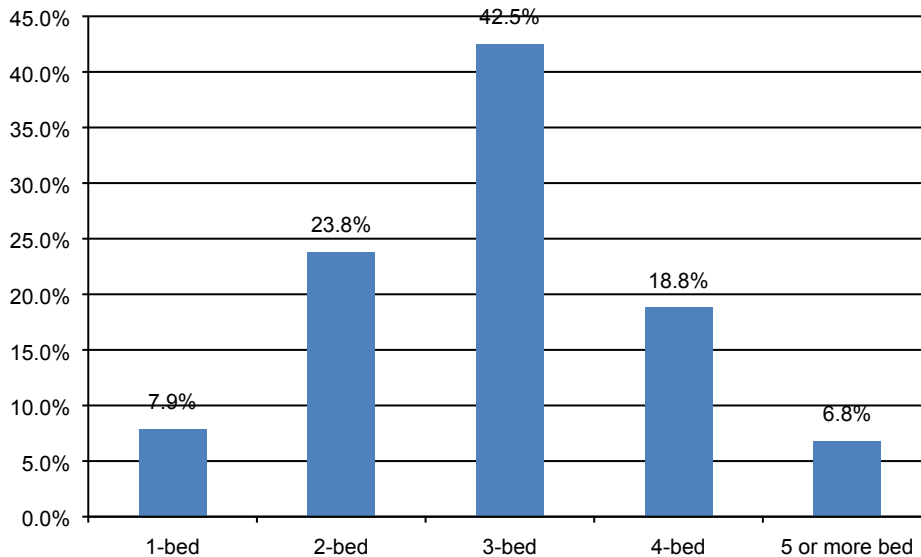
⁶ West Kent Clinical Commissioning Group

Dwelling Stock Profile (2011)



Source: Census 2011

Size of Homes (2011)

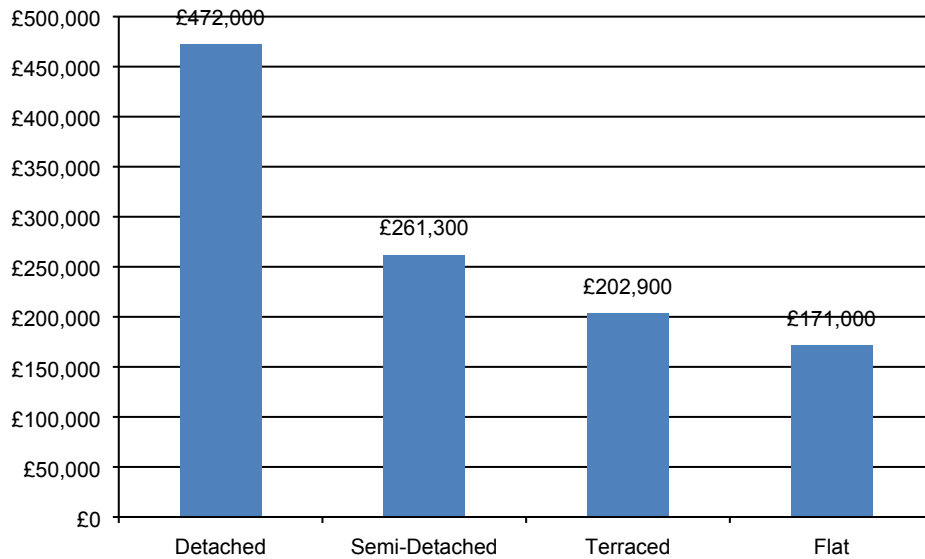


Source: Census 2011

Average House Prices (2012)

2.3.32 Across the borough of Tonbridge and Malling the average house price in 2012 was £290,400 whilst the median was £237,500.

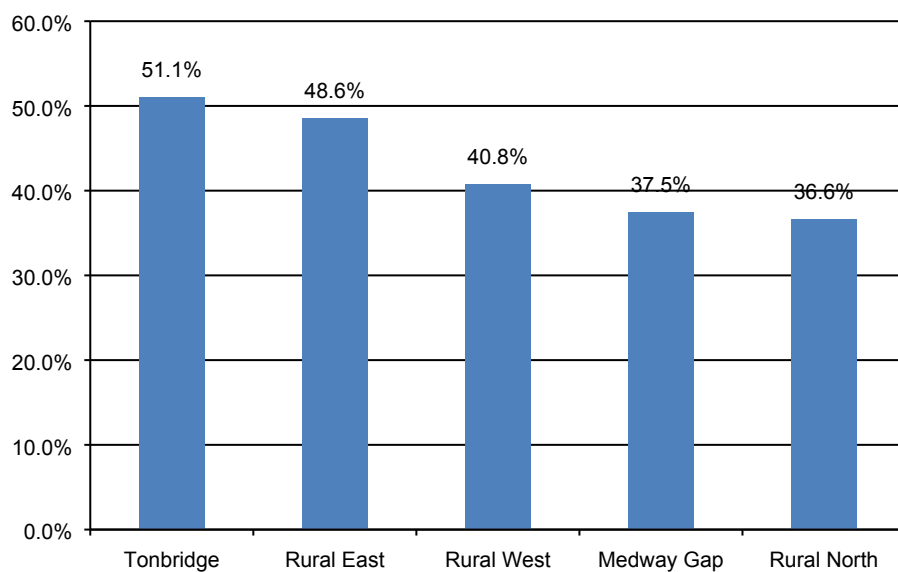
Average House Prices by Property Type (2012)



Price-Income Ratios (2000-2007)

2.3.33 Lower quartile affordability in Tonbridge & Malling has remained consistently worse than Kent and regional levels. In Tonbridge and Malling the current price-income ratio is **8.89**, i.e. the lowest quartile house prices are nearly nine times the lowest quartile earnings.

Estimated Proportion of Households Unable to Afford Market Housing without Subsidy across the Borough (2013)



Source: Online Estate and Letting Agents Survey (July 2013) and Income modelling

Sub-market	Wards
Tonbridge	Trench; Cage Green; Higham; Castle; Vauxhall; Judd; Medway
Rural East	East Peckham and Golden Green; Hadlow, Mereworth and West Peckham; Wateringbury
Rural West	Hildenborough; Ightham; Borough Green and Long Mill; Wrotham; Downs
Walderslade and Rural North	Burham, Eccles and Wouldham; Blue Bell Hill and Walderslade
Medway Gap	Aylesford; Ditton; Larkfield North; Larkfield South; Snodland East; Snodland West; West Malling and Leybourne; Kings Hill; East Malling

2.3.34 The figure above illustrates that across Tonbridge & Malling it is estimated that between **37%** and **51%** of households are unable to access market housing on the basis of income levels depending on location. Affordability looks to be best in Rural North with this area showing the lowest proportion unable to afford. The fact that private sector rents are typically lower in the Rural North area is the main reason for the lowest proportion of households being unable to afford being observed in this location.

Affordable Housing - Net Need for Different Types of Affordable Housing (per annum)

2.3.35 The data (below) shows that across the Borough only 30% of the need could be met through products priced at the 80% of market level suggested by affordable rented housing without the need for benefit assistance.

Area	Intermediate			Social/affordable rented		
	Total need	Supply	Net need	Total need	Supply	Net need
Tonbridge	34	11	24	194	125	69
Rural East	10	2	8	49	27	22
Rural West	17	2	15	70	34	36
Medway Gap	48	17	31	202	153	50
Rural North	7	1	6	27	10	17
Borough	116	32	84	542	349	193
% requirement	30%			70%		

Source: Housing Needs Analysis, Strategic Housing Market assessment (March 2014)

Categories of affordable housing used for analysis

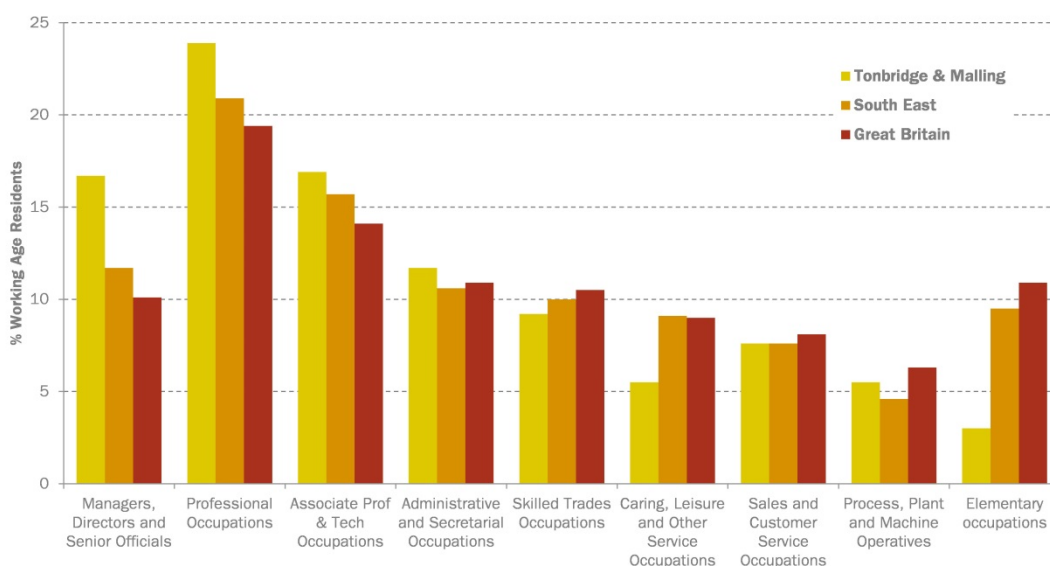
Housing type	Description
Intermediate housing	Assigned to households who can afford a housing cost at or above 80% of market rents but cannot afford full market costs
Affordable rent	Assigned to households who could afford a social rent without the need to claim housing benefit but would need to claim benefit to afford an Affordable Rented home (priced at 80% of market rental costs)
Social rent	Households who would need to claim housing benefit regardless of the cost of the property

Profile of the Economy

2.3.36 This section profiles the local economy, highlighting the skills of the resident population, economic activity and salaries. The primary source of this data is the Economic Futures Forecasting Study published by the Borough Council in January 2014. This is available online from the Council’s Local Plan webpage: <http://www.tmbc.gov.uk/services/environment-and-planning/planning/planning-local-plans>. This Study draws data from the NOMIS website.

- In 2013, 73.8% of the population aged 16-64 was in employment. (source: ONS Annual Population Survey 2013)
- Over 10% of the economically active proportion of the population in employment was self-employed. (source: ONS Annual Population Survey 2013)
- 5.2% of the economically active proportion of the population (aged 16-64) was unemployed. (source: ONS Annual Population Survey 2013)

Resident Occupations (2013)

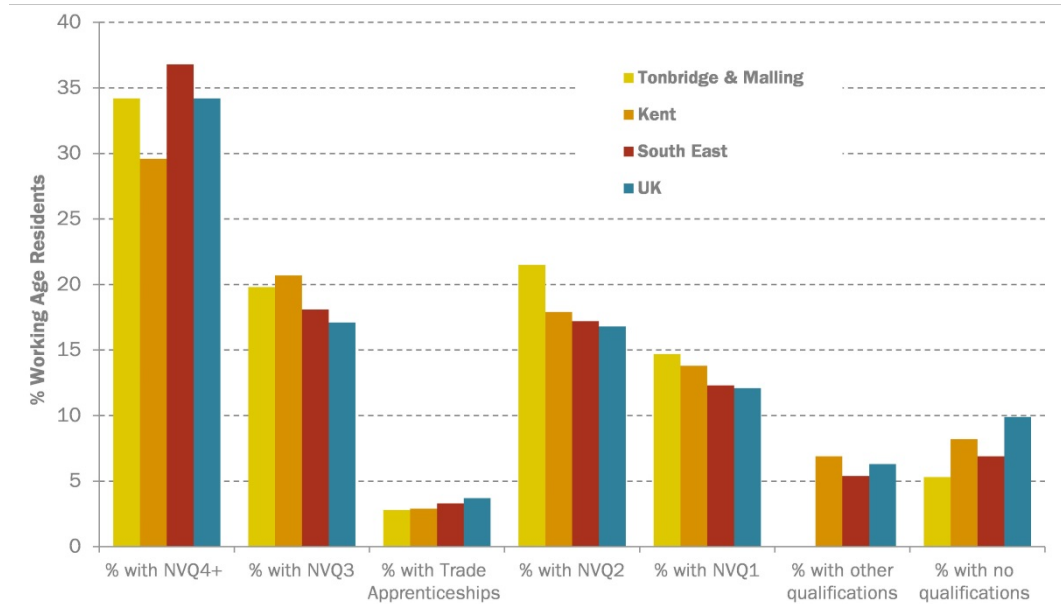


(source: Annual Population Survey (APS) March 2013)

2.3.37 The occupation profile of Tonbridge and Malling’s workforce is broadly in line with the regional and national average but with notably higher proportions of highly skilled occupations typically comprising managers, professional and associate occupations. At the same time, the Borough

has a relatively low proportion of residents employed within lower skilled lower paid occupations such as caring, leisure and other service jobs.

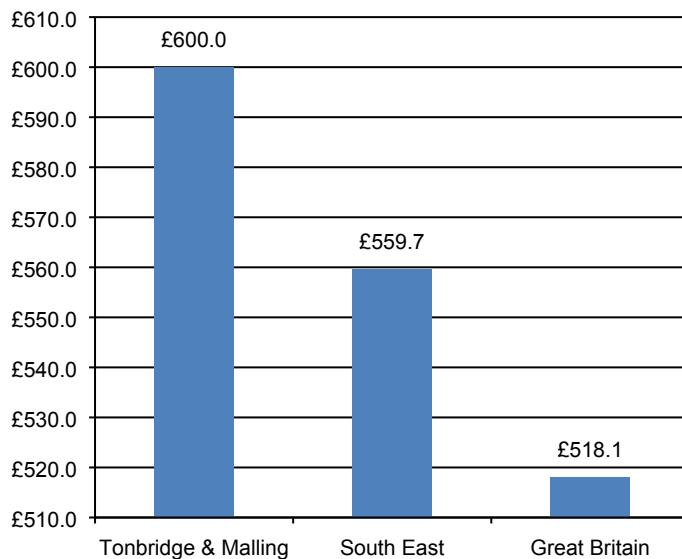
Resident Skills (2013)



(source: NOMIS 2013)

2.3.38 The Borough’s resident workforce has higher than average skill levels when compared to Kent as a whole, with a higher proportion of graduate level workers (NVQ4+) (34.2% compared to 29.6% across the county) and a very low proportion with no qualifications.

Earnings by residence (2013)



(source: NOMIS 2013)

Note: Median earnings in pounds for employees living in the area

- 2.3.39 The median earnings for employees living in Tonbridge & Malling in full-time employment is higher than that enjoyed by residents across the South East and Great Britain.

2.4. What would happen if no new Local Plan was prepared?

Environment

- 2.4.1 The current Development Plan includes policies protecting natural assets and securing improvements and increases to the stock of open spaces in the Borough to meet the needs of the growing population. This Development Plan's time-horizon is up to 2021. If no new Local Plan is prepared, some locally valued natural assets may be at risk and opportunities for enhancing the overall biodiversity value in the Borough will be lost. In addition, opportunities to enhance and increase the provision of open spaces in the Borough through developer contributions will be lost.

Housing

- 2.4.2 Set out below is the current housing land supply position, measuring the performance against the Objectively Assessed Need (OAN) figure for housing identified in the Strategic Housing Market Assessment (SHMA) (March 2014).

SA/SEA of Local Plan – Scoping Report (September 2014)

Housing Land Supply 2006-2021 - Development Land Allocations

Year	Sites with Permission (1)	Small Sites Estimate	Large Sites Windfalls	Allocations (3)	Kings Hill (4)	Holborough Quarry (5)	Leybourne Grange	Peters Pit	Tonbridge Central Area completions and permissions	Completions (2)	5 Year Totals (2)	Total Supply 2006-2021 (2)	5 Year Supply 2013/14-2017/18 (2)
2006/07	437				281	85			47	850	3210	8842	
2007/08	349				300	137			53	839			
2008/09	280				224	91			203	798			
2009/10	209				93	47	16		7	372			
2010/11	145				55	18	59		74	351			
2011/12	119				90	100	22		113	444			
2012/13	151				84	59	70		30	394	2968		3555
2013/14	303				144	85	62		195	789			
2014/15	276			66	152	105	47		48	694			
2015/16	169			80	58	80	129	50	81	647			
2016/17	123			100	23	80	100	100	157	683			
2017/18	230			100	17	80	100	150	65	742	2664		
2018/19	50			111		80	100	150	51	542			
2019/20	104			64		80	26	150		424			
2020/21	45					78		150		273			
2021/22	0					6		150		156			
2022/23	0							100		100			
2023/24										0	256		
2024/25										0			
2025/26										0			
Totals	2990	0	0	521	1521	1211	731	1000	1124	9098			
												SHMA 5- yr req +5% (6)	3491
												Difference	64
												5 Year Supply (7)	102%
												No of years of HLS (8)	5.1

Note (1) Excluding Strategic Sites & Tonbridge Town Centre

Note (2) Excluding windfalls & including Allocations on top of HIA phasing

Note (3) Includes 65 dwellings on allocated land at Kings Hill 5 taken for H1(h), and 14 taken for H1(b) & 14 for H1(g) (17 remainder removed)

Note (4) Excludes 65 dwellings on allocated land without permission

Note (5) Holborough Quarry 2008/09 error - should have been 91 units not 182 units

Note (6) Objectively Assessed Need (OAN) for housing in the Strategic Housing Market Assessment (2014) plus 5% buffer as required by para. 47 in the NPPF

Note (7) Supply of ready to develop housing sites as a percentage of the planned housing provision - 5 year supply

Note (8) Number of years of housing land supply assessed against 5 year OAN requirement + 5%

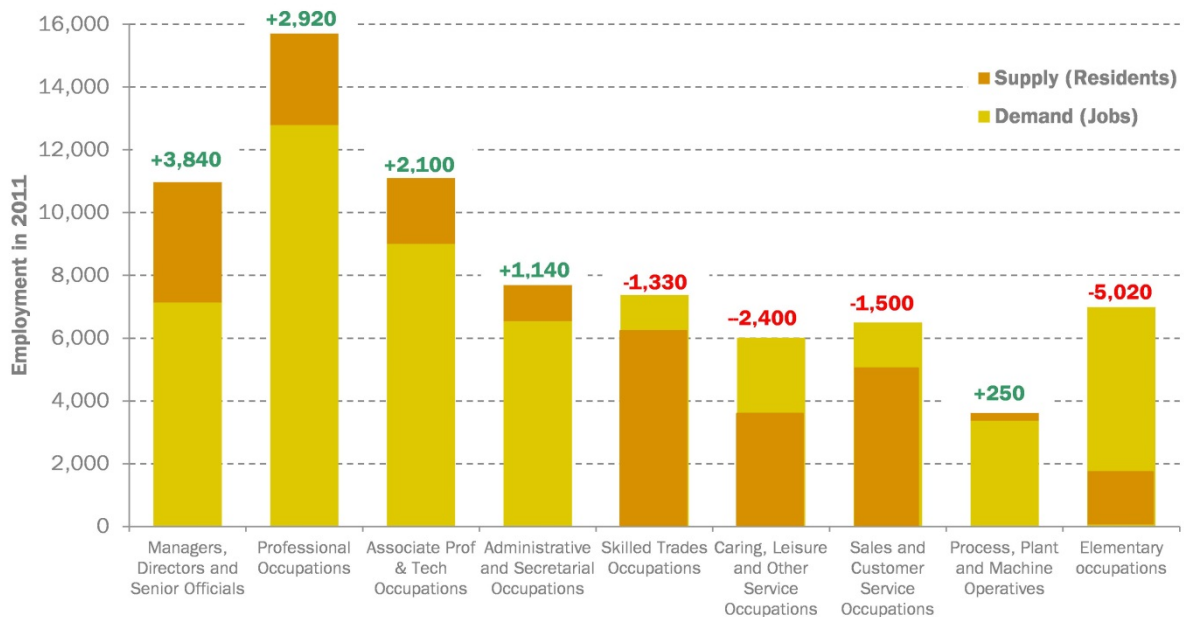
2.4.3 For the five-year period commencing 1st April 2013 the supply of housing land in the Borough is sufficient enough to meet the OAN figure identified in the current SHMA (effectively 5.1 years' worth of housing land). The OAN is a piece of evidence to inform the new Local Plan. The expectation of the Government in the National Planning Policy Framework (NPPF) (para.14) is for Local Plans to be prepared based on a strategy which seeks to meet objectively assessed needs where it is consistent with achieving sustainable development. This will require the application of specific policies in the NPPF which indicate development should be restricted. This means, at this stage, it is not possible to state that the OAN figure will represent the housing target in the new Local Plan. Nevertheless, if no new Local Plan is prepared there is the risk that

in the medium to long-term there will be an insufficient supply of strategically planned land to meet the housing needs of the growing population of the Borough. This could make it very challenging to deliver enough affordable housing to meet the identified need as well as exerting upward pressure on general affordability which could prevent more local people accessing the housing market. This in turn could have the negative effect of making it very challenging for lower skilled residents to remain in the Borough because of the cost of housing. Finally, if no new Local Plan is prepared then the infrastructure needed to support the future growth of the Borough will not be effectively planned for which could exert significant pressure on facilities including schools, transport and health care as ad-hoc planning applications are made and their cumulative impact is not fully understood and planned for in the long-term

Economy

2.4.4 The Economic Futures work highlights that there is a mismatch between skills demand and availability in the Borough; i.e. there is an insufficient supply of higher skilled jobs locally to be able to retain all of the Borough’s residents in local employment at this level (see Figure below).

Occupational Demand/Supply Balance



Source: APS 2013/NLP Analysis

2.4.5 If no new Local Plan is prepared an opportunity will be lost to address this imbalance and align workforce skills with local business needs. This could have the effect of increasing long-distance out-commuting. Furthermore, if no new Local Plan is prepared an opportunity will be lost to support lower skilled residents to remain in the Borough.

2.5. Key Sustainability Issues

Task A3: Identify sustainability issues and problems

2.5.1 In light of the policies, plans and programmes review and baseline indicators, a number of key sustainability issues for the Borough have been identified. These are set out below in Table 3. The identification of sustainability issues facing Tonbridge and Malling provides an opportunity to define key issues for the Local Plan and to develop sustainable plan objectives and options for resolving these.

Table 3: Sustainability Issues

Sustainability issues
Affordability of the local market housing stock relative to incomes
Adequate supply of affordable housing to meet local needs
Ability of the housing stock to meet changing needs of the population
Significant proportion of out-commuting of resident highly skilled workforce from the Borough
Significant proportion of in-commuting of lower skilled workforce from outside the Borough
Significant proportion of the Borough is covered by nationally important natural constraints (SAC, SSSI, AONB, Flood Zones 2 & 3, Green Belt)
There are significant reserves of minerals essential for supporting the growth of the Borough
Air quality
Risk from fluvial, tidal, surface and groundwater flooding
Infrastructure capacity
Connectivity of rural settlements to the urban areas
Communication infrastructure to support rural businesses
Continued viability of the agricultural economy
Obesity and well-being of residents, particularly in the most deprived areas
Resilience to the effects of climate change locally
Making best use of natural resources
Reducing amount of non-hazardous waste sent to landfill and increasing the reuse and recycling of waste

2.6. SA Framework

Task A4: Develop the sustainability appraisal framework

2.6.1 The SA framework is made up of a number of SA objectives which are then used to test the emerging policies, options and proposals of the plan itself. The SA objectives have been produced based on a review of the policies, plans and programmes which provide the context within which both the SA and emerging new Local Plan will be prepared, as well as the baseline information set out in the previous sections.

- 2.6.2 The SA framework consists of 12 objectives (see Table 4), and associated decision making criteria (see Appendix C) which will be used to aid the SA assessment.
- 2.6.3 The decision making criteria are a series of questions that will be used when assessing policies and proposals contained in the Local Plan against each of the SA objectives. The provision of these questions is considered to provide a steer to aid transparency in the SA process, by outlining the likely considerations which will be taking place when assessing a policy or proposal against each of the SA objectives. These are not exhaustive
- 2.6.4 It is also considered that they will assist the Council in drawing out subtle but important differences between the sustainability appraisal performances of policies and proposals, which on face value may otherwise present similar scorings against the SA objectives. It is envisaged that this fine grained approach will be particularly important with regards to the sustainability appraisal of development sites within the borough.
- 2.6.5 The SA framework also provides a series of indicators which relate back to the decision making criteria. These provide suggestions as to how the effects can be measured. Where possible, relevant targets have also been included, however targets do not exist in all instances. As the SA process progresses, the indicators and targets will be refined and utilised in establishing a monitoring programme of measuring the significant effects of implementing the plan.

Table 4: Sustainability Appraisal Objectives

Sustainability Appraisal Objectives
To ensure that everyone has the opportunity to live in affordable home
To reduce and manage the risk of flooding
To improve the health and care of the population
To reduce crime and fear of crime
To improve accessibility for everyone to all services and facilities
To improve efficiency of land use
To protect and improve air quality
To ensure that the borough responds positively, and adapts to, the impacts of climate change
To protect and enhance natural and heritage assets
To reduce waste and achieve sustainable waste management
To maintain and improve water quality and to use water resources efficiently
To achieve and maintain a vibrant economy

- 2.6.6 When the policies or options of the plan are assessed, scores are awarded against each of the SA objectives. The scores are chosen from the following scoring mechanism:

Table 5: Scoring Mechanism

Scoring	Explanation
++	Significant positive effect – proposed approach likely to contribute significantly to meeting this SA objective
+	Minor positive effect – proposed approach likely to contribute slightly to meeting this SA objective
0	Neutral/No impact – proposed approach unlikely to have any effect in meeting this SA objective
-	Minor negative effect – proposed approach likely to slightly hinder meeting this SA objective
--	Significant negative impact – proposed approach likely to significantly hinder this SA objective
?	Uncertain – effects on the SA objective are unclear

2.6.7 The SA scoring is not a quantitative process but a qualitative one. Therefore it does not simply entail adding up how many pluses an option has over another, but involves in-depth analysis which accompanies the assessment in order to help interpret the results and to inform decision making. A single negative score against an objective could be so significant that even if other scores are positive, an option may not be taken forward, or a policy may require amendment. Alternatively a negative score could be justifiable or could be effectively mitigated and not require any changes to be made.

2.6.8 The full results of the SA process will be published in the Sustainability Appraisal Report (See Figure 1, Stage C) and will include an explanation of how likely effects are to occur, the scale of and permanence of predicted effects, and how long term they are thought likely to be.

2.7. Consultation

Task A5: Consult the consultation bodies on the scope of the sustainability appraisal report

2.7.1 Under the SEA Directive, Tonbridge and Malling Borough Council has a statutory duty to consult the SEA Consultation Bodies – Natural England, English Heritage and the Environment Agency – on the scope of the assessment.

2.7.2 This report documents the findings from Stage A as well as what happens next in the process, and incorporates the requirements of SEA. It will be sent to the SEA Consultation Bodies for comment. The report will be available for consultation for a period of five weeks in order to comply with the SEA Regulations.

3. NEXT STEPS

- 3.1.1 Various options for the Local Plan will be generated over the next few months. Stage B in the SA process involves assessing the various options put forward against the SA objectives. This assessment will be undertaken on the basis of professional judgement but will be informed by evidence obtained from the context review, the collection of baseline information, GIS mapping and the identification of sustainability issues.
- 3.1.2 Each reasonable option, including the 'do nothing' option or the 'business as usual' option will be subject to SA. Planners will undertake the options appraisal internally as the various options emerge.
- 3.1.3 Following the options appraisal, the draft Local Plan will also be subject to SA. The findings from this appraisal will be documented in a Final Sustainability Appraisal Report.

APPENDIX A – PLANS, POLICIES AND PROGRAMMES

International

Policy, Plan, Programme	Relevant Sustainability Objectives & key messages	Sustainability Theme
SEA Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment	Provide for a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development	All
Energy Performance of Buildings Directive 2010/31/EU	Aims to promote the energy performance of buildings. It requests that member states adopt either national or regional methodology for calculating energy performance and minimum requirements for energy performance.	Energy
Birds Directive 2009/147/EC is a codified version of Directive 79/409/EEC as amended	The long-term protection and conservation of all bird species naturally living in the wild. Protect wildlife-designated areas e.g. Special Protection Areas (SPAs)	Biodiversity
The Waste Framework Directive 2008/98/EC	Prevention or reduction of waste production and its harmfulness. The recovery of waste by means of recycling, re-use or reclamation. Recovery or disposal of waste without endangering human health and without using processes that could harm the environment.	Waste
The Water Framework Directive 2000/60/EC on establishing a framework for community action in the field of water policy	<ul style="list-style-type: none"> • Protect surface waters and groundwater. • Achieve “good status” for all waters by 2015. • Water management to be based on river basins. • Promote the sustainable use of water. 	Water
The Environmental Noise Directive 2002/49/EC on the assessment and management of	Defines a common approach to avoid, prevent and reduce the harmful effects due to exposure to environmental noise.	Community & Wellbeing

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Policy, Plan, Programme	Relevant Sustainability Objectives & key messages	Sustainability Theme
environmental noise		
The Landfill Directive 99/31/EC	Prevent or reduce negative effects on the environment from the landfilling of waste and reduce the amount of biodegradable waste sent to landfill.	Waste
The Drinking Water Directive 98/83/EC on the quality of water intended for human consumption	Protect human health from the adverse effects of any contamination of water intended for human consumption.	Water Community & Wellbeing
Air Quality Directive 2008/50/EC on ambient air quality and cleaner air for Europe	Sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health.	Air Quality
The Habitats Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora	Promotes the maintenance and restoration of natural habitats and wild species and introduces robust protection for those habitats and species of European importance.	Biodiversity
The Nitrates Directive 91/676/EEC on nitrates from agricultural sources	<ul style="list-style-type: none"> Seeks to reduce water pollution caused or induced by nitrates from agricultural sources and prevent further such pollution. Identification of vulnerable areas. 	Water
Directive 2009/28/EC on the promotion of the use of energy from renewable sources	Establishes a common framework for the use of energy from renewable sources in order to limit greenhouse gas emissions and to promote cleaner transport	Air quality Climate Change Community & Wellbeing

National

Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
National Planning Policy Framework (DCLG, 2012)	<p>Presumption in favour of sustainable development. Delivering sustainable development by</p> <ul style="list-style-type: none"> Building a strong and competitive economy; Ensuring vitality of town centres; Promoting sustainable transport; 	Economy Transport Housing Community & Wellbeing

Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
	<ul style="list-style-type: none"> • Supporting high quality communications infrastructure; • Delivering a wide choice of high quality homes; • Requiring good design; • Promoting healthy communities; • Protecting Green Belt land; • Meeting the challenge of climate change, flooding and coastal change; • Conserving and enhancing the natural environment; • Conserving and enhancing the historic environment • Facilitating the use of sustainable materials. 	Land & Soil Climate Change Water Landscape & Countryside Biodiversity Historic Environment Waste Energy
Planning Policy for Traveller Sites (DCLG, 2012)	Aim to ensure fair and equal treatment for travellers while respecting the interests of the wider settled community.	Housing Community & Wellbeing
National Planning Practice Guidance (DCLG, 2014)	Provides additional guidance to local planning authorities to ensure the effective implementation of the planning policy set out in the NPPF.	Air Quality, Climate Change, Historic Environment, Economy, Water, Community & Wellbeing, Land & Soil, Biodiversity, Landscape & Countryside,
Natural Environment White Paper. The Natural Choice: securing the value of nature (HM Government, 2011)	Sets out ambition to: <ul style="list-style-type: none"> • Protect and improve the natural environment • Grow a green economy • Reconnect people and nature 	Biodiversity Landscape & Countryside
Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services (DEFRA, 2011)	Aims to guide conservation efforts in England up to 2020. Moving further on from 2020, the ambition is to move from a net biodiversity loss to gain. The strategy includes four key themes: <ul style="list-style-type: none"> • A more integrated large-scale approach to conservation on land and at sea • Putting people at the heart of 	Biodiversity

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Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
	<p>biodiversity policy</p> <ul style="list-style-type: none"> • Reduce environmental pressures • Improving knowledge 	
Laying the Foundations: A Housing Strategy for England (DCLG, 2011)	<p>Aims to unblock the housing market and get the nation building again. Aims to make it easier to secure mortgages on new homes, improve fairness in social housing and ensure homes that have been empty are now used.</p>	Housing
Securing the Future: Delivering UK Sustainable Development Strategy (DEFRA, 2005)	<p>Sets out five principles:</p> <ul style="list-style-type: none"> • Living within environmental limits • Ensuring a strong, healthy and just society • Achieving a sustainable economy • Promoting good governance • Using sound science responsibly 	All
The Energy Efficiency Opportunity in the UK (DECC, 2012)	<p>Aims to realise the wider energy efficiency potential that is available in the UK economy, including existing dwellings. It identifies barriers which need to be overcome.</p>	Energy
The National Adaptation Programme – Making the Country Resilient to a Changing Climate (Defra, 2013)	<p>Sets out a vision for the built environment, infrastructure, health and communities, agriculture and forestry, the natural environment, business and local government sectors to become resilient and adapted to climate change and extreme weather events.</p>	Climate Change
Healthy Lives, Healthy People: Our Strategy for Public Health in England (DoH, 2010)	<p>Protect the population from serious health threats; helping people live longer, healthier and more fulfilling lives; and improving the health of the poorest, fastest. Prioritise public health funding from within the overall NHS budget.</p>	Community & Wellbeing
The Air Quality Strategy for England, Scotland, Wales and Northern Ireland (Defra, 2007)	<p>Sets out the air quality standards and objectives to be achieved; introduces a new policy framework for tackling fine particles; identifies potential new national policy measures which modelling indicates could give further</p>	Air Quality Community & Wellbeing

Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
	health benefits.	
The National Flood and Coastal erosion Risk Management Strategy for England (Environment Agency, 2011)	<p>Sets out the national framework for managing the risk of flooding and coastal erosion. It aims to:</p> <ul style="list-style-type: none"> • Manage the risk to people and their property • Facilitate decision making • Achieve benefits consistent with the principles of sustainable development 	Water
Government Forestry and Woodlands Policy Statement (Defra, 2013)	<p>Seeks to protect, improve, expand public and private woodland assets, including:</p> <ul style="list-style-type: none"> • Protecting trees woods and forests • Improve valuable woodland assets 	Biodiversity Landscape & Countryside
Climate Change Act (HM Government, 2008)	<ul style="list-style-type: none"> • Sets legally binding target to reduce the UK's greenhouse gas emissions to at least 80% below 1990 levels by 2050. 	Climate Change
Wildlife and Countryside Act (Defra, 1981 as amended by the Countryside and Rights of Way Act 2000)	<p>An Act to make new provision for public access to the countryside. Enable traffic regulation orders to be created to conserve an areas natural beauty. Also aims to prevent loss of diversity of flora and fauna by making it illegal to intentionally damage wild plants and animals or their habitats.</p>	Biodiversity
Housing Standards Review	<ul style="list-style-type: none"> • The Government proposes a 'Building Regulations only' approach to the energy performance of new homes with no optional additional local standards in excess of the provisions set out in Part L of the Regulations. • The objective of zero carbon new homes by 2016 is to be achieved through a strengthening of the energy performance requirements in Part L of the Building Regulations (incorporating carbon compliance, energy efficient fabric and services), and the delivery of 	Energy Housing

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Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
	allowable solutions.	

Local

Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
Kent Local Transport Plan (2011-16)	<ul style="list-style-type: none"> • Growth without gridlock • A safer and healthier County • Supporting independence • Tackling a changing climate • Enjoying life in Kent. 	Transport Air Quality
Kent Minerals and Waste Local Plan (Reg.19) (July 2014)	<p>Seeks to:</p> <ul style="list-style-type: none"> • Promote sustainable modes of transport for moving minerals and waste long distances • Ensure minerals and waste developments contribute towards the minimisation of and adaptation to the effects of climate change • Promote the use of recycled and secondary aggregates in place of land won minerals • Ensure minerals and waste sites are sensitive to their surrounding environment and communities and minimise their impact on them • Enable minerals and waste developments to contribute to the social and economic fabric of their communities through employment opportunities • Deliver adequate and steady supply of minerals • Promote the use of recycled and secondary aggregates in place of land won minerals • Increase amounts of Kent's waste being re-used, recycled or recovered and promote the movement of waste up the waste hierarchy. 	Land Waste Economy
West Kent Homelessness Strategy	<p>Seeks to:</p> <ul style="list-style-type: none"> • Maximise homelessness 	Housing Community &

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Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
2011-2016	<p>prevention</p> <ul style="list-style-type: none"> Meet the needs of the diverse range of people affected by homelessness. 	Wellbeing
Kent Health and Affordable Warmth Strategy (2012-14)	Reduce health inequalities by improving energy efficiency and reducing excess winter deaths.	Housing Community & Wellbeing
Kent Environment Strategy (2011)	<ul style="list-style-type: none"> Make homes and public sector buildings in Kent energy and water efficient, and cut costs for residents and taxpayers Ensure new developments and infrastructure in Kent are affordable, low carbon and resource efficient Turn our waste into new resources and jobs for Kent Reduce the ecological footprint of what we consume Reduce future carbon emissions Manage the impacts of climate change, in particular extreme weather events Support the development of green jobs and business in Kent Utilise the full social and economic potential of a high quality natural and historic environment in Kent Conserve and enhance the quality of Kent's natural and heritage capital Ensure that Kent residents have access to the benefits of Kent's coast, countryside, green space and cultural heritage. 	Climate Change Economy Energy Landscape & Countryside
South East LEP: Growth Deal and Strategic Economic Plan (March 2014)	<p>Covering East Sussex, Essex, Kent, Medway, Southend and Thurrock, The aim by 2021 is to:</p> <ul style="list-style-type: none"> Generate 200,000 private sector jobs, an average of 20,000 a year or an increase of 11.4% since 2011; Complete 100,000 new homes, increasing the annual rate of completions by over 50% 	Economy Housing

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Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
	<p>compared to recent years; and,</p> <ul style="list-style-type: none"> • Lever investment totalling £10 billion, to accelerate growth, jobs and homebuilding. 	
<p>Kent and Medway Unlocking the Potential: Going for Growth (2013)</p>	<ul style="list-style-type: none"> • Deliver the housing growth that the economy needs. Aim to increase delivery to meet planned requirements – meaning an additional 3,300 homes per year for seven years above 2012/13 delivery levels (23,100 homes in total) • Create sustainable private sector employment. Aim to enable the creation of an additional 40,000 jobs, primarily by making it easier for businesses to secure finance and support • unlocking new development and promoting the county's opportunities • Increase economic value. Aim to increase Kent and Medway's levels of productivity and innovation, leading to an additional 7,500 knowledge economy jobs over seven years. 	<p>Economy Housing</p>
<p>West Kent Investment Strategy and Action Plan (2010-15)</p>	<ul style="list-style-type: none"> • Develop entrepreneurship and businesses • Develop labour force and skills base • Develop connectivity. 	<p>Economy Transport</p>
<p>West Kent Priorities for Growth (2014)</p>	<p>A dynamic and well-connected local economy, to ensure that West Kent remains a key location for business success and growth and that the local population has access to quality jobs and skills.</p>	<p>Economy</p>
<p>Kent Downs AONB Management Plan (2014-19)</p>	<ul style="list-style-type: none"> • Conserve and enhance the natural and cultural heritage of the AONB ensuring they meet the challenges of the future • Support the economic and social well-being of local communities in ways which contribute to the conservation and enhancement of natural beauty • Value, sustain and promote the 	<p>Biodiversity Landscape & Countryside Economy</p>

Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
	benefits that AONBs provide for society including clean air and water, food and carbon storage.	
High Weald AONB Management Plan (2014-19)	<ul style="list-style-type: none"> • Conserve and enhance the natural and cultural heritage of the AONB ensuring they meet the challenges of the future • Support the economic and social well-being of local communities in ways which contribute to the conservation and enhancement of natural beauty • Value, sustain and promote the benefits that AONBs provide for society including clean air and water, food and carbon storage. 	Biodiversity Landscape & Countryside Economy
Kent Biodiversity Action Plan (updated) – formed of 28 Habitat Action Plans (HAPs)	Conserve, enhance and restore the UK BAP priority habitats in Kent.	Biodiversity Landscape & Countryside
River Basin Management Plan: Thames River Basin District (2009)	This plan focuses on the protection, improvement and sustainable use of the water environment.	Water
Medway: Catchment Flood Management Plan (2009) – applicable to the fluvial section of the Medway	Establish flood risk management policies which will deliver sustainable flood risk management for the long term to help prepare communities effectively for the impact of climate change.	Water
Medway Estuary and Swale Shoreline Management Plan (2010) – applicable to the tidal section of the Medway	Address the risks associated with coastal evolution to people and the developed, historic and natural environment in a sustainable manner.	Water Landscape & Countryside
Upper Medway Internal Drainage Board Policy Statement on Flood Protection and Water Level Management (2006)	To reduce the risk to people and the developed and natural environment from flooding and coastal erosion by encouraging the provision of technically, environmentally and economically sound and sustainable defence measures.	Water
Water Resources Management Plan	Sets out in detail how Southern Water proposes to ensure that there is	Water

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Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
(2010-35) (Southern Water)	sufficient security of water supplies to meet the anticipated demands of all its customers over the 25-year planning period from 2010 to 2035.	
Water Resource Management Plan (2010-35) (South East Water)	Sets out in detail how South East Water proposes to ensure that there is sufficient security of water supplies to meet the anticipated demands of all its customers over the 25-year planning period from 2010 to 2035.	Water
Joint Strategic Needs Assessment: Working Together to Keep Kent Healthy (2012)	<ul style="list-style-type: none"> To ensure that resources are focused on achieving maximum impact on improving the health and wellbeing of the people of Kent specifically targeting those who are in greatest need To maintain a focus on health improvement and prevention and ensuring efficient use of available resources. 	Community & Wellbeing
Kent Joint Health and Wellbeing Strategy (2012)	<ul style="list-style-type: none"> Tackle key health issues where Kent is performing worse than the England average Tackle health inequalities Tackle the gaps in provision. 	Community & Wellbeing
Kent's Health Inequalities Action Plan (2012-15)	This Action Plan is centred around needs and priorities identified in Kent's Joint Strategic Needs Assessment (see above).	Community & Wellbeing
A Strategic Framework for Sport and Physical Activity: A Ten Year Vision (2012)	<ul style="list-style-type: none"> Increasing participation in sport and physical activity Improving facilities for sport and physical activity. 	Community & Wellbeing
TMBC Core Strategy (2007)	<ul style="list-style-type: none"> Key objectives: To ensure that new development is achieved in accordance with the principles of sustainability To establish a spatial context to guide new development and co-ordinate the transport and community infrastructure needed to serve that development To ensure that new development and other actions result in a high quality environment Provision is made for the 	Housing Transport Economy Landscape & Countryside Historic Environment Water

Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
	<p>development of at least 6,375 dwellings (or such other figure as may ultimately be included in the approved South East Plan) in the period 2006-2021</p> <ul style="list-style-type: none"> • Development will be concentrated within the confines of the urban areas. 	
<p>TMBC Development Land Allocations DPD (2008)</p>	<p>Allocates land to meet the development needs identified in general terms in the Core Strategy (see above).</p>	<p>Housing Economy Transport</p>
<p>TMBC Tonbridge Central Area Action Plan (2008)</p>	<p>Regeneration of the central area of Tonbridge.</p>	<p>Economy Housing Transport</p>
<p>TMBC Managing Development and the Environment DPD (2010)</p>	<p>Key objectives:</p> <ul style="list-style-type: none"> • To ensure that development makes the most efficient use of land and is designed to maximise sustainable transport opportunities, minimise energy consumption, and optimise use of low or zero carbon technologies and sustainable construction techniques • To conserve and enhance the natural, urban and historic environment and local diversity • To minimise and mitigate any adverse effects of necessary development on landscape, nature conservation and important historic assets, having regard to the need for the development and the economic importance of agriculture • To ensure new development positively contributes to the vibrancy and spatial quality of towns and villages • To maintain or enhance local character and distinctiveness • To ensure a high standard of design of buildings and spaces in new developments • To secure landscaping, public art and new open space, including 	<p>Climate Change Energy Biodiversity Historic Environment Air quality Community & Wellbeing Landscape & Countryside Waste Water</p>

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Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
	<p>natural greenspace and amenity planting, and protect and enhance existing open spaces and the biodiversity of the borough</p> <ul style="list-style-type: none"> • To ensure a high quality living environment, safe from crime and the fear of crime and free from the risks of flooding, land and water contamination, noise and air pollution • To protect and enhance public access to all of the Borough's natural and historic heritage in a managed way which recognises the fragility of these resources. 	
<p>TMBC Strategic Flood Risk Assessment (2006) + Updated Flood Mapping (2011)</p>	<ul style="list-style-type: none"> • Provides a detailed and robust assessment of the extent and nature of the risk of flooding in the specific areas of the floodplain where new development or redevelopment is likely to be proposed in the plan period (to 2021) • Includes flood risk management, mitigation and enhancement measures. 	<p>Water</p>
<p>TMBC Strategic Housing Market Assessment (2014)</p>	<ul style="list-style-type: none"> • Identifies Objectively Assessed Need (OAN) for housing of 650 homes per annum (2011-231); a total need of 13,000 homes for the 20 year period up to 2031 • Identifies a need for 277 affordable homes per year for the period up to 2031. 	<p>Housing</p>
<p>TMBC Economic Futures Forecasting Study (2014)</p>	<ul style="list-style-type: none"> • Provides objective assessment of the potential scale and type of economic growth in the Borough over the Local Plan period to 2031. Conclusions: • The Borough's economy has grown by nearly 25% since 1997, outperforming regional and national averages, but faces some economic challenges • Future economic scenarios indicate the Borough has potential to grow by between 8,400 to 11,300 jobs over the period to 	<p>Economy</p>

Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
	<p>2031</p> <ul style="list-style-type: none"> • B class sectors represent key drivers of future job growth in the Borough • overall job growth is anticipated to decelerate over the Plan Period • There are current imbalances between skills demand and availability in the Borough; demand for higher skilled occupations is forecast to increase in future. 	
TMBC Development Capacity Study (2013)	<ul style="list-style-type: none"> • This report considers the current evidence on the environmental capacity of the Borough as well minerals and waste and transportation factors. Conclusions: • Factors such as the Sites of Special Scientific Importance (SSSI's), Areas of Outstanding Natural Beauty (AONB) and areas of Flood Risk, may all limit the potential of certain areas of the Borough to accommodate higher levels of growth • Equally there are significant parts of the Borough that are not constrained by any of these factors. 	<p>Landscape & Countryside</p> <p>Biodiversity</p> <p>Historic Environment</p> <p>Land & Soil</p> <p>Water</p>
TMBC Leisure and Arts Strategy (2008-13)	<ul style="list-style-type: none"> • Key aim is to offer a high quality and varied programme of leisure and arts opportunities that promote an active and healthy lifestyle thus enhancing quality of life across the borough. 	Community & Wellbeing
TMBC Open Space Strategy (2009)	<ul style="list-style-type: none"> • A strategic framework for the provision, management and maintenance of open spaces. Key findings: • Residents in several areas of the Borough need access to amenity green spaces • Eight of the rural settlements are deficient in open space within or immediately adjacent to their confines • Outdoor sports facilities will need 	Community & Wellbeing

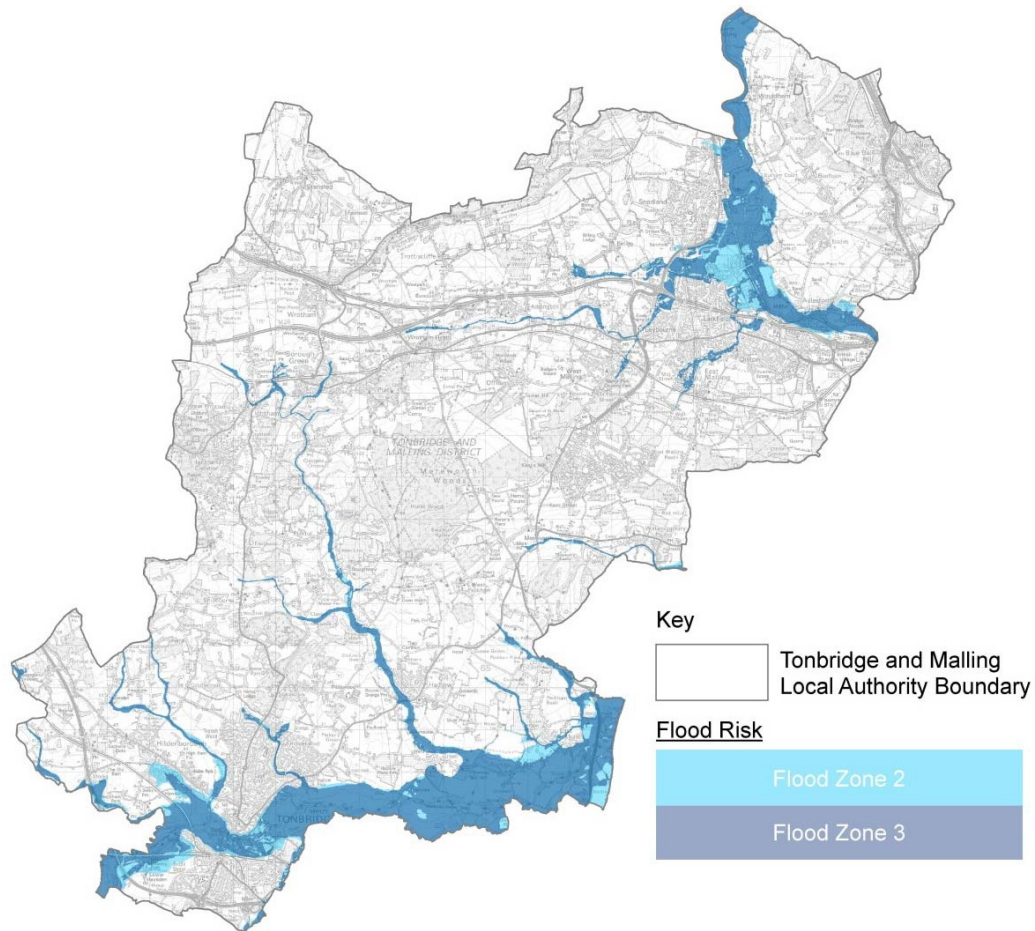
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Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
	<p>additional provision</p> <ul style="list-style-type: none"> • Around a third of all types of open space need enhancement. 	
TMBC Cycling Strategy (2014-19)	<ul style="list-style-type: none"> • a collection of principles and related action plans that work together to promote cycling and the development of appropriate cycling facilities throughout Tonbridge and Malling Borough • Includes recommendations for improvements to the cycling network in Tonbridge, the Medway Gap, Kings Hill and Borough Green and Wrotham. 	Community & Wellbeing
T&M Community Safety Partnership Plan (2013-14)	<p>Key objectives for the Community Safety Partnership for 2013/14 are:</p> <ul style="list-style-type: none"> • To reduce the number of reports of anti-social behaviour • To reduce the number of repeat victims of domestic abuse • To increase the number of people accessing appropriate support for drug and alcohol misuse • To tackle the root causes of crime and anti-social behaviour through the 'Troubled Families' initiative. 	Community & Wellbeing
TMBC Gypsy and Traveller Accommodation Needs Assessment (2013)	<ul style="list-style-type: none"> • Identifies a net residential Gypsy and Traveller and Travelling Showpeople accommodation need (2012 - 2028) of 21 pitches. 	Community & Wellbeing
TMBC Air Quality Action Plan (Draft) (2011)	<ul style="list-style-type: none"> • This Action Plan focuses on two of those pollutants included in Air Quality Regulations for the purpose of LAQM, that have been identified as key polluting sources affecting air quality within the Council's administrative area: nitrogen dioxide (NO₂) and fine particulates (PM₁₀) • It sets air quality objectives and includes an action plan specifying measures to be implemented within the AQMAs 	Air Quality
Contaminated Land Inspection Strategy (2010)	<ul style="list-style-type: none"> • Provides a system for the identification and remediation of land where contamination is 	Land & Soil

Policy, Plan, Programme	Relevant Sustainability Objectives	Sustainability Theme
	<p>causing an unacceptable risk to human health or the wider environment because of the historic or current use and circumstances of the land</p> <ul style="list-style-type: none"> • The Pollution Control Team will continue to work closely with Planning Services to ensure that where redevelopment of land occurs within the Borough, any land contamination is appropriately dealt with to ensure that the land is suitable for its permitted end use. 	
<p>TMBC Housing Strategy (2012-15)</p>	<ul style="list-style-type: none"> • Provision of affordable housing • Tackling homelessness • Private sector renewal and energy efficiency • Assisting vulnerable households. 	<p>Housing Community & Wellbeing</p>

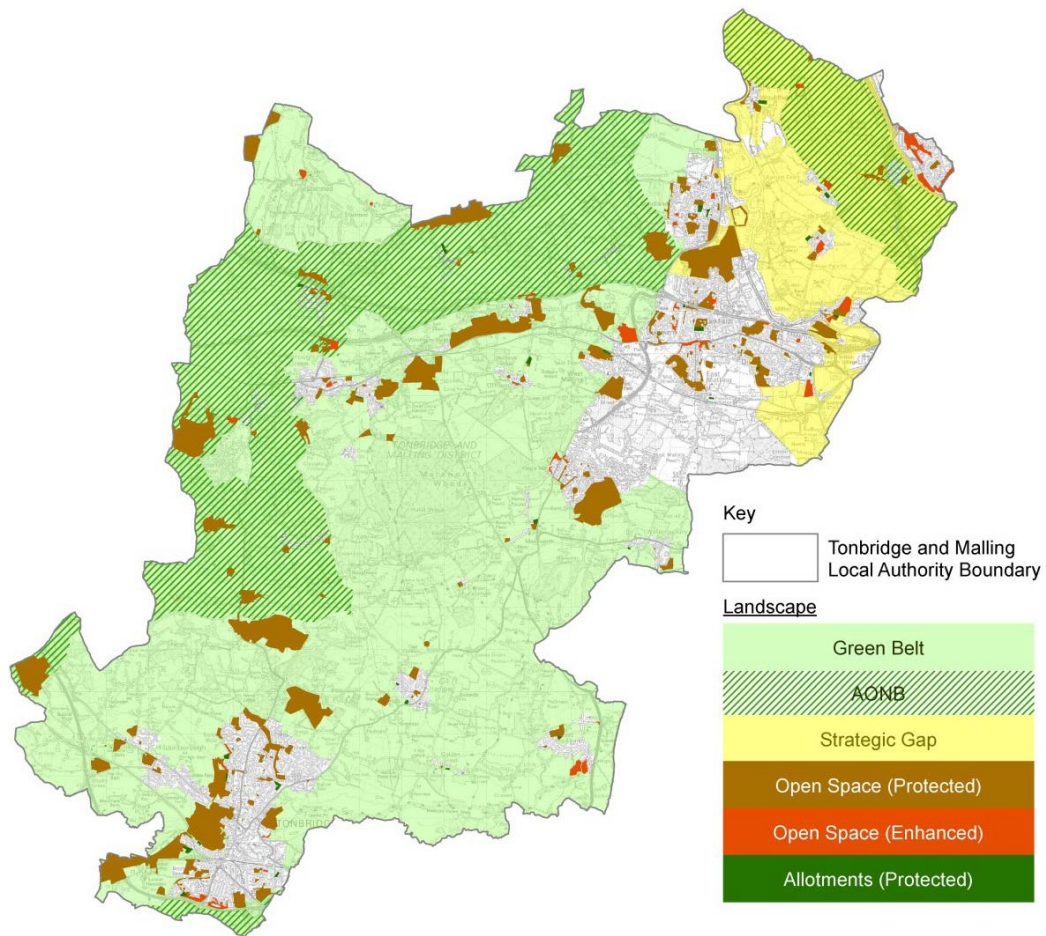
APPENDIX B – ENVIRONMENTAL CAPACITY

Flood Zones 2 and 3



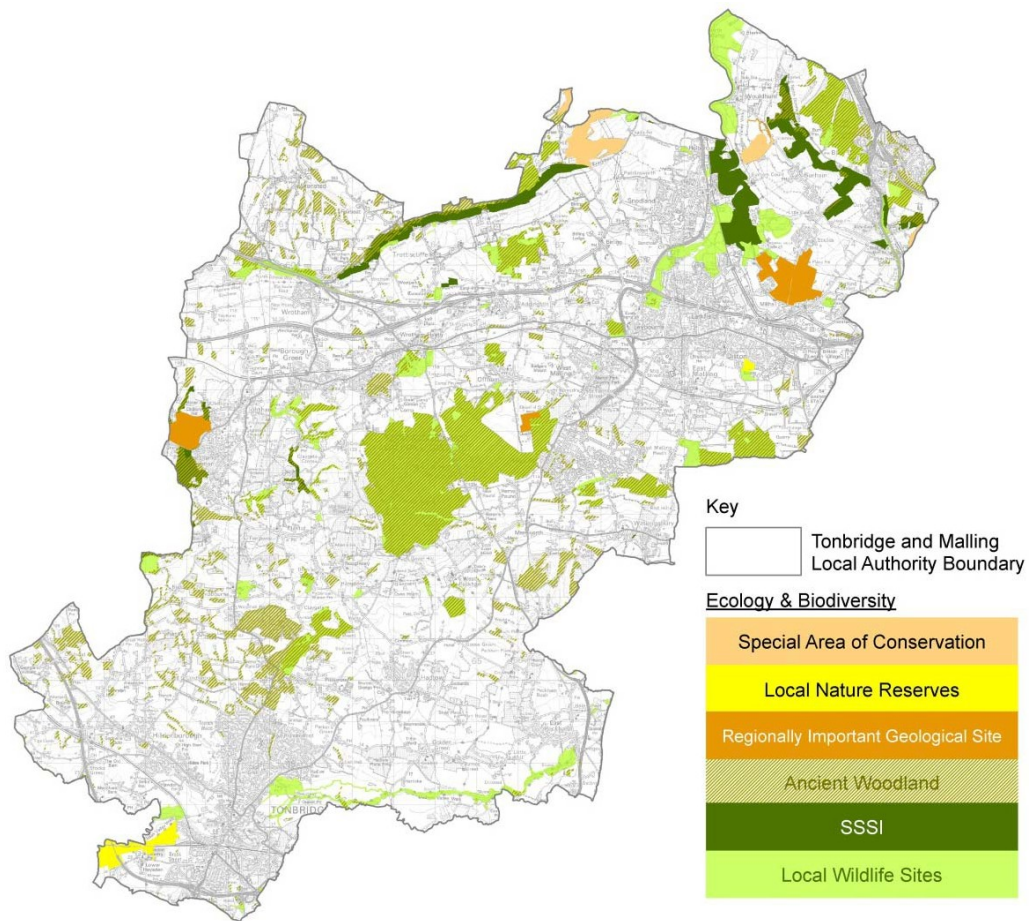
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Landscape



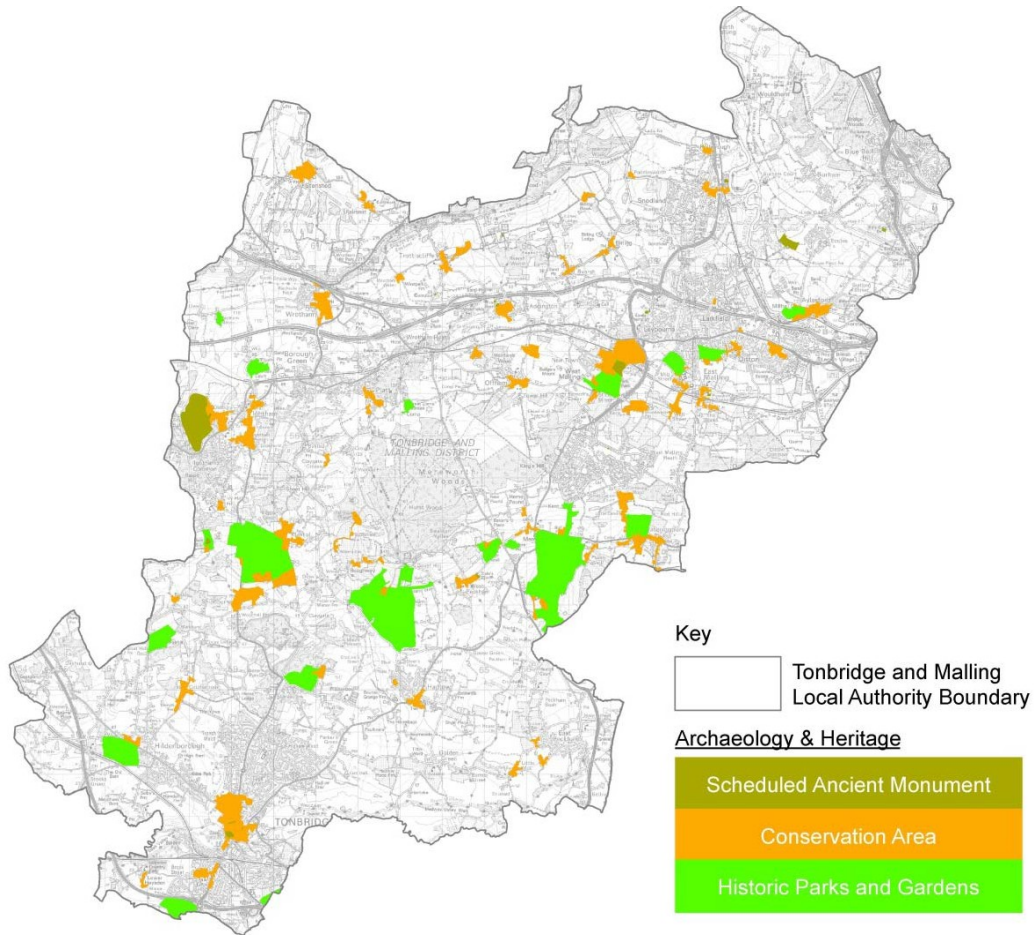
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Ecology and Biodiversity



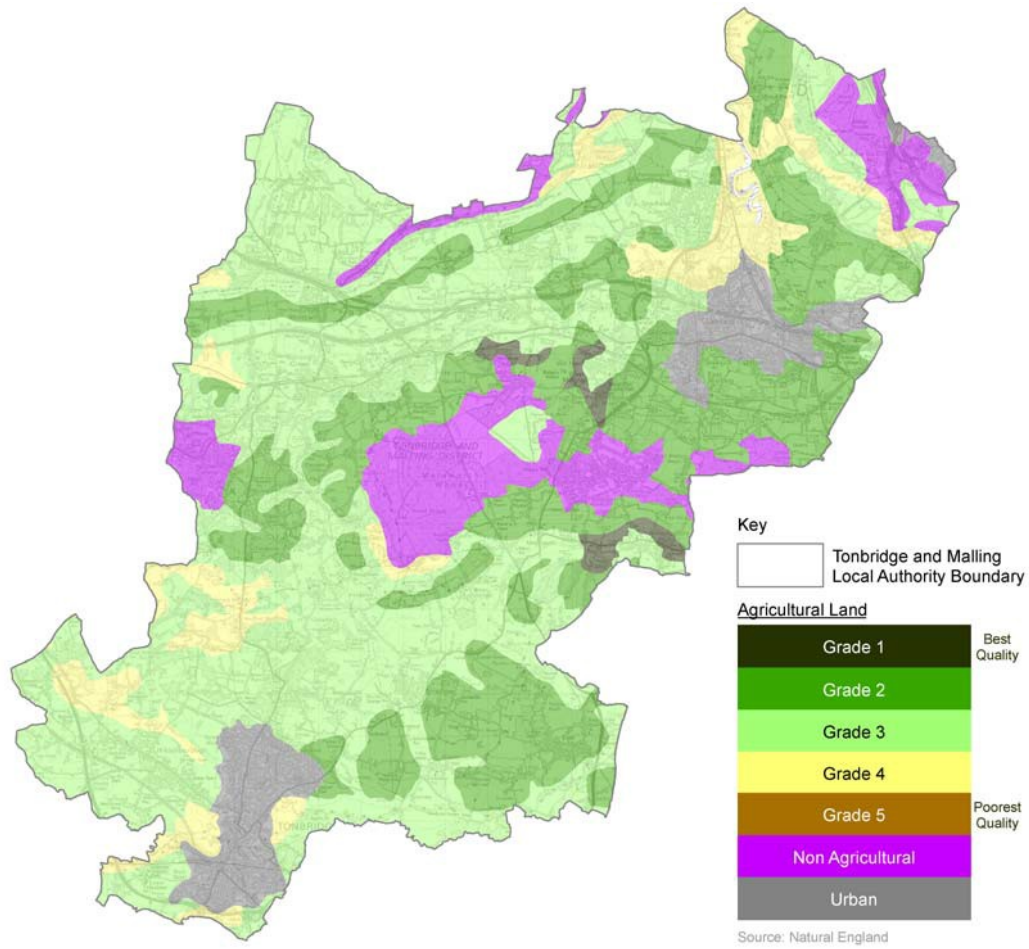
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Archaeology and Heritage Constraints



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Agricultural Land



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APPENDIX C – DECISION-MAKING CRITERIA

SA Objective	Decision making criteria
To ensure that everyone has the opportunity to live in an affordable home	<p>Will it deliver affordable housing?</p> <p>Will it deliver sufficient supply to meet the identified housing need?</p> <p>Will it provide housing for the aging population?</p> <p>Will it provide for the accommodation needs of Gypsies and Travellers and Travelling Showpeople?</p>
To reduce and manage the risk of flooding	<p>Will it reduce the number of people and properties at risk of flooding?</p> <p>Will it manage water efficiently and sustainably?</p>
To improve the health and care of the population	<p>Will it promote healthy lifestyles?</p> <p>Will it improve access to healthcare?</p> <p>Will it increase and quantity and quality of publically accessible open space?</p>
To reduce crime and the fear of crime	
To improve accessibility for everyone to services and facilities	<p>Will it provide increased travel choice?</p> <p>Will it support the continued viability of urban and rural centres?</p>
To improve efficiency of land use	<p>Will it use land that has been previously developed?</p> <p>Will it avoid the sterilisation of economic mineral reserves?</p> <p>Does it result in the loss of best and most versatile agricultural land?</p>
To protect and improve air quality	<p>Will it avoid locating development in areas of existing poor air quality?</p> <p>Will it help avoid the creation of additional AQMAs?</p>
To ensure that the Borough responds positively, and adapts to, the impacts of climate change	<p>Will it support the use of renewable resources?</p> <p>Will it promote energy efficiency?</p>
To protect and enhance natural and heritage assets	<p>Will it minimise habitat fragmentation?</p> <p>Will it provide increased access to, and understanding of the historic environment?</p>

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	Will it conserve and enhance designated landscapes?
To reduce waste and achieve sustainable waste management	Will it reduce waste generation? Will encourage the re-use of materials?
To maintain and improve water quality and to use water more efficiently	Will it avoid a deterioration of the quality of waterways and groundwater? Will it facilitate water re-use and recycling?
To achieve and maintain a vibrant economy	Will it encourage the rural economy and diversification? Will it contribute to providing a range of employment opportunities in accessible locations? Will it support town centre vitality?

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TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

03 February 2015

Report of the Director of Central Services

Part 1- Public

Matters for Information

1 LOCAL INDICATORS - 2014/15

This report presents the results for the first half of the current financial year for those local indicators that are monitored regularly.

1.1 Indicators

1.1.1 Types of indicator:

- KPIs - Key Performance Indicators: these are related to key priorities and have targets.
- KIs - Key Indicators: these are the same as KPIs but without targets.
- PIs - Performance Indicators: these are not related to key priorities but they do have targets.
- CCIs - Customer Contact Indicators: these are additional indicators that measure customer contacts. Their inclusion in this report enables more frequent and cost effective monitoring by both senior management and Members.

1.2 Results

1.2.1 This report presents the indicator results for the first half of 2014/15, from 1 April to 30 September 2014. It reviews the long term trends in performance, compares results against targets for the current financial year to date and identifies any unusually positive or negative results based on the latest figures.

1.2.2 The results are presented in Annex 1, an A3 colour document circulated along with the main papers as a separate document:

- Longer term performance based on colour coding is shown in the "Trend" column. Green shows improving performance and red shows deteriorating performance. The numbers in this column show the rate of change based on the trend.

- A numerical index and colour coding are used to compare the result and target in the “On target?” column. The higher the index number the better. An index of 100 or more with a green background shows target achieved. An index of less than 100 with a red background shows target not achieved. Where performance is affected by a seasonal or other profile, no index value is calculated and the colour coding is determined by the service manager.

1.2.3 In overall terms, we:

- Achieved an improving/positive trend for 17 out of the 38 indicators for which trend information is available.
- Met our targets for 15 of the 31 indicators for which we were able to set targets.
- Identified five indicators showing an unusually positive result and two indicators showing an unusually negative result in the second quarter of 2014/15.

1.3 Legal Implications

1.3.1 None.

1.4 Financial and Value for Money Considerations

1.4.1 Quarterly reporting and review of local indicators provides a significant opportunity to influence and improve performance thereby achieving our targets and a positive trend and, in the process, also improving value for money.

1.5 Risk Assessment

1.5.1 The targets for the local indicators are designed to ‘stretch’ the organisation and they are extremely challenging. Hence, although each individual target is realistic, collectively there is therefore a real risk that some targets will not be achieved. Quarterly reporting enables managers and Members to influence performance regularly during the year and reduce this risk.

Background papers:

contact: Bruce Hill

Nil

Adrian Stanfield
Director of Central Services

2014/15 Q2 indicator report (Jul-Sep 2014)

Cells shaded grey identify contextual data for information and any PIs not applicable/not required this quarter.

Cells shaded turquoise identify data required from lead officer.

Trend - straight-line fit of up to five most recent years' quarterly results:	On Target? - compares performance to date against target, using an index, or against a seasonal or other profile.	Latest performance - this quarter's result in the context of previous performance:
- Improving (and by how much)	- Target being achieved/on profile	- Unusually positive
- Flat	- Target not being achieved/not on profile	- In line
- Deteriorating (and by how much)		- Unusually negative

Number	Description	Lead officer	2014/15 target	2014/15 Q2 Jul-Sep	2014/15 half-year Apr-Sep	Trend	On target?	Latest performance in context	Comments about performance	Comments about profiles/ patterns of results and any further contextual data
Central + Corporate Customer Contacts										
KI-103	Number of other interactions online via web forms.	Bruce Hill (co-ordinates)	Not set	1,672	2,859	60/Q	Not applicable			Additional to KI-514 and KI-515 (see under Finance). Trend data since Q1 2010/11.
CCI-104	Number of face to face visits.		Not set	24,469	47,354	346/Q	Not applicable			Trend data since Q1 2012/13.
CCI-107	Number of TMBC website visits.		Not set	144,347	279,323	5074/Q	Not applicable			Trend data since Q1 2012/13.
PI-202	Percentage of telephone calls to our MacFarlane handling system negatively abandoned.	Charlie Steel (co-ordinates)	7.5	10.0	11.6	0.6/Q	65		As Channel Shift starts to take effect, this indicator will no longer be appropriate and it is expected that waiting times will increase.	Negatively abandoned calls are calls with a wait time longer than 10 seconds and the caller ends the call without hearing a message that provides the required information or being diverted to a payment line. Trend data since Q1 2012/13.
CCI-106	Number of MacFarlane telephone calls.		Not set	41,955	84,797	216/Q	Not applicable			Trend data since Q1 2012/13.
KPI-219	Total number of crimes recorded by the police.	Alison Finch	4,895	1,292	2,545	18/Q				Trend data since Q1 2010/11.
KPI-220	Number of incidents of anti-social behaviour recorded by the police.		2,369	849	1,535	18/Q				Trend data since Q1 2011/12.
KPI-221	Number of repeat victims of domestic abuse within past year.		325	109	213	5/Q				Trend data since Q3 2012/13.
KPI-222	Number of drug offences recorded by the police.		414	62	127	1/Q				Trend data since Q1 2010/11.
Finance & Transformation										
KPI-502	Percentage of council tax collected by the authority in the year.	Glen Pritchard	98.20	28.01	54.81	0.07/Q			The reduced collection rate is probably due to the decreased council tax support provided for low income households	Seasonal pattern with collection concentrated in Q1-Q3. Trend data since Q1 2010/11.
KPI-503	Percentage of non-domestic rates collected by the authority in the year.		99.60	26.39	58.35	0.17/Q			Ratepayers of large businesses have taken up the Government's offer of paying over 12 months instead of the usual 10. This has reduced the amount of income each month	Seasonal pattern with collection concentrated in Q1-Q3. Trend data since Q1 2010/11.
KI-516	Number of new homes (including affordable housing).		Not set	167	271	6/Q	Not applicable			Trend data since Q1 2012/13.
KPI-510	Average number of days to process all new housing and council tax benefit claims.	Andrew Rosevear	28.0	18.2	23.9	0.4/Q	117		Process changes introduced to improve performance	Deteriorating since Q1 2012/13. Trend data since Q1 2010/11.
KPI-511	Average number of days to process changes in claimants' circumstance.		7.0	6.1	7.1	0.1/Q	99		Process changes introduced to improve performance	Results volatile. Trend data since Q1 2010/11.
KPI-513	Reducing the funding gap (£000s)	Neil Lawley	£200	75	125	Not applicable		Not applicable		Savings depend on circumstances and do not fit a trend.
KI-514	Number of one-off payments made via the Automated Telephone Payment (ATP) system.	Brian Courtney	Not set	4,753	9,326	134/Q	Not applicable			Trend data since Q4 2010/11.
KI-515	Number of one-off payments made online.		Not set	6,227	12,438	293/Q	Not applicable			Trend data since Q4 2010/11.

2014/15 Q2 indicator report (Jul-Sep 2014)

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Trend - straight-line fit of up to five most recent years' quarterly results:

- Improving (and by how much)

- Flat

- Deteriorating (and by how much)

On Target? - compares performance to date against target, using an index, or against a seasonal or other profile.

- Target being achieved/on profile

- Target not being achieved/not on profile

Latest performance - this quarter's result in the context of previous performance:

- Unusually positive

- In line

- Unusually negative

Number	Description	Lead officer	2014/15 target	2014/15 Q2 Jul-Sep	2014/15 half-year Apr-Sep	Trend	On target?	Latest performance in context	Comments about performance	Comments about profiles/ patterns of results and any further contextual data
Planning, Housing & Environmental Health										
KPI-313	Percentage of complaints about environmental pollution and other requests for service responded to within 5 working days.	Jane Heeley	100	99	99	0.04/Q	99			Trend data since Q1 2010/11.
KPI-326	Number of overweight adult referrals onto the weight management programme.		250	62	94	4/Q				Total enrolled to end of quarter. Trend data since Q1 2012/13.
KPI-327	Number of adults who receive information and brief advice about their alcohol intake.		300	59	140	3/Q				Trend data since Q1 2012/13.
KPI-328	Number of referrals to the NHS "Stop Smoking" service.		50	0	3	1.9/Q				Trend data since Q1 2012/13.
KPI-329	Total number of food businesses signed up to the Healthy Eating Award.		30	Not applicable	26	1.7/Q				Shows total number of premises currently holding the award. Upward trend based on businesses signing up to this new award in 2012/13. Trend data since Q1 2012/13.
KPI-330	Percentage of food establishments which are broadly compliant with food hygiene law.		90.0	88.0	92.0	1.1/Q	102			Trend data since Q1 2012/13.
KPI-402	Number of households becoming sole or part owners of existing properties through low cost home ownership initiatives.	Satnam Kaur	10	17	38	0.5/Q			From April 2014 this service has been awarded to the housing association BPHA (previously Moat). Q1=21 units.	Trend data since Q1 2010/11.
KPI-409	Number of households living in temporary accommodation.		15	19	19	0.2/Q	79			Figure is a 'snapshot' at the end of the quarter and is variable on a daily basis. Trend data since Q1 2010/11.
KPI-410	Number of new affordable housing completions to buy or rent.		131	30	30	0.4/Q			Q1=0 units.	Trend data since Q1 2010/11.
PI-603	Percentage of appeals allowed against the authority's decision to refuse planning applications.	Emma Keefe	25.0	50.0	33.3	0.8/Q	75		Very small number of appeals: 9 to date.	Results volatile. Trend data since Q1 2010/11.
PI-611 -other	Percentage of other planning applications determined within 8 weeks.		86.00	78.85	79.29	0.6/Q	92		Following changes to legislation applications may now be considered to be 'in time' if the decision is made either within the specified determination date (8 weeks) or within a specified period as agreed in writing by the applicant/agent to the LPA.	Trend data since Q1 2010/11.

2014/15 Q2 indicator report (Jul-Sep 2014)

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- Deteriorating (and by how much)		- Unusually negative

Number	Description	Lead officer	2014/15 target	2014/15 Q2 Jul-Sep	2014/15 half-year Apr-Sep	Trend	On target?	Latest performance in context	Comments about performance	Comments about profiles/ patterns of results and any further contextual data
Street Scene & Leisure										
KPI-309	Percentage of reported high priority fly-tips collected within 24 hours.	Dennis Gardner	100	100	100	0.0/Q	100			Trend data since Q1 2010/11.
PI-311	Number of household waste collections missed per week and not rectified within 24 hours, apart from collections missed for reasons outside our control, such as severe weather.		2.80	2.21	2.64	0.02/Q	106			Trend data since Q1 2010/11.
PI-319 (context)	Kilograms of residual household waste per household.		565 (contextual)	143	288	0.7/Q	Not applicable			Seasonal pattern. Trend data since Q1 2010/11.
KPI-320	Percentage of household waste sent for reuse, recycling and composting.		42.00	42.05	45.02	0.2/Q				Seasonal pattern generally with Q4 dips. Trend data since Q1 2010/11.
KPI-322	Cleanliness of roads and pavements.		7.1	7.4	7.4	0.02/Q	104			This LPI provides a measure of the average cleanliness of highways in the borough. A score of 6.7 is a "Good" result where roads are predominantly free of both litter & detritus in channels. Trend data since Q1 2011/12.
PI-832	Percentage of customers satisfied with our leisure centres.	Stephen Gregg	80.0	84.3	84.5	0.4/Q	106			Trend data since Q1 2012/13
KPI-833	Percentage of Lifestyles (gym) customers at high risk of leaving who are encouraged to stay and do stay.		70.0	68.0	69.6	0.1/Q	99			Trend data since Q1 2012/13
KPI-834	Number of leisure pass holders.		900	915	915	17/Q				Trend data since Q1 2012/13
KPI-835	Average number of Excel members age 11-18.		325	624	623	47/Q	192			Trend data since Q1 2012/13
KPI-836	Average number of Kick Start members age 0-10.		425	322	330	6/Q	78			Trend data since Q1 2012/13
KPI-840	Average number of customers enrolled in swim school.	1,900	1,921	1,899	10/Q	100			Trend data since Q1 2012/13	

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Agenda Item 21

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 22

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

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

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Agenda Item 23

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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