

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

Gibson Building

Gibson Drive

Kings Hill, West Malling

Kent ME19 4LZ

West Malling (01732) 844522

To: MEMBERS OF THE COUNCIL

Dear Sir/Madam

I hereby summon you to attend a meeting of the Tonbridge and Malling Borough Council which will be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 15th July, 2014 at 7.30 pm, when the following business is proposed to be transacted:-.

PART 1 - PUBLIC

1. Apologies for absence

2. Declarations of interest

To declare any interests in respect of recommended items

3. Minutes

5 - 18

To confirm as a correct record the Minutes of the meeting of Council held on 13 May 2014

4. Mayor's Announcements

5. Questions from the public pursuant to Council Procedure Rule No 5.6

6. Questions from Members pursuant to Council Procedure Rule No 5.5

7. Leader's Announcements

8.	Reports, Minutes and Recommendations	19 - 20
	To receive and consider reports, minutes and recommendations from the meetings of the Cabinet and Committees set out in the Minute Book and officers' reports on any matters arising from them, and to receive questions and answers on any of those reports. Matters for recommendation to the Council are indicated below at items 9 to 19.	
9.	Audit Committee Annual Report	21 - 30
	Item AU 14/15 referred from Audit Committee minutes of 14 April 2014	
10.	Adoption of Byelaws to Regulate Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis	31 - 42
	Item LA 14/42 referred from Licensing and Appeals Committee minutes of 17 June 2014	
11.	Review of Polling Districts and Polling Places	43 - 60
	Item GP 14/4 referred from General Purposes Committee minutes of 23 June 2014	
12.	Freedom of Information - Publication Scheme	61 - 76
	Item GP 14/5 referred from General Purposes Committee minutes of 23 June 2014	
13.	Human Resources Strategy Update	77 - 90
	Item GP 14/6 referred from General Purposes Committee minutes of 23 June 2014	
14.	Localism Act - Pay Policy	91 - 100
	Item GP 14/7 referred from General Purposes Committee minutes of 23 June 2014	
15.	Corporate Performance Plan 2012/15 - Review and Update	101 - 150
	Item CB 14/48 referred from Cabinet minutes of 25 June 2014	
16.	Risk Management Strategy	151 - 158
	Item CB 14/49 referred from Cabinet minutes of 25 June 2014	
17.	Local Code of Corporate Governance	159 - 168
	Item CB 14/50 referred from Cabinet minutes of 25 June 2014	

18. Treasury Management Update and Annual Report for 2013/14 169 - 172

Item CB 14/51 referred from Cabinet minutes of 25 June 2014

19. Diversion of Restricted Byway MR221A, London Golf Club, 173 - 180
South Ash Manor, Ash

Item AP2 14/14 referred from Area 2 Planning Committee minutes of 16 April 2014

20. Changes to Constitution 181 - 184

21. Urgency Provisions 185 - 186

22. Sealing of Documents

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

JULIE BEILBY
Chief Executive
Monday, 7 July 2014

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TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 13th May, 2014

At the Statutory Annual Meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 13th May, 2014

Present: His Worship the Mayor (Councillor H S Rogers), the Deputy Mayor (Councillor Mrs S Luck), Cllr A W Allison, Cllr J Atkins, Cllr Ms J A Atkinson, Cllr J A L Balcombe, Cllr O C Baldock, Cllr M A C Balfour, Cllr Mrs P Bates, Cllr Mrs J M Bellamy, Cllr T Bishop, Cllr P F Bolt, Cllr Ms V M C Branson, Cllr Mrs B A Brown, Cllr M A Coffin, Cllr D J Cure, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr Miss J R L Elks, Cllr Mrs C M Gale, Cllr Mrs M F Heslop, Cllr N J Heslop, Cllr Mrs E M Holland, Cllr P J Homewood, Cllr S R J Jessel, Cllr D Keeley, Cllr Mrs F A Kemp, Cllr S M King, Cllr R D Lancaster, Cllr B J Luker, Cllr Mrs S Murray, Cllr Mrs A S Oakley, Cllr M Parry-Waller, Cllr M R Rhodes, Cllr T J Robins, Cllr A G Sayer, Cllr Miss J L Sergison, Cllr Miss S O Shrubsole, Cllr C P Smith, Cllr Ms S V Spence, Cllr A K Sullivan, Cllr M Taylor, Cllr R Taylor, Cllr D J Trice and Cllr Mrs C J Woodger

Apologies for absence were received from Councillors Mrs J A Anderson, C Brown, F R D Chartres, T Edmondston-Low, Miss A Moloney, Mrs E A Simpson and D W Smith

PART 1 - PUBLIC

C 14/31 ELECTION OF MAYOR

It was proposed by Councillor N Heslop, seconded by Councillor Luker and

RESOLVED: That Councillor Mrs S L Luck be elected Mayor for the ensuing municipal year.

The Mayor, having made and subscribed the statutory declaration of acceptance of office, was invested with the Badge and Chain of Office, assumed the Chair and thanked Members for her election.

C 14/32 VOTE OF THANKS TO RETIRING MAYOR

It was proposed by Councillor N Heslop, seconded by Councillor Mrs Holland and

RESOLVED: That the Council's sincere appreciation be recorded of the excellent manner in which the retiring Mayor, Councillor H S Rogers had

performed his duties both in the Council Chamber and throughout the Borough during the preceding year.

C 14/33 ELECTION OF DEPUTY MAYOR

It was proposed by Councillor N Heslop, seconded by Councillor Ms Branson and

RESOLVED: That Councillor O S Baldock be appointed Deputy Mayor for the ensuing municipal year.

The Deputy Mayor made and subscribed the statutory declaration of acceptance of office and thanked Members for his appointment.

C 14/34 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 8 April 2014 be approved as a correct record and signed by the Mayor.

C 14/35 MAYOR'S ANNOUNCEMENTS

The Mayor announced that she had appointed the Reverend David Green as her Chaplain and the Civic Service would be held at St Mary's Church, West Malling on Sunday 29 June. The Mayor indicated that her nominated charities were Emilia's Little Heart which helped to preserve the emotional wellbeing of children in hospital and the Royal Agricultural Benevolent Institution (RABI) assisting farmers and their families in time of need.

The Mayor gave notice of some forthcoming events including her Garden Party at Hadlow College on 23 July, the annual cricket match against Maidstone Borough Council at Headcorn on 17 August and the Tonbridge Dragon Boat Race on 14 September. The Mayor indicated that there were still places available on her team for the latter and sponsorship would be appreciated to raise funds for her charities. Finally, the Tonbridge Christmas Festival would be taking place on 23 November and further details of fundraising events would be advised in due course.

C 14/36 POLITICAL BALANCE ARRANGEMENTS FOR COMMITTEES

The report of the Director of Central Services and Monitoring Officer set out details of the political balance arrangements required to be applied to the Council's committees, sub-committees, advisory boards and panels.

RESOLVED: That the composition of all committees, sub-committees, advisory boards and panels be approved in accordance with the table at paragraph 1.1.3 of the report.

C 14/37 APPOINTMENT OF CABINET

The Leader presented details of the composition of the Cabinet.

RESOLVED: That it be noted that the Cabinet will comprise seven Members (in addition to the Leader) with the responsibilities indicated:

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

C 14/38 APPOINTMENT OF COMMITTEES

RESOLVED: That appointments to the Committees of the Council for the ensuing municipal year be made as follows:-

Overview and Scrutiny Committee

Councillor A Allison	Councillor D Keeley
Councillor J Atkins	Councillor Mrs F Kemp
Councillor Ms J Atkinson	Councillor S King
Councillor Mrs P Bates	Councillor Miss A Moloney
Councillor C Brown	Councillor T Robins
Councillor D Cure	Councillor A Sayer
Councillor R Dalton	Councillor Miss S Shrubsole
Councillor Miss J Elks	Councillor Mrs E Simpson
Councillor Mrs E Holland	Councillor Ms S Spence

Licensing and Appeals Committee

Councillor A Allison	Councillor M Coffin
Councillor Mrs J Anderson	Councillor Mrs F Kemp
Councillor Ms J Atkinson	Councillor S King
Councillor J Balcombe	Councillor M Parry-Waller
Councillor O Baldock	Councillor M Taylor
Councillor Mrs P Bates	Councillor D Trice
Councillor Mrs B Brown	Councillor Mrs C Woodger
Councillor C Brown	

General Purposes Committee

Councillor A Allison	Councillor D Davis
Councillor M Balfour	Councillor Mrs C Gale
Councillor T Bishop	Councillor N Heslop
Councillor P Bolt	Councillor S Jessel
Councillor C Brown	Councillor Miss A Moloney

Councillor M Coffin
Councillor R Dalton

Councillor H Rogers
Councillor C Smith

Audit Committee

Councillor Ms V Branson
Councillor T Edmondston-Low
Councillor Mrs F Kemp
Councillor S King

Councillor Mrs A Oakley
Councillor M Parry-Waller
Councillor T Robins

Joint Standards Committee

Councillor M Balfour
Councillor Mrs P Bates
Councillor Mrs J Bellamy
Councillor P Bolt
Councillor Ms V Branson
Councillor D Davis
Councillor T Edmondston-Low
Councillor B Luker
Councillor Mrs S Murray
Councillor M Parry-Waller
Councillor Miss J Sergison
Councillor Mrs E Simpson
Councillor C Smith

(Parish members to be appointed
from a pool of nominated
representatives)

A Hearing Panel will be appointed from members of the Joint Standards Committee as necessary.

Area 1 Planning Committee

Councillor A Allison
Councillor Mrs J Anderson
Councillor Ms J Atkinson
Councillor O Baldock
Councillor Mrs P Bates
Councillor P Bolt
Councillor Ms V Branson
Councillor D Cure
Councillor M Davis
Councillor T Edmondston-Low

Councillor Miss J Elks
Councillor Mrs M Heslop
Councillor N Heslop
Councillor R Lancaster
Councillor M Rhodes
Councillor Miss J Sergison
Councillor C Smith
Councillor Ms S Spence
Councillor D Trice

(For the Wards of Cage Green; Castle; that part of the Hadlow, Mereworth and West Peckham Ward within the parish of Hadlow; Higham; Hildenborough; Judd; Medway; Trench; and Vauxhall)

Area 2 Planning Committee

Councillor Mrs J Anderson	Councillor B Luker
Councillor M Balfour	Councillor Mrs S Murray
Councillor C Brown	Councillor T Robins
Councillor F Chartres	Councillor H Rogers
Councillor M Coffin	Councillor A Sayer
Councillor Mrs E Holland	Councillor Miss J Sergison
Councillor S Jessel	Councillor Miss S Shrubsole
Councillor Mrs F Kemp	Councillor M Taylor
Councillor Mrs S Luck	

(For the Wards of Borough Green and Long Mill; Downs; East Peckham and Golden Green; that part of the Hadlow, Mereworth and West Peckham Ward outside the parish of Hadlow; Ightham; Kings Hill; Wateringbury; West Malling and Leybourne; and Wrotham)

Area 3 Planning Committee

Councillor J Atkins	Councillor S King
Councillor J Balcombe	Councillor Miss A Moloney
Councillor Mrs J Bellamy	Councillor Mrs A Oakley
Councillor T Bishop	Councillor M Parry-Waller
Councillor Mrs B Brown	Councillor Mrs E Simpson
Councillor R Dalton	Councillor D Smith
Councillor D Davis	Councillor A Sullivan
Councillor Mrs C Gale	Councillor R Taylor
Councillor P Homewood	Councillor Mrs C Woodger
Councillor D Keeley	

(For the Wards of Aylesford; Blue Bell Hill and Walderslade; Burham, Eccles and Wouldham; Ditton, East Malling; Larkfield North; Larkfield South; Snodland East; and Snodland West)

C 14/39 APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN

RESOLVED: That appointment of the Chairman and Vice-Chairman of each Committee, Board, Panel and Group for the ensuing municipal year be made as follows and the requirement in Part 3 of the constitution for the Chairman of the Tonbridge Forum to be the Leader be suspended:-

<u>COMMITTEE</u>	<u>CHAIRMAN</u>	<u>VICE-CHAIRMAN</u>
Overview and Scrutiny Committee	Councillor Miss A Moloney	Councillor T Robins Councillor Mrs E Simpson
Licensing and Appeals Committee	Councillor C Brown	Councillor A Allison

General Purposes Committee	Councillor M Balfour	Councillor S Jessel
Audit Committee	Councillor Ms V Branson	Councillor T Edmondston-Low
Joint Standards Committee	Councillor Miss J Sergison	Councillor D Davis
Area 1 Planning Committee	Councillor R Lancaster	Councillor Ms V Branson
Area 2 Planning Committee	Councillor Mrs F Kemp	Councillor Mrs E Holland
Area 3 Planning Committee	Councillor A Sullivan	Councillor R Dalton
Parish Partnership Panel	Councillor N Heslop	Councillor M Coffin
Tonbridge Forum	Councillor O Baldock	Councillor N Heslop
Communities and Health Advisory Board	Councillor Ms S Spence	Councillor Mrs C Gale
Community Safety Advisory Board	Councillor R Dalton	Councillor D Cure
Economic Regeneration Advisory Board	Councillor C Smith	Councillor Miss S Shrubsole
Finance, Innovation and Property Advisory Board	Councillor H Rogers	Councillor R Taylor
Leisure and Arts Advisory Board	Councillor Mrs J Bellamy	Councillor Mrs E Holland
Local Environmental Management Advisory Board	Councillor M Davis	Councillor S King
Planning and Transportation Advisory Board	Councillor D Davis	Councillor M Parry-Waller

Strategic Housing Advisory Board	Councillor A Sayer	Councillor D Trice
Electoral Review Working Group	Councillor N Heslop	Councillor M Coffin
Housing Associations Liaison Panel	Councillor Mrs J Anderson	
Joint Employee Consultative Committee	Councillor M Coffin	Councillor M Balfour
Joint Transportation Board	Chairmanship with KCC	Councillor Mrs S Murray
Twinning Committee	Mr M Dobson	Councillor P Homewood Mr D Still

C 14/40 APPOINTMENT OF ADVISORY PANELS AND BOARDS AND OTHER MEMBER GROUPS

RESOLVED: That appointments to the Advisory Panels, Boards and other Member Groups of the Council for the ensuing municipal year be made as follows:-

<u>PANEL/BOARD</u>	<u>MEMBERS</u>
Parish Partnership Panel	Councillor Mrs J Anderson Councillor J Atkins Councillor J Balcombe Councillor M Balfour Councillor Mrs J Bellamy Councillor M Coffin * Councillor N Heslop ** Councillor D Keeley Councillor Miss A Moloney Councillor M Parry-Waller Councillor H Rogers Councillor A Sayer Councillor Mrs C Woodger
Tonbridge Forum	Councillor A Allison Councillor Mrs J Anderson Councillor Ms J Atkinson Councillor O Baldock **

	Councillor P Bolt
	Councillor Ms V Branson
	Councillor T Edmondston-Low
	Councillor Miss J Elks
	Councillor Mrs M Heslop
	Councillor N Heslop *
	Councillor R Lancaster
	Councillor Ms S Spence
	Councillor D Trice
Communities and Health Advisory Board	Councillor A Allison
	Councillor T Bishop
	Councillor D Cure
	Councillor Mrs C Gale *
	Councillor Mrs E Holland
	Councillor D Keeley
	Councillor Miss J Sergison
	Councillor Miss S Shrubsole
	Councillor Ms S Spence **
	Councillor A Sullivan
	Councillor M Taylor
	Councillor R Taylor
	Councillor D Trice
Community Safety Advisory Board	Councillor Mrs P Bates
	Councillor F Chartres
	Councillor D Cure *
	Councillor R Dalton **
	Councillor D Davis
	Councillor Miss J Elks
	Councillor Mrs C Gale
	Councillor Mrs E Holland
	Councillor A Sayer
	Councillor Miss J Sergison
	Councillor Mrs E Simpson
	Councillor D Smith
	Councillor M Taylor
Economic Regeneration Advisory Board	Councillor R Dalton
	Councillor M Davis
	Councillor S King
	Councillor R Lancaster
	Councillor Mrs S Luck
	Councillor M Parry-Waller
	Councillor T Robins
	Councillor A Sayer
	Councillor Miss J Sergison
	Councillor Miss S Shrubsole *
	Councillor Mrs E Simpson
	Councillor C Smith **
	Councillor R Taylor

Finance, Innovation and Property Advisory Board	Councillor J Atkins Councillor O Baldock Councillor T Bishop Councillor P Bolt Councillor D Davis Councillor M Davis Councillor S Jessel Councillor Mrs F Kemp Councillor Miss A Moloney Councillor H Rogers ** Councillor C Smith Councillor A Sullivan Councillor R Taylor *
Leisure and Arts Advisory Board	Councillor Mrs J Bellamy ** Councillor T Bishop Councillor P Bolt Councillor Mrs B Brown Councillor T Edmondston-Low Councillor Miss J Elks Councillor Mrs E Holland * Councillor S Jessel Councillor D Keeley Councillor R Lancaster Councillor Miss S Shrubsole Councillor R Taylor Councillor D Trice
Local Environmental Management Advisory Board	Councillor Ms J Atkinson Councillor Ms V Branson Councillor C Brown Councillor F Chartres Councillor R Dalton Councillor M Davis ** Councillor Mrs E Holland Councillor Mrs F Kemp Councillor S King * Councillor Miss A Moloney Councillor Mrs A Oakley Councillor Ms S Spence Councillor D Trice
Planning and Transportation Advisory Board	Councillor J Atkins Councillor Mrs J Bellamy Councillor Ms V Branson Councillor F Chartres Councillor D Cure Councillor D Davis ** Councillor M Davis Councillor Mrs F Kemp

	Councillor R Lancaster Councillor M Parry-Waller * Councillor D Smith Councillor A Sullivan Councillor M Taylor
Strategic Housing Advisory Board	Councillor Ms J Atkinson Councillor Mrs J Bellamy Councillor Mrs B Brown Councillor C Brown Councillor D Cure Councillor Mrs S Luck Councillor M Parry-Waller Councillor A Sayer ** Councillor Miss S Shrubsole Councillor D Smith Councillor Ms S Spence Councillor D Trice * Councillor Mrs C Woodger
Electoral Review Working Group	Councillor O Baldock Councillor M Balfour Councillor P Bolt Councillor M Coffin * Councillor N Heslop ** Councillor Miss A Moloney Councillor H Rogers Councillor Mrs E Simpson Councillor A Sullivan
Housing Associations Liaison Panel	Councillor Mrs J Anderson ** Councillor J Atkins Councillor Ms J Atkinson Councillor D Davis Councillor A Sayer
Joint Employee Consultative Committee	Councillor M Balfour * Councillor T Bishop Councillor Mrs B Brown Councillor M Coffin ** Councillor B Luker Councillor Mrs S Murray Councillor M Rhodes Councillor Miss J Sergison Councillor R Taylor
Joint Transportation Board	Councillor D Davis Councillor N Heslop Councillor Mrs F Kemp Councillor R Lancaster
Chairmanship with KCC,	Councillor Mrs S Murray *

Vice-Chairmanship with TMBC in 2014/15	Councillor Mrs A Oakley Councillor A Sullivan
Twinning Committee	Councillor Mrs J Anderson Councillor J Balcombe Councillor Ms V Branson Councillor F Chartres Councillor T Edmondston-Low Councillor Mrs C Gale Councillor P Homewood * Councillor S Jessel Councillor S King Mr M Dobson ** Mr D Still *

** Denotes Chairman

* Denotes Vice-Chairman

C 14/41 APPOINTMENT TO OUTSIDE BODIES

RESOLVED: That appointments to serve on outside bodies for the ensuing municipal year be made as follows:-

Kent County Playing Fields Association	Councillor Mrs M Heslop
Age UK Sevenoaks and Tonbridge	Councillor Ms J Atkinson Councillor D Cure Councillor D Trice
Age Concern (Malling)	Councillor Mrs J Bellamy
Tonbridge and Malling Citizens' Advice Bureau	Councillor Mrs J Anderson Councillor Mrs S Murray Mr P Drury
Maidstone and District Care Committee for Chest, Heart and Stroke	Councillor P Homewood
West Kent Relate	Councillor F Chartres
Action with Communities in Rural Kent	Councillor R Dalton Councillor Miss J Sergison
Support Group of Home Improvement Agency	Councillor Mrs J Anderson Councillor J Balcombe
Maidstone Mediation Scheme	Councillor Mrs C Gale
Tourism South East	Councillor Mrs M Heslop

Education Area Briefings	Councillor Mrs M Heslop
Kent Downs AONB Joint Advisory Committee	Councillor Mrs S Murray
Basted Mill Public Open Space Joint Committee	Councillor Mrs S Murray Councillor A Sayer
Snodland Partnership	Councillor D Keeley Councillor Miss A Moloney Councillor Mrs A Oakley
South East England Councils (Leaders' Forum)	Councillor N Heslop (Substitute: Councillor M Balfour)
Youth and Community Centres/Project Management Committees	Councillor Mrs M Heslop
LGA General Assembly	Councillor N Heslop (Substitute: Councillor M Balfour)
West Kent Partnership	Councillor J Balcombe
Parking and Traffic Regulations Outside London Adjudication Joint Committee	Councillor D Davis (Deputy: Councillor M Parry-Waller)
Rochester Airport Consultative Committee	Councillor A Sullivan
Supporting People Commissioning Body	Councillor Mrs J Anderson
Maidstone and Tunbridge Wells NHS Trust Community Involvement Group	Councillor Mrs C Gale
KCC Health Overview and Scrutiny Committee	Councillor M Rhodes
Malling Holmesdale Federation Trust	Councillor Miss A Moloney
Kent and Medway Police and Crime Panel	Councillor M Rhodes
Kent Flood Risk Management Board	Councillor H Rogers

Tonbridge and Malling Leisure
Trust

Councillor M Davis
Councillor Mrs A Oakley

Tonbridge Memorial Trust

Councillor Ms V Branson

C 14/42 SCHEME OF DELEGATIONS

Members were invited to confirm the Scheme of Delegations in compliance with the Constitution.

RESOLVED: That

- (1) those parts of the Scheme of Delegations set out in Part 3 of the Constitution which are for the Council to approve be confirmed;
- (2) the current arrangements for decision making by individual executive Members set out in Part 3 of the Constitution be re-adopted; and
- (3) the current scheme of delegation to officers in respect of executive functions set out in Part 3 of the Constitution be re-adopted.

C 14/43 PROGRAMME OF MEETINGS 2014/15

The programme of Council, Cabinet, Committee and Advisory Board and Panel meetings for the ensuing year and to May 2016 was presented for approval. Members were advised of a change to the dates of meetings of the Joint Employee Consultative Committee.

RESOLVED: That the programme of meetings be confirmed subject to the meetings of the Joint Employee Consultative Committee being changed from 12 to 5 March 2015 and from 10 to 3 March 2016.

C 14/44 SEALING OF DOCUMENTS

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

The meeting ended at 8.15 pm

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Agenda Item 8

<u>Meeting</u>	<u>Date</u>	<u>Page Nos.</u>	<u>Recommendations to Council</u>
Audit Committee	14 April	178 – 183	AU 14/15
Licensing and Appeals Panels (x2)	24 April	184 – 187	-
Licensing and Appeals Panels (x2)	6 June	201 – 204	-
Overview and Scrutiny Committee	11 June	205 – 208	-
Audit Committee	16 June	209 – 213	-
Licensing and Appeals Committee	17 June	214 – 216	LA 14/42
General Purposes Committee	23 June	217 – 224	GP 14/4, 5, 6, 7
Cabinet	25 June	225 – 229	CB 14/48, 49, 50, 51
Licensing and Appeals Panel	1 July	To follow	-
Area 1 Planning Committee	3 April	AP 35 – 38	-
Area 2 Planning Committee	16 April	AP 39 – 43	AP2 14/14
Area 3 Planning Committee	1 May	AP 44 – 48	-
Area 1 Planning Committee	15 May	AP 49 – 51	-
Area 2 Planning Committee	28 May	AP 52 – 54	-
Area 1 Planning Committee	19 June	AP 55 – 60	-

These minutes include the following proposals from the Cabinet in relation to the Council's budget and policy framework:-
 Corporate Performance Plan 2012/15 (Minute CB 14/48)
 Risk Management Strategy (Minute CB 14/49)
 Local Code of Corporate Governance (Minute CB 14/50)

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TONBRIDGE & MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

14 April 2014

Report of the Chair of the Audit Committee

Part 1- Public

Matters for Recommendation to Council

1 AUDIT COMMITTEE ANNUAL REPORT

Summary

This report is produced to inform Council on how the Audit Committee has provided those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes. It is recommended that the Audit Committee agree that this report is presented to Council to support this assurance.

1.1 Introduction

- 1.1.1 The Accounts & Audit (England) Regulations 2011 (2011 No. 817) impose a responsibility on a local authority “*for ensuring that the financial management of the body is adequate and effective and that the body has a sound system of internal control which facilitates the effective exercise of that body’s functions and which includes arrangements for the management of risk*”
- 1.1.2 The Chartered Institute of Public Finance & Accountancy (CIPFA) sets out the role of Audit Committees in their Practical Guidance for Local Authorities 2013. This states that “*the purpose of the Audit Committee is to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.*”
- 1.1.3 The Audit Committee comprises seven Members. The Committee has four meetings each year at which reports submitted by Council Officers and the External Auditors are considered. By consideration of these reports and matters raised within them it is considered that the Audit Committee fulfils the core functions of an Audit Committee as set out in the CIPFA Guidance and is able to give independent assurance to the Council to meet the requirements of the Accounts & Audit Regulations.

1.1.4 The core functions of the Audit Committee are dealt with in the following paragraphs.

1.2 Assurance Statements

1.2.1 The Audit Committee is required to consider the contents of the Annual Governance Statement (AGS) which took place in April 2013 under the leadership of the previous Chair.

1.2.2 The Council has a Local Code of Corporate Governance that sets out how the Council will comply with the principles of the CIPFA/SOLACE (Society of Local Authority Chief Executives) "Framework for Delivering Good Governance in Local Government". This Local Code of Corporate Governance is reviewed regularly and presented to the Audit Committee for endorsement.

1.2.3 The AGS explains how the Council complies with the Local Code of Corporate Governance and the Accounts & Audit Regulations.

1.2.4 Part of the AGS gives updates on emerging issues and identifies impacts in the future of these issues as well as setting out action taken to enhance the overall corporate governance framework.

1.2.5 The AGS is supported by signed Assurance Statements produced by Chief Officers and supporting evidence. A copy of the self-assessment document was presented to the Audit Committee of April 2013 to give evidence of the approach adopted.

1.2.6 In the same Audit Committee meeting there was confirmation from both Management Team and Audit Committee that the Council had complied with International Standards on Auditing.

1.2.7 The Audit Committee considered the content of the AGS and supporting evidence before it was recommended to be approved by the General Purposes Committee to accompany the Statement of Accounts.

1.2.8 The Local Code of Corporate Governance was reviewed and revised in June 2013 prior to recommendation for adoption by Council. This will be used as the basis for the AGS relating to 2013/14.

1.3 Internal Audit Function

1.3.1 The Audit Committee has a role in relation to the authority's Internal Audit functions to: -

- Oversee its independence, objectivity, performance and professionalism
- Support the effectiveness of the internal audit process
- Promote the effective use of internal audit within the assurance framework

- 1.3.2 The Audit Committee received a number of reports to oversee the role of the Internal Audit function.
- 1.3.3 In April 2013, the Audit Committee was presented with an interim report from the Chief Internal Auditor as a summary of supporting evidence to the AGS. This report gave the Chief Internal Auditor's opinion that the Council had maintained an adequate and effective internal control environment.
- 1.3.4 The annual audit plan for 2013/14 was presented to the Audit Committee and they were able to consider the content prior to recommending approval.
- 1.3.5 The Audit Committee is required to consider the effectiveness of Internal Audit on an annual basis. This review was based upon evidence produced and the view of Management Team. Based upon this evidence and the reports of Internal Audit reported upon during the year it was concluded that effectiveness of Internal Audit for 2012/13 was good.
- 1.3.6 The Audit Committee was given a report in June 2013 on the work completed by Internal Audit in the previous year that detailed how resources had been used. The report also covered a number of performance measures to assist the Audit Committee to assess the performance and effectiveness of the function.
- 1.3.7 The Internal Audit Charter is a key document in the delivery of Internal Audit setting out the purpose, authority and responsibilities of the service. Following the issue of the Public Sector Internal Auditing Standards (PSIAS) by CIPFA an exercise was undertaken to assess the Internal Audit section against the new standards. This identified a number of areas requiring changes in order to comply. These changes were reported to Members in October 2013 and one outcome was the approval of a revised Internal Audit Charter.
- 1.3.8 The Internal Audit Charter gives the Chief Internal Auditor the right to raise issues directly with the Chair of the Audit Committee if considered necessary. This would only occur in exceptional circumstances where the Chief Internal Auditor considered that the Chair of the Audit Committee needed to be made aware of significant assurance concerns. There have not been any instances where this has been considered necessary.
- 1.3.9 Throughout the year the Audit Committee received a number of reports updating Members of the progress of work carried out by Internal Audit against the Audit Plan. These reports informed the Audit Committee of the auditor's opinion on the audit undertaken and gave additional information where a red opinion (evidence of significant non-compliance) was given.

1.4 Risk Management Arrangements and Control Environment

- 1.4.1 The Audit Committee is required to consider the effectiveness of the authority's risk management arrangements and the control environment. The Members are required to review the risk profile for the organisation and seek assurances that

action is being taken on risk-related issues, including partnerships with other organisations.

- 1.4.2 The risk profile for the Council is undertaken as part of the audit needs assessment to identify those areas where Internal Audit is most effective.
- 1.4.3 The Risk Management Strategy is the framework for setting out the responsibilities for ensuring that a sound risk management process is in place. The strategy is reviewed by the Audit Committee on an annual basis and this review took place in June 2013 when the current strategy was considered fit for purpose and it was recommended to Council that it would be adopted again.
- 1.4.4 The Risk Management Strategy requires managers to carry out a review of their operational registers every six months. The outcome of this process is reported to Members and this will include specific reference to any risks that are scored in the high risk area together with an explanation of steps taken to manage the risk.
- 1.4.5 The strategy states that all Members would receive risk management training during their four year term of office. The Committee considered that this should take place during the current cycle to accommodate new Members. This training was held on Monday 17 January 2013 with a total attendance of twenty Members of which three were Members of the Audit Committee.
- 1.4.6 The Insurance Officer maintains a record of all claims made against the Council which are reported to the Audit Committee on a regular basis. These reports also inform Members of the steps being taken to minimise similar claims being made against the Council.
- 1.4.7 All reports to Council require a risk assessment of the issues involved to be reported as part of the consideration of the report.

1.5 Assurance Framework and Planning

- 1.5.1 The assurance framework is the overall process that provides evidence to support the AGS. The Audit Committee has a responsibility to understand what assurance is available to support the AGS.
- 1.5.2 The AGS was presented to Members at the meeting of April 2013. The supporting evidence to the AGS consisted of a document setting out the areas of the assurance framework to be considered with an explanation of evidence that supported the conclusions of the AGS.

1.6 Value for Money and Best Value

- 1.6.1 One specific area for the Audit Committee should be consideration of the external auditor opinion on value for money as set out in the codes of audit practice. In addition the Audit Committee should consider what other assurances are available

in relation to identified value for money risks and highlight areas for improvement. (CIPFA Audit Committee Guidance).

- 1.6.2 The External Auditors, Grant Thornton, produced their Annual Audit Letter relating to the year ended 31 March 2013 which was presented to the Audit Committee at their meeting of January 2014.
- 1.6.3 The report concluded that the external auditor was satisfied that in all significant respects the Council put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2013.
- 1.6.4 As part of the embedded system for achieving value for money all Council reports contain a section where value for money is considered.

1.7 Countering Fraud and Corruption

- 1.7.1 The Audit Committee role is defined as having an oversight of the strategy to counter fraud and to assess whether or not it meets recommended practice and standards.
- 1.7.2 The Audit Committee is responsible for the review of the policies relating to countering fraud and corruption. In June 2013 it reviewed the “Whistleblowing Charter” and recommended that it was endorsed by the General Purposes Committee. A further review and minor amended version was considered in January 2014 which was also recommended for endorsement by the General Purposes Committee.
- 1.7.3 In the meeting of January 2014 the anti-fraud policies were reviewed including a separate policy for the Council Tax Reduction Scheme; these were recommended for approval by Council.
- 1.7.4 The Audit Committee also received an update on the progress of the National Fraud Initiative results in October 2013.
- 1.7.5 The Audit Commission issued the “Protecting the Public Purse” report in December 2013 which was reported to the Audit Committee in January 2014. The Audit Committee was given a copy of the checklist contained within the report for further consideration.
- 1.7.6 The “Whistleblowing Code” requires the Audit Committee to be informed of the outcome of any investigations arising from concerns raised under it. However, there were no issues raised during this period so there have not been any reports submitted.

1.8 External Audit

- 1.8.1 The Audit Committee should receive all reports from external auditors and monitor action to be taken that arises from them.
- 1.8.2 The Audit Committee has received copies of all external auditor reports during the year and has been able to consider the content. The external auditors provide a representative to all Audit Committee meetings where the Audit Committee is able to raise questions regarding the content of reports.

1.9 Financial Reporting

- 1.9.1 Local Authority accounts are produced in line with guidance set out by CIPFA. The role of the Audit Committee with regard to these financial statements is not one of detailed knowledge of this guidance but is more aligned to focus on financial reporting and financial governance rather than on the wider issues of spending and performance.
- 1.9.2 The CIPFA Guidance identifies areas that the Audit Committee should be concerned with as follows: -
- reviewing the explanatory foreword to ensure consistency with the statements and the financial challenges and risks facing the authority in the future
 - reviewing whether the foreword is readable and understandable by a lay person
 - identifying the key messages from each of the financial statements and evaluating what that means for the authority in future years
 - monitoring trends and reviewing for consistency with what is known about financial performance over the course of the year
 - reviewing the suitability of accounting policies and treatments
 - seeking explanations for changes in accounting policies and treatments
 - reviewing major judgemental areas, e.g. provisions
 - seeking assurances that preparations are in place to facilitate the external audit.
- 1.9.3 The Audit Committee received the Statement of Accounts at the meeting of 17 June 2013. This report gave the Audit Committee assurance that the accounts were presented in compliance with required legislation and best practice guidance. Following consideration of the accounts and a detailed report giving evidence of how compliance is achieved the Audit Committee agreed to endorse

the Statement of Accounts and supporting documents and a review of specific earmarked reserves.

1.10 Partnership Governance

- 1.10.1 The latest CIPFA Guidance identifies that the Audit Committee should review assurances over partnerships to ensure that arrangements are satisfactorily established and are operating effectively.
- 1.10.2 Although this is a new addition to previous Guidance the arrangements for significant partnerships such as the Refuse Contract have been covered as part of individual audits. The latest audit on refuse collection, recycling and street cleansing contracts was issued as a draft report in January 2014 when it was concluded that a green (expected controls are in place) level of assurance was in place when reviewing that appropriate controls exist to ensure that the refuse collection, recycling and street cleansing contracts are monitored and managed effectively to ensure that the Council's obligations are delivered.

1.11 Treasury Management

- 1.11.1 Although it is not included as a core objective of the Audit Committee the CIPFA Guidance recognises that Treasury Management scrutiny may be a function of some Audit Committees to meet the requirements of the CIPFA Treasury Management Code of Practice.
- 1.11.2 The Audit Committee considered the Treasury Management mid-year review and Annual Report for 2012/13 in their meeting of 17 June 2013.
- 1.11.3 The Committee also received regular updates on Treasury Management. At the meeting of 27 January 2014 Members of the Audit Committee approved the Treasury Management Strategy Statement and Investment Strategy for 2014/15.

1.12 Training

- 1.12.1 During the year the Chair and the Audit Committee has received training in order to assist with the understanding of the issues considered.
- 1.12.2 In September 2013 the Chair met with the Chief Internal Auditor and Audit Manager to discuss the new Public Sector Internal Audit Standards and to complete the self-assessment relating to compliance. The results of this exercise were reported to the Audit Committee in October 2013.
- 1.12.3 On 14 January 2014 all Members were invited to a Treasury Management training session.
- 1.12.4 In January 2014 the Chair of the Audit Committee attended a CIPFA Training Seminar on "Developing the Audit Committee".

1.12.5 On 27 January 2014 all Council Members were invited to attend Risk Management Training provide by Zurich Municipal who provide the Council with insurance cover.

1.12.6 On 18 March 2014 The Chair of the Audit Committee attended a Kent Audit Networking event hosted by Grant Thornton who are the Council's External Auditors.

1.13 Conclusion

1.13.1 The evidence in the preceding paragraphs explains how the Audit Committee has overseen the core functions of an Audit Committee as defined in the CIPFA Guidance.

1.13.2 The guidance identifies that the purpose of the Audit Committee is to provide those charged with governance, with independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance arrangements.

1.13.3 This report provides that assurance to those charged with governance and provides evidence of how the Audit Committee has considered evidence that enables the Committee to provide the required assurance as set out in the CIPFA Audit Committee Guidance.

1.14 Legal Implications

1.14.1 The Audit Committee role is based upon the CIPFA Guidance and meets the requirements of the Accounts & Audit Regulations 2011.

1.15 Financial and Value for Money Considerations

1.15.1 The Audit Committee has a role considering the external opinion on value for money. This has been undertaken as outlined in section 1.6 of this report.

1.16 Risk Assessment

1.16.1 The Audit Committee consideration of risk assessment is covered in section 1.4 of this report.

1.17 Equality Impact Assessment

1.17.1 No issues were identified.

1.18 Recommendations

1.18.1 That Members of the Audit Committee consider this report and recommend that it is presented to Council to provide independent assurance to those charged with governance on the adequacy of the risk management framework, the internal

control environment and the integrity of the financial reporting and annual governance processes.

Background papers:

contact: Councillor V. Branson

CIPFA Audit Committee Guidance 2013

Councillor V. Branson
Chair of Audit Committee

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 provides assurance to Council on internal frameworks.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	This report provides assurance to Council on internal frameworks.
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.

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TONBRIDGE & MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

17 June 2014

Report of the Director of Central Services

Part 1- Public

Matters for Recommendation to Council

1 ADOPTION OF BYELAWS TO REGULATE ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN COLOURING, COSMETIC PIERCING AND ELECTROLYSIS

1.1 Purpose of report

- 1.1.1 Members will recall that at the meeting of the Licensing and Appeals Committee on 19 March 2014 it was recommended that the Council passes a resolution to adopt a new single consolidated set of byelaws, produced by the Department of Health, to regulate acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis. A copy of the report is attached as Appendix 1.
- 1.1.2 The resolution was adopted by Council at its meeting on 8 April 2014.
- 1.1.3 Whilst the resolution made reference to adopting model byelaws for the regulation of skin piercing activity in accordance with section 15 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 120 of the Local Government Act 2003, which provides for tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis, acupuncture is dealt with under section 14 of the Act. It will therefore be necessary to recommend that the Council passes a new resolution so that the byelaws also include acupuncture.

1.2 Recommendations

- 1.2.1 Members are asked to recommend to Council that
- (a) the Council passes a resolution to adopt model byelaws (attached as Appendix 2) for the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis in accordance with sections 14 and 15 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 120 of the Local Government Act 2003 and to authorise the Director of Central Services to apply to the Secretary of State for confirmation and

(b) the relevant registration requirements shall come into effect from the date on which the byelaws referred to above are confirmed by the Secretary of State and the current byelaws revoked.

Background papers:

contact: Cliff Cochrane

Appendix 1 –Report to Licensing and Appeals
Committee on 19 March 2014

Appendix 2 - Model byelaws

Adrian Stanfield
Director of Central Services

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	
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	N/A	
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 & MALLING BOROUGH COUNCIL

LICENSING AND APPEALS COMMITTEE

19 March 2014

Report of the Director of Central Services

Part 1- Public

Matters for Recommendation to Council

1 ADOPTION OF BYELAWS TO REGULATE ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN COLOURING, COSMETIC PIERCING AND ELECTROLYSIS**1.1 Purpose of report**

- 1.1.1 The purpose of this report is to recommend that the Council passes a resolution to adopt a new single consolidated set of byelaws, produced by the Department of Health, to regulate acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis.
- 1.1.2 The byelaws would require persons conducting any of the above activities to register themselves and their premises, and in carrying out the activities observe criteria relating to hygiene of premises, practitioners and equipment.

1.2 Background

1.2.1 The Council resolved to adopt the provision of the Local Government (Miscellaneous Provisions) Act 1982 in respect of skin piercing in 1985 and three separate sets of byelaws were adopted under section 236 of the Local Government Act 1972 to control the hygiene of premises, practitioners and equipment for persons undertaking the following within the Borough:

- acupuncture
- tattooing and
- ear piercing and electrolysis

1.2.2 Public demand for body piercing has increased significantly over the past 20 years. Industry practices have also changed and practitioners have adopted new cosmetic techniques, for example semi-permanent skin colouring. These activities cannot be regulated under the existing byelaws.

- 1.2.3 In response to these changes, section 120 and schedule 6 of the Local Government Act 2003 amended section 15 of the Local Government (Miscellaneous Provisions) Act 1982. The new legislation updated the law to allow for these new practices. The Council did not adopt the new byelaw at the time, instead opting to await for the production of model byelaws. It is these that are now available and that it is proposed the Council adopts.
- 1.2.4 There are advantages to both customer business and the Council from the adoption of these byelaws. Implementation of the byelaws reduces the risk to the public of contracting blood borne viruses such as HIV and Hepatitis B and C. In addition, a single set of byelaws will benefit business as the process of registration will be simplified, particularly for those conducting more than one type of cosmetic skin piercing activity.

1.3 Legal Implication

- 1.3.1 The Department of Health has provided model byelaws and guidance on applications to the Secretary of State for Health for confirmation of the byelaws. The guidance includes a model Council resolution which has been adapted for this report and a model newspaper notice which officers also intent to use. The Council will have to publish its intention to adopt the new legislation in the local press before it applies to the Secretary of State to confirm the byelaws.

1.4 Financial and Value for Money Considerations

- 1.4.1 Councils are allowed to charge a one off fee for registration which is currently £285. There will shortly be a review on the current charging policies.

1.5 Risk Assessment

- 1.5.1 The only way the Council can effectively control skin piercing is by adopting the byelaws. If the model byelaws are not adopted the Council will not be able to regulate hygiene practices and reduce the risk of infection in premises and by operatives offering body piercing and semi-permanent skin colouring procedures.

1.6 Equality Impact Assessment

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

1.7 Recommendations

- 1.7.1 In recommending that the Council passes the resolution, committee shall ensure that regulation of acupuncture and cosmetic skin piercing in the Borough is consistent and up to date. There shall be an increased level of public health protection and business shall benefit from the simplification of legal requirements.

- 1.7.2 It is recommended that (a) committee pass resolutions to adopt model byelaws for the regulation of skin piercing activities in accordance with section 15 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 120 of the Local Government Act 2003 and to authorise the Director of Central Services to apply to the Secretary of State for confirmation and (b) the relevant registration requirements come into effect from the date on which the byelaws referred to above are confirmed by the Secretary of State and the current byelaws revoked.

Background papers:

contact: Cliff Cochrane

Model byelaws

Adrian Stanfield

Director of Central Services

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	
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	N/A	
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.

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TONBRIDGE AND MALLING BOROUGH COUNCIL

BYELAWS

Acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis

Byelaws for the purposes of securing the cleanliness of premises registered under sections 14(2) or 15(2) or both of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and of persons registered under sections 14(1) or 15(1) or both of the Act and persons assisting them and of securing the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the practice of acupuncture or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis, or any two or more of such practice and businesses made by Tonbridge and Malling Borough Council in pursuance of sections 14(7) or 15(7) or both of the Act.

Interpretation

1.—(1) In these byelaws, unless the context otherwise requires—

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“client” means any person undergoing treatment;

“hygienic piercing instrument” means an instrument such that any part of the instrument that touches a client is made for use in respect of a single client, is sterile, disposable and is fitted with piercing jewellery supplied in packaging that indicates the part of the body for which it is intended, and that is designed to pierce either—

- (a) the lobe or upper flat cartilage of the ear, or
- (b) either side of the nose in the mid-crease area above the nostril;

“operator” means any person giving treatment, including a proprietor;

“premises” means any premises registered under sections 14(2) or 15(2) of the Act;

“proprietor” means any person registered under sections 14(1) or 15(1) of the Act;

“treatment” means any operation in effecting acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis;

“the treatment area” means any part of premises where treatment is given to clients.

(2) The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2.—(1) For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that—

- (a) any internal wall, door, window, partition, floor, floor covering or ceiling is kept clean and in such good repair as to enable it to be cleaned effectively;
- (b) any waste material, or other litter arising from treatment is handled and disposed of in accordance with relevant legislation and guidance as advised by the local authority;
- (c) any needle used in treatment is single-use and disposable, as far as is practicable, or otherwise is sterilized for each treatment, is suitably stored after treatment and is

disposed of in accordance with relevant legislation and guidance as advised by the local authority;

- (d) any furniture or fitting in premises is kept clean and in such good repair as to enable it to be cleaned effectively;
- (e) any table, couch or seat used by a client in the treatment area which may become contaminated with blood or other body fluids, and any surface on which a needle, instrument or equipment is placed immediately prior to treatment has a smooth impervious surface which is disinfected—
 - (i) immediately after use; and
 - (ii) at the end of each working day.
- (f) any table, couch, or other item of furniture used in treatment is covered by a disposable paper sheet which is changed for each client;
- (g) no eating, drinking, or smoking is permitted in the treatment area and a notice or notices reading “No Smoking”, and “No Eating or Drinking” is prominently displayed there.

(2)(a) Subject to sub-paragraph (b), where premises are registered under section 14(2) (acupuncture) or 15(2) (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the 1982 Act, a proprietor shall ensure that treatment is given in a treatment area used solely for giving treatment;

(b) Sub-paragraph (a) shall not apply if the only treatment to be given in such premises is ear-piercing or nose-piercing using a hygienic piercing instrument.

(3)(a) Subject to sub-paragraph (b), where premises are registered under section 15(2) (tattooing, semi-permanent skin-colouring and cosmetic piercing) of the 1982 Act, a proprietor shall ensure that the floor of the treatment area is provided with a smooth impervious surface;

(b) Sub-paragraph (a) shall not apply if the only treatment to be given in such premises is ear-piercing or nose-piercing using a hygienic piercing instrument.

3.—(1) For the purpose of securing the cleansing and so far as is appropriate, the sterilization of needles, instruments, jewellery, materials and equipment used in connection with treatment—

- (a) an operator shall ensure that—
 - (i) any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in treatment—
 - (aa) is clean and in good repair and, so far as is appropriate, is sterile;
 - (bb) has not previously been used in connection with another client unless it consists of a material which can be and has been adequately cleansed and, so far as is appropriate, sterilized.
 - (ii) any needle, metal instrument, or other instrument or equipment used in treatment or for handling such needle, instrument or equipment and any part of a hygienic piercing instrument that touches a client is sterile;
 - (iii) any jewellery used for cosmetic piercing by means of a hygienic piercing instrument is sterile;
 - (iv) any dye used for tattooing or semi-permanent skin-colouring is sterile and inert;
 - (v) any container used to hold dye for tattooing or semi-permanent skin-colouring is either disposed of at the end of each treatment or is cleaned and sterilized before re-use.
- (b) a proprietor shall provide—
 - (i) adequate facilities and equipment for—
 - (aa) cleansing; and
 - (bb) sterilization, unless only pre-sterilized items are used.
 - (ii) sufficient and safe gas points and electrical socket outlets;

- (iii) an adequate and constant supply of clean hot and cold water on the premises;
- (iv) clean and suitable storage which enables contamination of the articles, needles, instruments and equipment mentioned in paragraphs 3(1)(a)(i), (ii), (iii), (iv) and (v) to be avoided as far as possible.

4.—(1) For the purpose of securing the cleanliness of operators, a proprietor—

- (a) shall ensure that an operator—
 - (i) keeps his hands and nails clean and his nails short;
 - (ii) keeps any open lesion on an exposed part of the body effectively covered by an impermeable dressing;
 - (iii) wears disposable examination gloves that have not previously been used with another client, unless giving acupuncture otherwise than in the circumstances described in paragraph 4(3);
 - (iv) wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with another client;
 - (v) does not smoke or consume food or drink in the treatment area; and
- (b) shall provide—
 - (i) suitable and sufficient washing facilities appropriately located for the sole use of operators, including an adequate and constant supply of clean hot and cold water, soap or detergent; and
 - (ii) suitable and sufficient sanitary accommodation for operators.

(2) Where an operator carries out treatment using only a hygienic piercing instrument and a proprietor provides either a hand hygienic gel or liquid cleaner, the washing facilities that the proprietor provides need not be for the sole use of the operator.

(3) Where an operator gives acupuncture a proprietor shall ensure that the operator wears disposable examination gloves that have not previously been used with another client if—

- (a) the client is bleeding or has an open lesion on an exposed part of his body; or
- (b) the client is known to be infected with a blood-borne virus; or
- (c) the operator has an open lesion on his hand; or
- (d) the operator is handling items that may be contaminated with blood or other body fluids.

5. A person registered in accordance with sections 14 (acupuncture) or 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Act who visits people at their request to give them treatment should observe the requirements relating to an operator in paragraphs 3(1)(a) and 4(1)(a).

6. The byelaws relating to tattooing that were made by Tonbridge and Malling Borough Council on the 9th day of August 1985 and the byelaws made by Tonbridge and Malling Borough Council relating to ear piercing and electrolysis and acupuncture made on 18th day of October 1985 and were confirmed by the Secretary of State for Social Services on 19th December 1985 are revoked.

THE COMMON SEAL OF THE TONBRIDGE
AND MALLING BOROUGH COUNCIL was hereunto
affixed this day of in the presence of

LS

Director of Central Services

The foregoing byelaws are hereby confirmed by the Secretary of State for Health
on and shall come into operation on

Member of the Senior Civil Service

Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on premises. Section 16(9) of the Local Government (Miscellaneous Provisions) Act 1982 provides that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act. A person who contravenes section 16(9) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale (see section 16(10)).

Section 16 of the Local Government (Miscellaneous Provisions) Act 1982 also provides that any person who contravenes these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under Part VIII of the Act is found guilty of contravening these byelaws the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of the person's registration. A court which orders the suspension of or cancellation of a person's registration may also order the suspension or cancellation of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under the relevant sub-sections of section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.

Nothing in these byelaws extends to the practice of acupuncture, or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis by or under the supervision of a person who is registered as a medical practitioner, or to premises in which the practice of acupuncture, or business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis is carried out by or under the supervision of such a person.

Nothing in these byelaws extends to the practice of acupuncture by or under the supervision of a person who is registered as a dentist, or to premises in which the practice of acupuncture is carried out by or under the supervision of such a person.

The legislative provisions relevant to acupuncture are those in section 14. The provisions relevant to treatment other than acupuncture are in section 15.

The key differences in the application of requirements in respect of the various treatments are as follows:

*The references in the introductory text to provisions of section 14 (acupuncture) of the Local Government (Miscellaneous Provisions) Act 1982 **only apply to acupuncture.***

*The references in the introductory text to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Local Government (Miscellaneous Provisions) Act 1982 **do not apply to acupuncture.***

*The references in paragraph 1(1) in the definition of "premises" to provisions of section 14 (acupuncture) **only apply to acupuncture.***

*The references in paragraph 1(1) in the definition of "premises" to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) **do not apply to acupuncture.***

*The requirement in paragraph 2(2) that treatment is given in a treatment area used solely for giving treatment **applies to acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis but not to ear-piercing or nose-piercing using a hygienic piercing instrument.***

*The requirement in paragraph 2(3) that the floor of the treatment area be provided with a smooth impervious surface **applies to tattooing, semi-permanent skin-colouring and cosmetic piercing but not to acupuncture or electrolysis or ear-piercing or nose-piercing using a hygienic piercing instrument.***

*The requirements relating to dye or a container used to hold dye used for treatment in paragraphs 3(1) (a) (iv) and (v) **apply to tattooing and semi-permanent skin-colouring.***

*The requirement in paragraph 4(1)(a)(iii) that an operator wears disposable examination gloves that have not previously been used with another client **does not apply to acupuncture otherwise than in the circumstances described in paragraph 4(3).***

*The provisions of paragraph 4(2) in relation to washing facilities **apply to cosmetic piercing using only a hygienic piercing instrument.***

*The exception whereby the byelaws do not apply to treatment carried out by or under the supervision of a **dentist** applies only to **acupuncture (see section 14(8) of the Act).***

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

23 June 2014

Report of the Chief Executive

Part 1- Public

Matters for Recommendation to Council

1 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

To note the recommendation of the Electoral Review Working Group in respect of the review of Polling Districts and Polling Places in the Borough, and to agree to the final proposals to be submitted to Council for approval.

1.1 Introduction

1.1.1 Members will be aware that the Electoral Review Working Group (ERWG) met on 18 March 2014 (**Annex 1**) to determine the final recommendations to this General Purposes Committee regarding the Review of Polling Districts and Polling Places.

1.1.2 That review commenced in October 2013, and included a public consultation that concluded in January 2014. Members of the ERWG discussed the responses to that consultation, and agreed that the proposals put before them be endorsed and put before this Committee for recommendation to Council.

1.1.3 The final recommendations are set out in **Annex 2**. These are the same as that presented to ERWG, save for a slight formatting correction.

1.1.4 I therefore recommend that the final proposals, as set out at **Annex 2** and previously agreed by the Electoral Review Working Group, be agreed by this Committee for recommendation to Council on 15 July 2014. The appropriate changes made to the Register effective 1 December 2014.

1.2 Legal Implications

1.2.1 The Representation of the People Act 1983 (as amended) requires borough councils to undertake reviews of polling districts and polling places at least every four years. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. The next compulsory review must now be started and completed between 1 October 2013 and 31 January 2015 (inclusive).

1.3 Financial and Value for Money Considerations

- 1.3.1 The cost of this review will be met from existing budgets. Failure to correctly undertake this review could impose considerable financial penalties on the (Acting) Returning Officers due to problems at elections; this would trigger a series of events bringing cost and embarrassment to the Council.

1.4 Risk Assessment

- 1.4.1 The requirements of our electors are essential, and a failure to correctly undertake this review could result in disenfranchising electors, or making it more difficult for them to vote.
- 1.4.2 Any failure in the process or consideration of comments made during the consultation stage could result in the Electoral Commission over-ruling the decisions of the Council.

1.5 Equality Assessment

- 1.5.1 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.
- 1.5.2 The selection of polling places takes into account the needs of electors with disabilities and, as far as is reasonably practicable, efforts are made to ensure all eligible electors are able to access polling stations. Risk assessments of all polling places have been undertaken, and this includes a series of access questions. Presiding Officers at polling stations also provide feed-back on accessibility of polling stations at elections. The review of polling places has identified some changes that will help improve accessibility to venues (by using better-located venues) and into polling stations (by using venues with better accessibility).

1.6 Recommendations

- 1.6.1 It is recommended that Members approve the final proposals set out in this paper for agreement by Council.

contact: Richard Beesley

Julie Beilby
Chief Executive

TONBRIDGE & MALLING BOROUGH COUNCIL
ELECTORAL REVIEW WORKING GROUP

18 March 2014

Report of the Chief Executive

Non Delegated

1 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

To note the responses to the recent public consultation regarding the review of Polling Districts and Polling Places in the Borough, and to agree to the final proposals to be submitted to Council via the General Purposes Committee.

1.1 Introduction

- 1.1.1 Members will recall that, at the meeting of 23 October 2013, the draft proposals for the review of Polling Districts and Polling Places were agreed. These were published immediately following that meeting, signifying the start of the public consultation.
- 1.1.2 Invitations to contribute to the consultation, including a link to the full consultation materials, were sent to Borough Councillors, parish councils, County Councillors, the local Members of Parliament, local political parties, and groups with expertise in advising on accessibility issues for people with disabilities. In addition, the booking clerks for all polling place venues were advised of the review and our initial proposals.
- 1.1.3 The final date by which representations were to have been received in relation to this review was 24 January 2014. The responses, from which personal information has been redacted, are included at **Annex 1**.

1.2 Responses

- 1.2.1 During the consultation, a total of 31 formal responses were received, including by email or direct to the consultation webpage. In addition, correspondence was received from most polling place venues confirming their continued acceptance of being used as a polling place from 2015. No negative responses were received from any proposed polling place venues.

- 1.2.2 During the consultation, an informal approach was made by one local political party. They have previously shared the view that **Trench Ward** should be served by two polling places. They had been invited to respond to the consultation, but were contacting us to check their understanding of the process. In that correspondence, they stated:

[NAME REDACTED] asked me to take up the case we were making for a second polling station in the Trench Ward. We were arguing that voters at the South end of the ward - many of them elderly - had a long uphill walk to the Six in One Club to vote and we suggested that a second polling station - ideally at the Baptist Church - would be of considerable assistance.

- 1.2.3 In our initial consultation, we stated:

Trench Ward

Consideration has been given to splitting Trench ward into two polling districts, such that Tonbridge Baptist Church becomes a polling place for the southern part of the ward. We have previously been asked to consider this, on the grounds that voters living near to the Baptist Church have to travel uphill to the existing polling place in order to vote in person.

Tonbridge Baptist Church has step-free access to good-sized accommodation for polling day, with access to car parking facilities and close to the homes it will serve. Unfortunately, the layout of properties in Trench Ward, and the obvious reluctance to allocate residents living adjacent to one polling station a different place in which to vote, or different to their neighbours across the road but in the same ward (residents in Trench Road and Northwood Road, for example) there are limited numbers of electors who can be allocated to this polling station.

Therefore, no changes to the polling place are proposed, given the small number of electors that could be relocated to an alternative venue and the confusion such a change could make, in addition to the difficulties of securing a multi-use venue in the private sector. In addition, any such change would require a substantial proportion of the electors to walk down the hill to vote and then back up; this would be no benefit over requiring other electors to walk up the hill as at present. In addition, postal voting on demand is available to all electors.

- 1.2.4 In support of these initial proposals, the local Borough Councillors submitted:

We are writing to you with regard to the suggestion of a second polling station at the Tonbridge Baptist Church (referred to as TBC).

Firstly, I have been working with TBC for 7 years now and they have always stated that they wish to remain non-political.

Secondly, TBC lies on the southern boundary of Trench with Castle Ward. From TBC there stretches half a mile of a very steep hill, most properties are in the north of the ward, and very few would gain from this proposal as they would then have to walk back up the hill.

We have Lesley [sic] Tew Court for the elderly sharing the car park with TBC, where all residents have been offered or have postal votes, plus if they wish to visit the Polling Station in person, we provide a car.

The current Polling Station at The North Tonbridge Community Centre (Six In One Club) in Northwood Road is large and perfectly adequate for the number of electors in the Ward.

For these reasons we do not agree that a second Polling Station at TBC is necessary, or for that matter helpful to our Residents.

And:

I am very relieved that we are having just the one Polling Station, my comments initially that we would not gain anything as either way my residents would still have to walk the hill.

- 1.2.5 In order to ensure transparency in our deliberations, I have contacted Tonbridge Baptist Church for their views. Although open to considering working with TMBC in this regard in future (following a review and reconfiguration of their premises and use thereof), they have stated:

I have now had time to consult with colleagues. Unfortunately this proposal falls at the first hurdle since we have long-standing priority commitments to groups that use both the rooms you have identified on Thursdays. One is a Day Centre for elderly people which is not able to be cancelled – especially at just a few weeks' notice in the case of a by-election.

- 1.2.6 Within Trench Ward as a whole, 10.6% of registered local government electors have a postal vote. Within Leslie Tew Court, a greater proportion (33.3%) do so.
- 1.2.7 I am therefore minded that there is no net advantage to electors to creating a second polling station in Trench ward. There is also no suitable available venue. I therefore recommend that the polling place remain as set out in our initial proposals.
- 1.2.8 During the consultation, in addition to the broadly positive responses, we received two comments regarding **Larkfield North**;
- One stated an objection to the new warding arrangement. However, the wards were set by the Local Government Boundary Commission for England and cannot be changed. This is therefore outside of the scope of this consultation.

- The other advocated merging the polling places for Larkfield North and Larkfield South into one venue. However the number of electors from these two wards would preclude that on practicality grounds. At present both venues house two polling stations to serve their respective wards. It would not be possible to house four stations in one venue due to the size of the venue and the resulting confusion to electors.

1.2.9 We have also received a response from the MP for Chatham & Aylesford, asking that consideration be given to voters moving into Peter's Village (part of the new **Burham & Wouldham** ward). Given the relatively early stages of occupation in that development, I am minded to recommend we make no changes at the current time but keep that parish under consideration as the electorate grows in the coming years.

1.2.10 One response has been received from the owners of the current polling place for **Cage Green** south. The 2nd Tonbridge (Parish Church) Scout Group have submitted:

We are most disappointed that our building [Scout Hall, The Ridgeway, Tonbridge] will no longer be used as a Polling Station after 2014. We are surprised that the main reason given is the limited car parking space. [NAME REDACTED] informed the Group Executive Committee that on various occasions when he has visited our building during polling the car park has never been full.

Whilst we appreciate that boundaries have to be changed from time to time we are surprised that the critical issue appears to be car parking space.

As you will be aware the Scout Movement emphasises the importance of Civic Duty and it is good for our members to see our building being used for civic purposes.

We would therefore ask you to reconsider your proposal not to use our building as a polling station.

1.2.11 However, Members are asked to note that from 2015 the geographical area that is to be served by a polling station in the southern part of Cage Green ward is expanding and the electorate expected to attend that station is increasing by around 40%. Whilst the car park at the Scout Hall is not often filled by voters, they do often park on The Ridgeway instead. With an increase of 40% of voters, and some very high turnout elections likely in 2015, we do have to consider the implications of that many more vehicles parking at the polling station or on the road itself. The proposed new venue is also more centrally located, making it easier for more electors to walk to and access more readily.

1.2.12 I therefore propose that no changes are made to the recommendations in light of these comments.

1.3 Proposals

- 1.3.1 In light of these responses, no substantive changes are recommended from the initial proposals.
- 1.3.2 I therefore recommend that the final proposals, as set out at **Annex 2**, be agreed and submitted to the General Purposes Committee on 23 June 2014. Following agreement from that Committee, the final proposals will be presented to Council on 15 July 2014 and the appropriate changes made to the Register effective 1 December 2014.

1.4 Legal Implications

- 1.4.1 The Representation of the People Act 1983 (as amended) requires borough councils to undertake reviews of polling districts and polling places at least every four years. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. The next compulsory review must now be started and completed between 1 October 2013 and 31 January 2015 (inclusive).

1.5 Financial and Value for Money Considerations

- 1.5.1 The cost of this review will be met from existing budgets. Failure to correctly undertake this review could impose considerable financial penalties on the (Acting) Returning Officers due to problems at elections; this would trigger a series of events bringing cost and embarrassment to the Council.

1.6 Risk Assessment

- 1.6.1 The requirements of our electors are essential, and a failure to correctly undertake this review could result in disenfranchising electors, or making it more difficult for them to vote.
- 1.6.2 Any failure in the process or consideration of comments made during the consultation stage could result in the Electoral Commission over-ruling the decisions of the Council.

1.7 Equality Assessment

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

- 1.7.2 The selection of polling places takes into account the needs of electors with disabilities and, as far as is reasonably practicable, efforts are made to ensure all eligible electors are able to access polling stations. Risk assessments of all polling places have been undertaken, and this includes a series of access questions. Presiding Officers at polling stations also provide feed-back on accessibility of polling stations at elections. The review of polling places has identified some changes that will help improve accessibility to venues (by using better-located venues) and into polling stations (by using venues with better accessibility).

1.8 Recommendations

- 1.8.1 It is recommended that Members approve the final proposals set out in this paper for agreement by the General Purposes Committee.

contact: Richard Beesley

Julie Beilby
Chief Executive

Final proposals

POLLING DISTRICT LABELLING

Polling District codes will be three characters long, as set out below. The codes are used simply for administration, and primarily by electoral services staff.

- First character: Constituency code (C or T)
- Second character: Ward code within the constituency, the first ward being A, the next B and so on.
- Third character: The polling district within the ward, starting with A.

PARLIAMENTARY CONSTITUENCY OF CHATHAM & AYLESFORD

Ward		Aylesford North & Walderslade		
PD	Polling district	Description	Polling place	Electorate
CAA	Aylesford North	The Aylesford North ward of Aylesford parish	At or near; Aylesford Community Centre 25 Forstal Road ME20 7AU	In 2018: 823 (including around 100 postal voters at present)
CAB	Blue Bell Hill	The Blue Bell Hill ward of Aylesford parish	At or near; Blue Bell Hill Village Hall Robin Hood Lane (Upper) ME5 9NR	In 2018: 1,072 (including around 210 postal voters at present)
CAC	Eccles	The Eccles ward of Aylesford parish	At or near; Church Hall Bull Lane Eccles ME20 7HW	In 2018: 1,281 (including around 160 postal voters at present)
CAD	Walderslade	The Walderslade ward of Aylesford parish	At or near; Tunbury Hall Catkin Close ME5 9HP	In 2018: 2,190 (including around 370 postal voters at present)

Ward		Aylesford South		
PD	Polling district	Description	Polling place	Electorate
CBA	Aylesford South	The new Borough ward of Aylesford South	At or near; Community Hall Royal British Legion Village Hall Road ME20 7QU	In 2018: 3,914 (including around 570 postal voters at present)

Ward		Burham & Wouldham		
PD	Polling district	Description	Polling place	Electorate
CCA	Burham	The parish of Burham	At or near; Burham Old School Community Centre Rochester Road Burham	In 2018: 1,019 (including around 130 postal voters at present)
CCB	Wouldham	The parish of Wouldham	At or near; Wouldham Village Hall High Street	In 2018: 2,278 (including around 130 postal voters at present)

Ward		Ditton		
PD	Polling district	Description	Polling place	Electorate
CDA	Ditton North	That part of Ditton ward including and to the north of London Road, plus Bradbourne Lane (2-11 inc), and Downderry Way (3-9 odds).	At or near; Cobdown Sports & Social Club Station Road Ditton ME20 6BX	In 2018: 1,257 (including around 160 postal voters at present)
CDB	Ditton South	The remainder of Ditton ward	At or near; Ditton Community Centre Kiln Barn Road Ditton	In 2018: 2,474 (including around 330 postal voters at present)

Ward		Larkfield North		
PD	Polling district	Description	Polling place	Electorate
CEA	Larkfield North	Borough ward of Larkfield North	At or near; Larkfield Village Hall New Hythe Lane Larkfield Aylesford ME20 6PU	In 2018: 3,495 (including around 470 postal voters at present)

Ward		Larkfield South		
PD	Polling district	Description	Polling place	Electorate
CFA	Larkfield South	Borough ward of Larkfield South	At or near; Church Farm Hall New Hythe Lane Larkfield Aylesford ME20 6ST	In 2018: 3,333 (including around 410 postal voters at present)

Ward		Snodland East & Ham Hill		
PD	Polling district	Description	Polling place	Electorate
CGA	Snodland North East	The former Snodland North East polling district	At or near; The Devonshire Rooms 4 Waghorn Road Snodland ME6 5BQ	In 2018: 2,127 (including around 300 postal voters at present)
CGB	Snodland South	The former Snodland South East polling district, plus that part of this new ward to the west of the Malling Road.	At or near; Holmesdale Technology College Malling Road Snodland	In 2018: 1,355 (including an estimated projection of around 200 postal voters)

Ward		Snodland West & Holborough Lakes		
PD	Polling district	Description	Polling place	Electorate
CHA	Snodland West & Holborough Lakes	The Borough ward of Snodland West & Holborough Lakes	At or near; Community Centre Paddlesworth Road Snodland ME6 5DP	In 2018: 5,226 (including an estimated projection of around 600 postal voters)

PARLIAMENTARY CONSTITUENCY OF TONBRIDGE & MALLING

Ward		Borough Green & Long Mill		
PD	Polling district	Description	Polling place	Electorate
TAA	Borough Green	The parish of Borough Green	At or near; Borough Green Village Hall High Street Borough Green TN15 8BJ	In 2018: 3,121 (including around 300 postal voters at present)
TAB	Platt	The parish of Platt	At or near; Platt Memorial Hall Maidstone Road Platt TN15 8JT	In 2018: 1,364 (including around 165 postal voters at present)
TAC	Plaxtol	The parish of Plaxtol	At or near; Plaxtol Memorial Hall School Lane Plaxtol TN15 0QD	In 2018: 869 (including around 110 postal voters at present)
TAD	Shipbourne	The parish of Shipbourne	At or near; Shipbourne Village Hall Upper Green Road Shipbourne TN11 9PL	In 2018: 395 (including around 75 postal voters at present)

Ward		Cage Green		
PD	Polling district	Description	Polling place	Electorate
TBA	Cage Green North	The northern part of Cage Green ward, including Whistler Road and surrounding roads (previously in Higham ward).	At or near; Hugh Christie Technology College, White Cottage Road, Tonbridge, TN10 4PU	In 2018: 1,815 (including around 320 postal voters at present)
TBB	Cage Green South	The southern part of Cage Green ward, extending the existing polling district to include Salisbury Road, Salisbury Close and Nursery Close and Hoggarden Road and Parkway.	At or near; St Philips Church, Salisbury Road, Tonbridge,	In 2018: 1,765 (including around 230 postal voters at present)

Ward		Castle		
PD	Polling district	Description	Polling place	Electorate
TCA	Castle North	That part of Castle ward to the north of London Road and Portman Park.	At or near; YMCA centre 164 Shipbourne Road, Tonbridge, TN10 3EJ	In 2018: 2,145 (including around 310 postal voters at present)
TCB	Castle South	That part of Castle ward to the south of London Road, and west of the High Street, plus the Hilden Park area of the ward (including High Hilden, Farm Lane). Includes Portman Park.	At or near; Tonbridge Castle Castle Street, Tonbridge, TN9 1BH	In 2018: 1,445 (including around 250 postal voters at present)

Ward		Downs & Mereworth		
PD	Polling district	Description	Polling place	Electorate
TDA	Addington	The parish of Addington	At or near; Addington Village Hall Park Road Addington ME20 5BQ	In 2018: 644 (including around 90 postal voters at present)
TDB	Birling	The parish of Birling	At or near; Birling Village Hall Snodland Road Birling ME19 5JG	In 2018: 329 (including around 25 postal voters at present)
TDC	Mereworth	The parish ward of Mereworth (part of Mereworth parish)	At or near; Mereworth Village Hall Butchers Lane Mereworth ME18 5QD	In 2018: 564 (including around 50 postal voters at present)
TDD	Offham	The parish of Offham	At or near; Offham Village Hall Church Road Offham ME19 5NY	In 2018: 646 (including around 70 postal voters at present)
TDE	Ryarsh	The parish of Ryarsh	At or near; Ryarsh Village Hall Birling Road Ryarsh ME19 5LS	In 2018: 1,055 (including around 60 postal voters at present)
TDF	Trottscliffe	The parish of Trottscliffe	At or near; Trottscliffe Village Hall School Lane Trottscliffe ME19 5EB	In 2018: 411 (including around 40 postal voters at present)
TDG	West Peckham	The parish of West Peckham	At or near; West Peckham Village Hall Church Road West Peckham ME18 5JL	In 2018: 272 (including around 45 postal voters at present)

Ward		East Malling		
PD	Polling district	Description	Polling place	Electorate
TEA	East Malling	East Malling Ward of East Malling & Larkfield Parish	At or near; East Malling Village Hall New Road East Malling ME19 6DD	In 2018: 3,624 (including around 450 postal voters at present)

Ward		Hadlow & East Peckham		
PD	Polling district	Description	Polling place	Electorate
TFA	East Peckham	The parish of East Peckham	At or near; The Curran Hall Methodist Church Pound Road East Peckham TN12 5AU	In 2018: 2,660 (including around 260 postal voters at present)
TFB	Golden Green	The parish ward of Golden Green, part of Hadlow parish.	At or near; The Community Hall Three Elm Lane Tonbridge TN11 0BE	In 2018: 467 (including around 45 postal voters at present)
TFC	Hadlow	The parish ward of Hadlow, part of Hadlow parish.	At or near; Hadlow Old School Maidstone Road Hadlow Tonbridge TN11 0EH	In 2018: 2720 (including around 300 postal voters at present)

Ward		Higham		
PD	Polling district	Description	Polling place	Electorate
TGA	Higham	Borough Ward of Higham.	At or near; The Methodist Hall, Higham Lane, Tonbridge, TN10 4JA	In 2018: 3,702 (including around 570 postal voters at present)

Ward		Hildenborough		
PD	Polling district	Description	Polling place	Electorate
THA	Hildenborough North	That part of Hildenborough which is North of the Tonbridge Road and West of Coldharbour Lane, including properties on Coldharbour Lane, plus properties South of Noble Tree Road.	At or near; St Johns Church Hall Tonbridge Road Hildenborough Tonbridge Kent TN11 9HT	In 2018: 1,687 (including around 178 postal voters at present)
THB	Hildenborough South	That part of Hildenborough which is South of the Tonbridge Road, and East of Coldharbour Lane.	At or near; Stocks Green CP School Leigh Road Hildenborough Kent TN11 9AE	In 2018: 2,207 (including around 245 postal voters at present)

Ward		Judd		
PD	Polling district	Description	Polling place	Electorate
TJA	Judd Central	That part of Judd ward to the south of the railway line, and north of Brook Street.	At or near; St Stephens Church Centre, Waterloo Road, Tonbridge. TN9 2SW	In 2018: 1137 (including around 150 postal voters at present)
TJB	Judd North	That part of Judd ward north of the Tonbridge to Redhill railway line.	At or near; Teen & Twenty Club, River Lawn Road, Tonbridge, TN9 1EP	In 2018: 1,252 (including around 145 postal voters at present)
TJC	Judd South	That part of Judd ward south of the Tonbridge to Redhill railway line.	At or near; K College, Brook Street, Tonbridge, TN9 2PW	In 2018: 2,577 (including around 300 postal voters at present)

Ward		Kings Hill		
PD	Polling district	Description	Polling place	Electorate
TKA	Kings Hill North East	The north eastern part of Kings Hill parish	At or near; Discovery School Discovery Drive Kings Hill ME19 4GJ	In 2018: 2,483 (including around 260 postal voters at present)
TKB	Kings Hill South	The southern and western part of Kings Hill parish, formally served by TKA and TKB.	At or near; Kings Hill Community Centre Gibson Drive Kings Hill ME19 4LG	In 2018: 3,332 (including around 490 postal voters at present)
TKC	Mereworth Airfield	The Airfield Ward of Mereworth Parish	At or near; Kings Hill Community Centre Gibson Drive Kings Hill ME19 4LG	In 2018: 224 (including around 20 postal voters at present)

Ward		Medway		
PD	Polling district	Description	Polling place	Electorate
TLA	Medway North	That part of Medway ward to the north of the Tonbridge to Paddock Wood railway line.	At or near; The Fisher Hall, Lockside, Tonbridge, TN9 1EY	In 2018: 2,651 (including around 280 postal voters at present)
TLB	Medway South	That part of Medway ward to the south of the railway line.	At or near; Hillview School for Girls, Brionne Gardens, Tonbridge TN9 2HE	In 2018: 2,204 (including around 240 postal voters at present)

Ward		Trench		
PD	Polling district	Description	Polling place	Electorate
TMA	Trench	Borough Ward of Trench.	At or near; Six in One Community Centre, Northwood Road, Tonbridge TN10 3HH	In 2018: 3,579 (including around 250 postal voters at present)

Ward		Vauxhall		
PD	Polling district	Description	Polling place	Electorate
TNA	Vauxhall North	That part of Vauxhall ward to the north of Springwell Road/Pembury Road.	At or near; Tonbridge Royal British Legion Club, 26 Priory Road, Tonbridge TN9 2AS	In 2018: 1,306 (including around 130 postal voters at present)
TNB	Vauxhall South	That part of Vauxhall ward to the south of Springwell Road / Pembury Road and east of The Drive.	At or near; Tonbridge Grammar School For Girls, Deakins Leas, Tonbridge TN9 2JR	In 2018: 2,364 (including around 300 postal voters at present)

Ward		Wateringbury		
PD	Polling district	Description	Polling place	Electorate
TPA	Wateringbury	The parish of Wateringbury	At or near; Wateringbury Village Hall 147 Tonbridge Road Wateringbury ME18 5BS	In 2018: 1,606 (including around 230 postal voters at present)

Ward		West Malling & Leybourne		
PD	Polling district	Description	Polling place	Electorate
TQA	Leybourne Village	That part of the parish of Leybourne, excluding Leybourne Chase.	At or near; Leybourne Village Hall Little Market Row Leybourne ME19 5QL	In 2018: 1,999 (including an estimated projection of around 240 postal voters)
TQB	Leybourne Chase	The Leybourne Chase development within Leybourne, and properties on the A20 London Road adjacent to it.	At or near; Leybourne Chase Community Hall Off Beadsman Crescent	In 2018: 1,386 (including an estimated projection of around 200 postal voters)
TQC	West Malling	The parish of West Malling	At or near; West Malling CP School Norman Road West Malling ME19 6RL	In 2018: 2,070 (including around 375 postal voters at present)

Ward		Wrotham, Ightham & Stansted		
PD	Polling district	Description	Polling place	Electorate
TRA	Ightham	The parish of Ightham	At or near; Ightham Village Hall Sevenoaks Road Ightham TN15 9HA	In 2018: 1,586 (including around 220 postal voters at present)
TRB	Stansted	The parish of Stansted	At or near; Stansted Village Hall Malthouse Road Stansted TN15 7PH	In 2018: 414 (including around 30 postal voters at present)
TRC	Wrotham	The parish of Wrotham	At or near; St Georges Hall High Street Wrotham TN15 7AB	In 2018: 1,424 (including around 150 postal voters at present)

TONBRIDGE AND MALLING BOROUGH COUNCIL

ELECTORAL REVIEW WORKING GROUP

Tuesday, 18th March, 2014

Present: Cllr N J Heslop (Chairman), Cllr O C Baldock, Cllr M A C Balfour, Cllr P F Bolt, Cllr Miss A Moloney, Cllr H S Rogers and Cllr A K Sullivan

Councillors Mrs J A Anderson, Ms J A Atkinson, Mrs P Bates, S M King, B J Luker, Mrs S Murray, M Parry-Waller, M Taylor and R Taylor were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors M A Coffin and Mrs E A Simpson

PART 2 - PRIVATE

ER 14/1 DECLARATIONS OF INTEREST

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

ER 14/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Electoral Review Working Group held on 23 October 2013 be approved as a correct record and signed by the Chairman.

ER 14/3 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

Further to Minute ER 13/14, the report of the Chief Executive gave details of the responses made to the recent public consultation regarding the review of Polling Districts and Polling Places in the Borough. Whilst no negative responses had been received in respect of any proposed polling place venues, reference was made to several approaches in respect of Trench, Larkfield North, the new Burham and Wouldham ward and Cage Green south. Members were advised of the reasons for proposing no changes to the recommendations as set out and it was noted that the final proposals would be referred to the General Purposes Committee and the full Council on 15 July 2014.

RECOMMENDED: That the final proposals, as set out at Annex 2 to the report, be commended for approval.

The meeting ended at 7.42 pm

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TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

23 June 2014

Report of Director of Central Services and Monitoring Officer

Part 1- Public

Matters for recommendation to Council

This report seeks the approval of Members to adopt a revised publication scheme under the Freedom of Information Act 2000

1 FREEDOM OF INFORMATION – PUBLICATION SCHEME

- 1.1.1 The Freedom of Information Act 2000 created a general right of access to information held by public authorities. Under the Act, public authorities have a specific obligation to adopt and maintain a publication scheme which has been approved by the Information Commissioner (ICO), and make certain information available to the public as a matter of course through that scheme.
- 1.1.2 To assist public authorities in meeting this obligation the ICO has developed model publication schemes, which all public authorities are required to adopt. The scheme is available in 2 versions – one is designed for those public authorities that are only covered for certain information, and the other is for all other public authorities. The model scheme applicable to Tonbridge & Malling (the latter of the 2 versions) commits the Borough Council to publish certain classes of information. It also specifies how we should make the information available, what we can charge and what we need to tell the public about the scheme.
- 1.1.3 The Borough Council's publication scheme was last reviewed by Members in December 2008. The scheme adopted at that time followed the requirements of the 2008 model scheme.
- 1.1.4 In August 2013 the ICO published revised model publication schemes. Our publication scheme has therefore been revised to ensure it complies with the revised scheme.

1.2 The model scheme

- 1.2.1 The model scheme commits a public authority to proactively make the following seven classes of information available to the public –
- (a) Who the authority is and what it does;
 - (b) What the authority spends and how it spends it;

- (c) What the authority's priorities are and how it is planning to meet these priorities;
- (d) How the authority makes decisions;
- (e) The authority's policies and procedures;
- (f) Lists and registers the authority holds;
- (g) The services the authority offers;

1.2.2 We are required to review and update the information contained within the scheme on a regular basis.

1.2.3 A revised publication scheme is attached as **Annex 1**.

1.3 Legal Implications

1.3.1 The Borough Council is required to adopt and maintain a publication scheme under section 19 of the Freedom of Information Act 2000.

1.4 Financial and Value for Money Considerations

1.4.1 The Freedom of Information Act does not specify how much a public authority may charge for information published in accordance with a publication scheme. However, material that is published and accessed online under the model scheme must be provided free of charge.

1.4.2 Any charges that are levied must be published, indicating when we will charge and how much.

1.5 Risk Assessment

1.5.1 Not applicable.

1.6 Equality Impact Assessment

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

1.7 Recommendations

1.7.1 RECOMMENDED that the publication scheme at Annex 1 be adopted.:

Background papers:

contact: Adrian Stanfield

Nil

Adrian Stanfield

Director of Central Services and Monitoring Officer

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	
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		Not applicable.

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 and Malling Borough Council

FREEDOM OF INFORMATION – PUBLICATION SCHEME

Tonbridge and Malling Borough Council has produced this Publication Scheme under Section 19 of the Freedom of Information Act 2000 (the FOI Act). It is based on the Model Publication Scheme prepared and approved by the Information Commissioner (2013 edition).

The scheme commits the Borough Council:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the authority and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the authority makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.
- To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under a specified licence. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of that Act.

Purpose of the Scheme

Under Section 19 of the FOI Act, each public authority must produce a Publication Scheme. This has to set out what information it will make available as a matter of course, how and when it will do so, and whether or not this information will be made available free of charge. The authority must then release the information as promised in its scheme.

Classes of information

The classes of information have been organised into broad areas relating to services provided by Tonbridge and Malling Borough Council. These fall generally into the following 7 classes:-

- **Who we are and what we do**
- **What we spend and how we spend it**
- **What our priorities are and how we are doing**
- **How we make decisions**
- **Our policies and procedures**
- **Lists and Registers**
- **The services we offer**

The method by which information published under this scheme will be made available

Wherever possible, information will be provided on our website. Where it is impracticable to make information available on a website or when an individual does not wish or is unable to access the information by the website, we will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where the Borough Council is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with either regulations made under section 11B of the Freedom of Information Act or other enactments.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written requests

Information held by the Borough Council that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act and/ or the Environmental Information Regulations.

Re-use of Public Sector Information and copyright

Subject to the following conditions, the Borough Council has no objection to organisations downloading its copyright-protected materials from the Tonbridge and

Malling Borough Council website (the 'Materials') and reproducing them in their own publications, or on their internal computer networks.

Organisations using the Borough Council's materials must adhere to the following criteria.

- Organisations must ensure that they are using the latest version of the Materials available.
- Any publication or internal network which incorporates the Borough Council's Materials must include an acknowledgement of the source of such materials.
- The Material must be clearly separated from any comment made on it by the organisation or others.
- Readers of the Material must not be given the impression that the Borough Council is responsible for, or has in any way approved, the publication or network in which its Materials are reproduced.
- The Materials may not be altered or amended unless such material is clearly marked as altered or amended by the organisation or others.
- No fee may be charged by any organisation reproducing the Borough Council's Materials in respect of reproducing Materials.
- When reproducing the Borough Council's Materials, organisations must have regard to any qualifying statements or descriptions attached to the Materials, (for example, descriptions such as 'consultation document', 'discussion paper', or 'preliminary view' are important as are statements concerning the audience at which the Material is directed). If the Material is reproduced in full, or substantial extracts are reproduced, any qualifying statements attached to the Material must be included.

Any reproduction of the Borough Council's official forms, other than for the purpose of submitting information to the Borough Council, must be clearly marked 'SPECIMEN' unless otherwise expressly agreed by the Borough Council.

There is no charge for the reproduction of Materials made in accordance with these conditions.

This applies only to information in which the Council owns the copyright. For any other material, you must seek authorisation from the copyright holders concerned.

Access to Personal Information Under the Data Protection Act 1998

The Data Protection Act 1998 provides living individuals with the right of access to personal information held about them. The right applies to all Council information held in computerised form and also to non-computerised information held in filing systems structured so that specific information about particular individuals can be retrieved readily. The rights extend also to those archives that meet these criteria. However, the

right is subject to exemptions which will affect whether information is provided and requests will be dealt with on a case by case basis.

Please send requests for access to information under the Data Protection Act “(Data Subject Access Requests)” to Adrian Stanfield, Director of Central Services and Monitoring Officer (see contact points below). Please provide as much detail as possible to help us find the information.

Note that the Data Protection Act does not give third parties rights of access to personal information for research purposes.

Environmental Information

If the information you want relates to the state of the environment, you can submit a request for information under the Environmental Information Regulations 2004. Please provide as much detail as possible to help us identify the information you are looking for.

Some environmental information is made available through our Publication Scheme and will be made available as set out above. Where information is not included in the scheme, it will be made available according to the fees structure set out in the Environmental Information Regulations 2004.

If we refuse to supply all or part of the information you have asked for, we will write to you explaining why. The reasons will be based on the exceptions in the regulations.

The Environmental Information Regulations can be purchased from HMSO, or can be read free of charge on the HMSO website.

Complaints and Appeals

If you are unhappy with the way we have dealt with a request, you should complain to us directly, using the Council's complaints procedure. Your initial complaint should be sent to the Director of Central Services and Monitoring Officer at monitoring.officer@tmbc.gov.uk.

The Information Commissioner is responsible for enforcing the operation of the Publication Scheme. In the case of a failure to deliver information through the Scheme, you may also appeal directly to the Information Commissioner at any time.

The Information Commissioner can be contacted by telephone on 01625 545745, by fax on 01625 524 510, by email at data@dataprotection.gov.uk , or by post to:

Information Commissioner
Wycliffe House
Water Lane

Wilmslow
Cheshire
SK9 5AF

Personnel

Overall responsibility for the publication scheme resides with Adrian Stanfield, Director of Central Services and Monitoring Officer, who can be contacted at monitoring.officer@tmbc.gov.uk.

Day-to-day running of the Publication Scheme is undertaken by Administrative Services, who can be contacted at admin.services@tmbc.gov.uk.

1. WHO WE ARE AND WHAT WE DO:

Description	Where available	Fee
A-Z Services	http://www.tmbc.gov.uk/services-a-z	Free via website
Visiting Council Offices	http://www.tmbc.gov.uk/contact-us	
Council constitution	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/council-constitution	Free via website
Council Meetings – agendas and minutes	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/council-minutes,-agendas-and-reports	Free via website
Emergency Plans	http://www.tmbc.gov.uk/services/advice-and-benefits/emergencies/civil-emergencies-business-continuity-advice	Free via website
Elected member contact details / pictures	http://www.tmbc.gov.uk/services/council-and-democracy/elected-representatives	Free via website
Code of conduct	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/council-constitution/codes	Free via website
Elections	http://www.tmbc.gov.uk/services/council-and-democracy/events/events-democracy	Free via website

2. WHAT WE SPEND AND HOW WE SPEND IT:

Budget	http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/council-budgets	Free via website
Medium Term Financial Strategy	http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/council-budgets/medium-term-financial-strategy-201213-202122	
Expenditure over £250	http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/financial-information	Free via website
Statement of Accounts	http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/annual-accounts	Free via website
Capital Strategy	http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/council-budgets/capital-strategy	Free via website
Procurement Strategy	http://www.tmbc.gov.uk/services/business/tenders-and-contracts/procurement-policy	Free via website
Members' Allowances & Expenses	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/councillors-allowances-and-expenses	Free via website
Senior Officers' salaries	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/transparency-senior-salaries	Free via website
Grants	http://www.tmbc.gov.uk/services/education-and-learning/grants	Free via website
Contracts	http://www.tmbc.gov.uk/services/business/tenders-and-contracts/procurement-contracts-management	Free via website

3. WHAT OUR PRIORITIES ARE AND HOW WE ARE DOING

Key Priorities	http://www.tmbc.gov.uk/services/council-and-democracy/performance/council-performance-indicators	Free via website
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4. HOW WE MAKE DECISIONS

Constitution	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/council-constitution	Free via website
Forthcoming Key Decisions		Free via website
Cabinet Member Decisions		Free via website
Standards	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/council-constitution/articles/standards-committee	Free via website
Petition Scheme	http://www.tmbc.gov.uk/services/council-and-democracy/consultations/petitions	Free via website
Overview & Scrutiny Committee	http://www.tmbc.gov.uk/services/council-and-democracy/elected-representatives/scrutiny	Free via website
Local Code of Corporate Governance	http://www.tmbc.gov.uk/services/council-and-democracy/corporate-governance	Free via website

5. OUR POLICIES AND PROCEDURES

Pay Policy Statement	http://www.tmbc.gov.uk/_data/assets/pdf_file/0005/60467/Pay-Policy-statement-1213.pdf	Free via website
Employment terms and conditions	http://www.tmbc.gov.uk/services/jobs-and-careers/jobs/job-vacancies/employment-terms-and-conditions	Free via website
Equality & Diversity	http://www.tmbc.gov.uk/services/jobs-and-careers/equality-and-diversity	Free via website
Local Plan	http://www.tmbc.gov.uk/services/environment-and-planning/planning/local-development-framework	Free via website
Open Space Strategy	http://www.tmbc.gov.uk/services/environment-and-planning/planning/open-space-strategy	Free via website

	planning/planning/local-development-framework/ldf/open-space-strategy	
Tree Safety Strategy	http://www.tmbc.gov.uk/services/leisure-and-culture/parks-and-open-spaces/tree-management/tree-safety-strategy	Free via website
Food Sampling Policy	http://www.tmbc.gov.uk/services/environment-and-planning/environmental-health/food-safety-inspections/food-sampling-policy	Free via website
Council Tax Reduction Scheme	http://www.tmbc.gov.uk/services/advice-and-benefits/council-tax/council-tax-reduction-scheme	Free via website

6. LISTS AND REGISTERS

Notification of Members' interests / Register of gifts / hospitality	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/councillors-declaration-of-interest	Free via website
Licensing Act 2003 register	Available to inspect	Free to view
Register of Hackney Carriage Licence Holders	Available to inspect	Free to view
Register of Private Hire Licence Holders	Available to inspect	Free to view
Register of Society lotteries	Available to inspect	Free to view
Register of Electors	Available to inspect	Free to view
Register of planning applications	http://www.tmbc.gov.uk/services/environment-and-planning/planning/planning-area-search-service	Free via website. Hard copy version available to inspect.
Register of planning enforcement notices	Available to inspect	Free to view
Register of houses in multiple occupation	Available to inspect	Free to view
Register of Caravan Site licences	Available to inspect	Free to view
Assets of Community Value	Available to inspect	Free to view

Register		
Asset Register	Available to inspect	Free to view

7. THE SERVICES WE OFFER

A-Z Services	http://www.tmbc.gov.uk/services-a-z	Free via website
Customer Services	http://www.tmbc.gov.uk/services/council-and-democracy/customer-services	Free via website
Complaints	http://www.tmbc.gov.uk/services/council-and-democracy/complaints/complaints-procedure	Free via website

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

23 June 2014

Report of the Director of Central Services

Part 1- Public

Matters for Recommendation to Council

1 HUMAN RESOURCES STRATEGY UPDATE

The Human Resources Strategy (HR Strategy) provides an overview of the Council's approach to managing its employees. It is updated annually to identify "improvement priorities", such as changes to the Council's personnel policies.

The updated HR Strategy attached as Annex 1 to this report advises the Committee on the progress in achieving the improvement priorities in the Human Resources Strategy (HR Strategy) for April 2013 – March 2014, and identifies actions to be implemented in the period April 2014 – March 2015. The updated Strategy in Annex 1 also contains the statutory equality monitoring required by the Equality Act 2010.

1.1 Overview of updates to the HR Strategy

1.1.1 Section 3 of the updated HR Strategy lists progress against the improvement priorities identified in 2013/14. The Committee will note that all of the identified actions were achieved.

1.1.2 Section 4 of the HR Strategy reports the outcomes of the equality monitoring of staffing issues in 2013/14. There is no evidence of discrimination against any of the protected characteristic groupings listed in the Equality Act 2010.

1.1.3 Section 5 of the HR Strategy advises the Committee of the improvement priorities that have been so far identified for 2014/15. This Section is referred to as The Workforce Development Plan (WDP) because periodically various external agencies, Government Departments etc. request information about the Council's Workforce Development Plan.

1.2 Legal Implications

1.2.1 The reporting of the outcomes of the Council's HR equalities monitoring is a statutory requirement of the Equalities Act 2010.

1.3 Financial and Value for Money Considerations

1.3.1 All of the actions listed in Section 5 of the attached Annex will be resourced from existing budgets.

1.4 Risk Assessment

1.4.1 The Workforce Development Plan in Section 5 of the HR Strategy complies with one of the recommended requirements of the Annual Governance Statement (part of the statement of accounts).

1.5 Equality Impact Assessment

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

1.6 Recommendations

1.6.1 The Committee is commended to note the outcomes of the equality monitoring as reported in Section 4 of the HR Strategy and to recommend the actions listed in Section 5 to Council.

Background papers:

contact: Delia Gordon

Nil

Adrian Stanfield
Director of Central Services

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 HR Strategy incorporates actions that minimise the risk of causing adverse impact and discrimination.

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?	Yes	As above
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.

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Annex 1

HUMAN RESOURCES STRATEGY (incorporating the Pay and Workforce Strategy)

1 The Council's Aspirations

The Council aspires to provide customer focused efficient services. We also strive to continuously improve our performance and increase efficiency. In attempting to achieve these aspirations we are guided by the following corporate values:

That all people having dealings with the Council have a right to equality of treatment, courtesy, promptness and integrity.

The Council believes in fairness, consensus, involvement and learning in respect of its dealings with the people of the Borough and its communities, and that these values should be mirrored in the Council's relationship with staff.

2 Human Resource Strategy

The Human Resources Strategy is about recognising and developing the crucial contribution of every employee. This is prompted by the expectation/aspiration that all employees will:

- be customer focused
- be corporately aware
- demonstrate a "can do" approach to work
- appreciate the Council as a good employer
- consider themselves as colleagues in a joint endeavour to achieve the corporate vision.

Working with partners, external service providers, and other authorities, the Council will give ongoing consideration to the further development of the Strategy. The Strategy will be updated annually and will identify improvement priorities for the year ahead. The annual update will also report on the achievement of the improvement priorities identified the previous year.

In order to align our Human Resource activities with the Council's values and strategic aims, four key "building blocks" are used to inform and direct human resource activities. These are:

- Leadership and Management
- Effective Recruitment and Retention

Communication and Team Working
Workforce Development.

The Sections below provide an overview of the Council's current approaches to developing these "building blocks".

Leadership and Management Development

We want managers and supervisors throughout Tonbridge & Malling Borough Council to meet their responsibilities to their colleagues by providing leadership, direction, purpose and support.

Managers and supervisors will be expected to proactively seek out opportunities for service transformation and to set standards within the context of the Council's approach to performance management, to ensure that the Council's performance is continuously improved.

All managers and supervisors will contribute to developing an organisational climate that encourages innovation, by encouraging their staff to engage positively in service transformation and in developing new ways of working.

Corporate working will be promoted throughout the Council.

All managers and supervisors will be expected to uphold the Investors in People Standard and to behave in accordance with the Council's Supervisory and Management Capability Checklists.

Up to date advice, training and support on Council policies and procedures for dealing with a range of employee relations issues will ensure consistency of management style.

New managers and supervisors will be equipped for their role by participating in appropriate training and development activities.

Throughout their careers with the Council managers and supervisors will have opportunities to attend training and development events that reflect their responsibilities.

Effective Recruitment & Retention

We want an employment package that attracts and retains capable people who are committed to delivering excellent services to the community.

We will balance internal progression with external recruitment to ensure that the Council continuously reinvigorates its talent pool, and that appropriate succession planning ensures an appropriately skilled workforce for the future.

We will endeavour to attract suitable applicants by clear job descriptions, person specifications and advertisements.

There will be a fair and consistent recruitment and selection framework that supports diversity within the workforce and that is regularly inspected by our internal audit team. Our workforce broadly reflects the ethnic distribution of the residents of the borough.

We will offer employees a fair and competitive rate for the job that reflects the principles of equal pay. We will ensure equal status for part-time staff. In 2014/15 of a workforce of 311 permanent employees, 148 are employed on a part time basis.

Wherever possible, we will offer employees flexible working opportunities that reflect the diversity of the workforce and facilitate a healthy Work Life Balance.

We will ensure that working environments are safe and healthy. The Council is currently accredited with the ROSPA Gold Award.

We will foster a supportive management ethos that recognises and values everyone's contribution.

We will offer employees suitable training and development opportunities. The Council is currently accredited with the Investors in People Standard.

Where relevant we will encourage staff to develop their basic numeracy and literacy skills. The Council provides up to three placements annually for Customer Services Apprentices, part of whose training entails the development of key literacy and numeracy skills.

Communication and Team Working

We want to create a climate of trust, honesty and involvement. We recognise the need for open and honest two-way communication.

We will maintain a system of annual individual appraisals and regular team briefings across the organisation.

We will maintain a constructive relationship with recognised employee representatives and the Trade Union. There is an effective Joint Employee Consultative Committee which provides an opportunity for elected members, managers and employees to debate staffing issues.

We will honour the Council's commitment to trust, honesty and involvement by working through employee relations issues according to the procedures specified in the Grievance, Disciplinary, Capability, Anti-Bullying and Harassment and Confidential Reporting Codes of Practice/Procedures.

We will ensure that corporate information is easily accessible and will continue to develop the use of information technology for this purpose. All employees can access relevant corporate policies and e-learning modules on the Council's intranet.

We will encourage development of a culture of corporate and co-operative working across the Council. The effectiveness of our Human Resources policies are tested approximately every 3 years in a Staff Survey.

We will encourage employees to influence the shape of future service delivery in an environment that embraces transformation and partnership working.

Workforce Development

We want employees to know how their contribution fits into the bigger picture, and to have the skills, knowledge and information they need to do their job effectively. We want them to feel committed to the Council and to enjoy coming to work.

We will provide new employees with information about their job and employment package.

Every new employee will undergo a customised induction process.

All employee's will have an annual performance appraisal which will review their performance over the past year, set personal objectives for the year ahead, and identify any training and development needs.

All employees will have access to training and development activities that are linked with their individual objectives as well as those of the service to which they belong.

We will deal firmly and fairly with poor performance.

On return from absence due to sickness, all employee's will engage in a return to work interview with their line manager that will attempt to identify any organisational factors which may have contributed towards their illness.

3 Achievement of Improvement Priorities for the period April 2013 to March 2014

Action	Progress
<i>Developing leadership capacity</i>	
i) Provide structured development	Two Area Planning Officers and The

<p>opportunities that enhance management capacity and enable succession planning that takes account of the anticipated departure of many senior staff over the next 5 years.</p>	<p>Waste and Street Scene Management Officer have attended short intensive managerial training courses.</p>
<p><u><i>Developing the skills and capacity of the workforce</i></u></p> <p>i) Support the development of appropriate officers in skill sets required to meet current legislation/service requirements.</p> <p>ii) All relevant staff to have undertaken an e-learning programme in Asbestos Awareness and to have attended Legionella Awareness training.</p> <p>iii) Provide Emergency First Aid training for staff employed on the Summer Play Scheme.</p>	<p>There have been 372 instances of employees undertaking off the job seminars, workshops or short courses, and 133 e-learning courses were completed .</p> <p>All identified staff have undertaken the relevant training.</p> <p>This was provided and appropriate First Aid was administered to the small number of “casualties”.</p>
<p><u><i>Organisational development</i></u></p> <p>i) Support the transfer of staff employed within the Leisure Services Business Unit to the Tonbridge and Malling Leisure Trust.</p> <p>iv) Undertake Equality Impact Assessments (EQiAs) or the screening of EQiAs in accordance with the timetable set out in the Council’s Equality Action Plan.</p>	<p>The transfer was successfully completed without legal challenge.</p> <p>The EQiAs for the Capability and Disciplinary Procedures were screened and no potential differential impacts were identified.</p>

<u>Resourcing, recruitment and retention</u>	
<p>i) Provide work placements to local schools.</p>	<p>Numerous work placement opportunities have been provided for Year 10 and 11 students.</p>
<p>ii) Continue to provide apprenticeship placements for Customer Services at NVQ Level 2.</p>	<p>2 placements were provided in partnership with K College and were successfully “filled”. The success of the programme has been evidenced by the permanent employment of one of the apprentices as a Revenue Assistant and the retention of the other apprentice on a fixed term contract of employment in Building Control.</p>
<p>iii) Seek to maintain the profile of the Council as an employer of disabled people by gaining re-accreditation of the Two Ticks Scheme.</p>	<p>The Council successfully attained re-accreditation in January 2014.</p>
<p>v) Continue to re-align the Council’s Establishment with its re-defined priorities.</p>	<p>A significant number of changes to job roles, changes in working patterns, re-gradings, and deletion of posts have been agreed at the meetings of the General Purposes Committee in May, June, September and October 2013.</p>
<p>vii) Explore options for an on line self service route for staff regarding personnel and payroll administration.</p>	<p>Preparatory work commenced in 2013/14 and the implementation is now underway.</p>

4 Equalities Monitoring 2013/14

In accordance with Equality legislation, the Authority is legally obliged to consider how our activities as an employer affect people who share different protected characteristics.

The information included in the tables below shows the outcomes of this monitoring for the period 2013/14. For the sake of comparison, a percentage analysis of the demographic profile of the Borough according to gender, ethnicity and disability is shown in Table 10 and a breakdown of the race, disability, gender and age distributions of the workforce in Tables 11 & 12.

In accordance with commitments made in the Equality Impact Assessment of the Flexible Working Policy the outcomes of the monitoring of the return rates from maternity leave and applications for flexible working are included in Tables 8 & 9.

Table 1 – Analysis of applications for jobs

Total Applicants	920
Male	368
Female	552
Disabled	33
Ethnic Minority	104

Shortlisted	173
Male	74
Female	81
Disabled	4
Ethnic Minority	14

Appointed	41
Male	18
Female	23
Disabled	0
Ethnic Minority	2

Table 2 – Analysis of Promotions

Promotions	4
Male	2
Female	2
Disabled	0
Ethnic Minority	0

Table 3 – Analysis of Disciplinary Hearings

Hearings	3
Male	2
Female	1
Disabled	0

Ethnic Minority	0
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Table 4 – Analysis of Capability Hearings

Hearings	1
Male	1
Female	0
Disabled	0
Ethnic Minority	1

Table 5 – Analysis of Grievance Hearings

Cases	1
Male	0
Female	1
Disabled	0
Ethnic Minority	0

Table 6 –Instances of staff within the Council (excluding the Leisure Business Unit) receiving training for which a direct cost has been incurred.

Total	White	Non White	Male	Female	Disabled	Under 25	25-39	40-54	Over 54
375	365	10	150	225	7	2	162	160	51

Table 7 – Applications for flexible working and success rates

Nature of the request	Number of requests	Requests granted
Flexible retirement	3	3
Reduction in working hours	5	5
Term time working	0	0

Table 8 – Return rates from maternity leave

Category	Number
Number of employees on maternity leave	12
Number still on maternity leave in 2013/14	9
Number of employees who left the Council's employment on or shortly after returning from maternity leave	1
Number who have returned to employment with the Council.	2

Table 9 – Demographic analysis of the Borough

Equality Characteristic	Percentage
Male	48
Female	52
White	96
Ethnic Minority	4
Permanently sick or disabled	3

Table 10 – Gender, disability and race distribution of the workforce

In 2012/13 there were 409 permanent employees, of which 148 were part time.

Equality Characteristic	Headcount
Gender	Male – 168 Female - 241
Disability	Employees who consider themselves to be disabled – 6
Ethnicity	White – 291 Black – 4 Asian or Asian Black – 3 Other Asian – 0 Mixed - 1

Note – any discrepancies in the totals above are due to employees not disclosing personal information.

Table 11 – Age distribution of the workforce

Age range	Number of employees
Up to 19	3
20 - 25	32
26 - 35	78
36 - 45	94
46 - 55	115
56 - 65	79
Over 65	8

5 Workforce Development Plan April 2014 – March 2015

Developing leadership capacity

Continue with the provision of structured development opportunities that enhance our management capacity and enable succession planning that

takes account of the potential departure of many senior staff over the next five years.

Developing the skills and capacity of the workforce

Continue to support the ongoing professional development of staff, and to equip them with the knowledge and skills required to deliver services, to respond to changes introduced by the Government, and to the Council's transformational agenda. Specific areas of need will be identified during the 2014/15 performance appraisal process.

Organisational Development

Consider the impact on the Council's policies of any proposals from the Government to amend existing employment legislation, and re-align the the Council's HR/Personnel Policies with the timetable for any proposed amendments.

Resourcing, recruitment & retention

Continue to re-align the Council's Establishment with its re-defined priorities.

Continue to explore options with other Councils for shared service delivery.

Continue to ensure that work placements are provided to local schools, and two apprenticeships are offered in Customer Service skills.

Seek to maintain the reputation of the Council as an employer of disabled people by gaining re-accreditation of the Two Ticks Scheme (by February 2015).

Pay and Reward

Track the benefits package offered by our competitors for staff and keep the Council's package under review (ongoing).

Update the Pay Policy Statement (by April 2015).

Update the rates of the reimbursement of subsistence expenses for those attending training and development activities (as specified in the Training Expenses and Facilities Scheme) in line with the annual rates specified by the South East Employers Organisation.

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

23 June 2014

Report of the Director of Central Services

Part 1- Public

Matters for Recommendation to Council

1 LOCALISM ACT – PAY POLICY

Section 38(1) of the Localism Act 2011 requires English and Welsh local authorities to review its pay policy statement for each financial year. This report summarises the requirements of the Act and presents an updated Pay Policy Statement for 2014/15 in Annex 1. Members will note that there have not been any changes in the Council's remuneration policy and the substantive content of the updated Pay Policy Statement in Annex 1 is identical to the Council's first Pay Policy Statement (adopted by the Council on 16 February 2012).

1.1 Contents of the Pay Policy

1.1.1 As members may recall, the Act requires the pay policy statement to include the following aspects of the Council's remuneration policy:

the level and elements of remuneration for each chief officer

a definition of "lowest-paid employees" and the remuneration of the authority's lowest-paid employees

the policy on the relationship between the remuneration of its chief officers and other officers

the policy on specific aspects of chief officers' remuneration: remuneration on recruitment, increases to remuneration, use of performance-related pay and bonuses, termination payments and transparency

the title "chief officer" includes both statutory and non-statutory chief officers, and their deputies. Therefore, within the Pay Policy Statement set out in Annex 1, the information about the remuneration of chief officers pertains to the current Establishment and therefore includes the posts of the Chief Executive, the Council's four Service Directors, the Chief Planning Officer and the Chief Financial Services Officer and the senior officers that are directly accountable to these "chief officers".

- 1.1.2 The Act's definition of remuneration includes pay, charges, fees, allowances, benefits in kind, enhancements of pension entitlements and termination payments. All of these elements have been covered in the pay policy statement attached in Annex 1.
- 1.1.3 In order to provide a holistic and transparent context for the remuneration of chief officers and their deputies, the pay policy in Annex 1 provides an overview of the pay elements for all Council employees.

1.2 Legal Implications

- 1.2.1 The policy set out in Annex 1 to this report contains all of the elements of a statutory pay policy as stipulated in Section 38 (1) of the Localism Act 2011.
- 1.2.2 Section C of the attached pay policy is compliant with Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, and regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2008.
- 1.2.3 The definition of the terms "chief officer" and "deputy chief officer" in the attached pay policy statement is in accordance with the definition of a statutory chief officer, non-statutory chief officer and deputy chief officer in section 2 of the Local Government and Housing Act 1989.

1.3 Financial and Value for Money Considerations

- 1.3.1 As is set out in Section A of the attached Pay Policy the Council's approach to setting a pay multiple is broadly calculated on a base salary multiple of 8 being the gap between the remuneration of the lowest and the most highly paid employees in relation to National Qualifications Framework and is enshrined within the Council's locally determined job benchmarking evaluation scheme. Such an approach places an emphasis on cash reward as the corner stone of the Council's pay policy, and ensures that pay is based on job requirements.

1.4 Equality Impact Assessment

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

1.5 Recommendations

- 1.5.1 It is recommended that this committee commends the pay policy in Annex 1 to this report for adoption at the Council meeting on 15 July 2014.

Background papers:

contact: Delia Gordon

Nil

Adrian Stanfield
Director of Central Services

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 Pay Policy set out in Annex 1 pertains exclusively to employees.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	Yes	The adoption of a specific pay multiple as set out in Section A of the Pay Policy in Annex 1 is a means of ensuring a rationale for pay rates based on skills, knowledge and expertise rather than other potentially discriminatory factors. The severance arrangements as set out in Annex 1 Section C have already been assessed for their equality impact during the revision of the Council's Employment Stability Policy by this Committee on 28 October 2010.
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.

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Annex 1

Pay Policy Statement 2014/15

Introduction

When determining remuneration levels the Council is mindful of the requirement to balance the needs of managing scarce public resources with the need to secure and retain high-quality employees. The Council aligns its reward strategy with organisational needs by an emphasis on cash rewards, and ensuring that pay is determined by job requirements. The Council aims to operate a consistent and equitable organisation-wide reward system by placing the responsibility for remuneration decisions with a committee of elected councillors, the General Purposes Committee, and the responsibility for administering the pay policy within the Council's Personnel team.

Section 38 (1) of the Localism Act 2011 requires the council to prepare an annual pay policy statement for 2014/15. The Act specifies that the following must be included in the pay policy statement:

- the level and elements of remuneration for each chief officer
- the policy on the remuneration of chief officers on recruitment
- increases and additions to their remuneration including performance related pay, bonuses, charges, fees, allowances, benefits in kind and termination payments
- a definition of the "lowest paid employees" and the policy on the remuneration of this group
- the policy on the relationship between the remuneration of its chief officers and other officers
- policy on re-employing someone who has been made redundant.

This statement will be published on the Council's website.

Section 1 – Remuneration of statutory and non-statutory Chief Officers and Deputy Chief Officers

The term "chief officer" within The Localism Act includes both statutory and non-statutory chief officers, and their deputies. The actual remuneration for these roles is available on the Council's website

<http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/transparency-senior-salaries>

The salary scales for statutory and non-statutory Chief Officers and Deputy Chief Officers is set out below.

No of chief officers	Grade	% of M2 benchmark	Pay Point Range
13	M6	56.0%	141- 144
9	M5	61.0%	147 - 150

2	M4	70.0%	151- 154
4	M2a	97.5%	181- 184
1	M1	125.0%	191- 194

Fee for acting as the Returning Officer

Tonbridge & Malling Borough Council is required to appoint a Returning Officer by virtue of section 35 of the Representation of the People Act 1983. In Tonbridge & Malling, the Chief Executive has been appointed as the Returning Officer. This is a personal appointment, separate from their other duties. In this capacity they are the Returning Officer for elections to the Borough Council and to Parish Councils within this Borough. The Returning Officer fee is payable for the substantial additional duties undertaken, and leadership required of the Returning Officer in planning, delivering and undertaking the elections, and recognises the personal nature and personal responsibility of the role of the Returning Officer.

For Borough and Parish Council elections, the Returning Officer fee is calculated in accordance with an agreed Kent Scale of Fees. For National and European elections the fee rate is set by central government. A European Parliamentary Election is scheduled during the 2014/15 financial year.

Section 2 – Remuneration of the lowest paid employees

In compliance with Section 38 of the Localism Act, for the purposes of this statement the “lowest paid employee” has been defined as those who are engaged as a Scale 1 clerical worker, i.e. those occupying the most technically unskilled full time positions within the Council. Individuals employed on this basis have made the transition from an apprenticeship to an “entry level” clerical post. In 2014/15 it is anticipated that there will be 2 such posts with an annual salary in the region of £13,500.

Section 3 – Decision on pay

The pay of all council employees (including chief officers) is determined by the evaluated grade of the post. The pay band for most jobs within the council (including chief officers) is very narrow, based on 3 or 4 incremental points. Progression through the pay band is based on length of service, subject to the achievement of expected performance standards, and recognises development in a role over time based on the accumulation of experience and knowledge. It is anticipated that during 2014/15 the total number of permanent and fixed term contract staff on the Council's payroll will be approximately 311 in any one month.

The Council has not adopted the national local government job evaluation or grading schemes but has developed a locally negotiated framework that more closely reflects its own particular requirements. Within this framework there are two remuneration “families”. The first has been developed for the Council’s professional and senior managerial cohorts, and includes chief officers. The second is for supervisory, technical and clerical staff.

All staff (including chief officers) are appointed to the organisation at the bottom of the grade, unless there are exceptional circumstances based on business need.

Annual Pay Award

The salary of all council employees (including chief officers) may increase annually by an annual pay award which is locally determined taking into consideration:

- “caps” on public sector pay rates set by the Government
- the council’s ability to pay
- inflation levels
- the “going rate” of pay awards in neighbouring authorities and nationally recruitment and retention levels.

Section 4 – Pay structure and pay relationships.

The Code of Recommended Practice for Local Authorities on Data Transparency September 2011 requires that there is a process established to monitor the rate of growth of senior earnings compared to all other employees in the organisation. During 2014/15 there will be a multiple of approximately 8.30 between the base level salary of the Chief Executive and a scale 1 clerical officer, reflecting the differences in skill sets, complexity and span of control from the lowest to the highest paid employees of the Council.

The total salary for the post of Chief Executive is in the region of £109,600. The median full time equivalent salary for all other employees in Tonbridge & Malling Borough Council is in the region of £25,000, the mean full time equivalent salary is in the region of £29,500. The pay multiple is therefore approximately 4.35 against the median and just over 3.71 against the mean.

The Council’s bespoke grading structure for employees with professional and specialised high level skill sets is entitled the “M” grade framework. All those referred to as chief officers within this pay policy statement fall within the “M grade” framework.

A feature of the M grade framework is that the remuneration levels for all M grade posts (including those of chief officers), are fixed as a percentage of a notional benchmark grade M2. Therefore, the grading structure specifies the pay multiples attached to each grade as a percentage of the lowest incremental point of a notional benchmark M2. Posts are positioned within the

M grade framework on the basis of the required specialist knowledge, professional skills, depth of professional and managerial judgement, and managerial span of control. Broadly speaking the range of capabilities required for junior M grade posts (M9 – M7 inclusive) equate to professional and/or managerial capability equivalent to Level 6 of the National Qualifications Framework (NQF). Those occupying senior managerial posts graded M6 to M2 are required to possess **both** professional and managerial skill sets equivalent to Level 7 of the NQF. All four director level chief officer posts are graded as M2a. The professional and managerial capabilities **and** span of control required at director level broadly equate to level 8 of the NQF. A Level 8 degree of professional and managerial expertise is also required for the post of the Chief Executive. This, alongside the extensive span of control intrinsic to the role of paid head of service for the entire Council workforce, merits the grade of M1.

Supervisory, technical and clerical grades

The council has developed a bespoke grading structure for its supervisory, technical and clerical staff that ranges from the grade of senior officer to clerical scale 1. It is anticipated that in 2014/15 there will be approximately 173 employees remunerated according to this framework. Broadly speaking the managerial, professional and skill set required for posts graded Senior Officer equate to Level 5 of the NQF, posts graded scale 5-6 equate to Level 4 of the NQF, posts graded scale 3-4 to Level 3 of the NQF, posts graded scale 1-2 require a Level 2 skill set and those at entry level scale 1 at Level 1 of the NQF.

The Council considers that the relationship between the base salaries of its highest and lowest paid employees, as well as the relationship between the highest paid and the mean and medial salaries of the entire workforce, represents an appropriate, fair and equitable internal pay relationship.

Section 5 – Policies common to all employees

The following elements of remuneration are determined by corporate policies or arrangements which apply to all permanent employees of the Council (including its chief officers and deputy chief officers), regardless of their pay level, status or grading. Full details on any of the policies listed below can be provided on request.

The Council aims to have a streamlined and transparent pay structure and therefore it does not pay additional one off bonuses, market premiums, location allowances, subsidy towards child care costs or special awards for any staff (including chief officers). Pension contributions for all employees opting to join the Local Government Pension Scheme are nationally determined.

Payments on termination of employment

According to the Local Government (Early Termination of Employment)(Discretionary Compensation)(England and Wales) Regulations 2006 the Council has the power to make discretionary payments on early termination of employment. The Council has determined that it will calculate payments made to any eligible employee (including chief officers) who are made redundant or who depart on the grounds of the efficiency of the service by using the Government's statutory redundancy payment calculator formula and the employee's actual weekly pay. For those who depart on the grounds of redundancy or efficiency of the service, or who chose to retire "early", the Council does not increase the employee's total pension scheme membership or award additional pension. This response to the Local Government Pension Scheme (Administration) Regulations 2008 applies to all employees, including chief and deputy chief officers.

The Council's policy is that it does not re-employ staff (including chief or deputy chief officers) who has left with a severance or redundancy payment, nor does it re-engage them on a self-employed basis with a contract for services.

Car allowances

For those posts where it is deemed that there is an essential requirement for the post holder to use a car to perform their job, and they are expected to travel in excess of 2,500 miles per annum in the course of their duties, the post holder either receives a lump sum allowance to contribute towards the associated running costs of the car in accordance with the rates previously set by the National Joint Council or they are allocated a lease car, or they receive a cash equivalent payment as an alternative to a lease car. Those who drive leased cars are required to make their leased car available for the use of all Council employees possessing a suitable driving licence, if so required, (the Council has the appropriate insurance cover).

Telephone allowances

Those employees who are deemed to be essential users of mobile telephones are either supplied with a mobile telephone for council related activities, or receive a mobile telephone allowance

Professional fees

Annual professional subscription fees to one relevant professional body are reimbursed to those employees where it is deemed an essential requirement for the post holder to belong to a professional institute.

Reimbursement of removal/relocation costs on appointment and mortgage subsidy scheme

The Council's relocation and mortgage subsidy schemes provide financial assistance (within pre-defined limits) to employees who re-locate from outside a reasonable travel area to the Borough to take up an appointment with the Council.

Subsistence Allowance

The Council reimburses expenditure on meals, accommodation, and any other expenses necessarily (within pre-defined limits) incurred by employees who have to be away from home on Council business.

Standby and call out allowances

Any employee who is required to undertake standby and call-out duties will be paid at the appropriate rate in accordance with the negotiated policy and payment rate for their role.

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

25 June 2014

Report of the Leader and Chief Executive

Part 1- Public

Matters for Recommendation to Council

1 CORPORATE PERFORMANCE PLAN (2012/15) - REVIEW AND UPDATE

A report on the above matter was considered by the Overview and Scrutiny Committee on 11 June 2014 as part of the Council's policy framework. Members are referred to that report and the recommendations contained therein. The Plan itself has since had only very minor updates to two indicator results, included in the version on this agenda.

1.1 Legal Implications

1.1.1 There is no longer a legal requirement to produce a corporate performance plan. However as the Plan forms part of the Council's Policy Framework, it must be approved at a full Council meeting.

1.2 Financial and Value for Money Considerations

1.2.1 Our corporate performance plan is a principal means of driving performance improvement and delivering value for money. It communicates clearly to everyone within the Council, and to our stakeholders, our key priorities, how we are working to achieve these priorities, where we are looking to improve and our performance targets.

1.3 Risk Assessment

1.3.1 Our corporate performance plan has a wide circulation within and outside the Council. A well presented plan and achievement of our priorities and targets are important to the credibility of the Council.

1.4 Equality Impact Assessment

1.4.1 See 'Screening for equality impacts' table at end of report.

1.5 Recommendation

We **recommend** that Cabinet supports the Plan's adoption by the Council.

Background papers:

contact: Adrian Stanfield

Overview & Scrutiny Committee agenda of
11 June 2014

Nicolas Heslop
Leader of the Council

Julie Beilby
Chief Executive

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	Equalities issues may need to be addressed in undertaking regular activities and implementing improvement actions, not at this stage of approving the updated Corporate Performance Plan.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	As above
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.

Tonbridge & Malling Borough Council

Key Priorities

- 
- * Priority services and finance
 - * Local environment
 - * Health and well-being
 - * Children and young people
 - * Community Safety
 - * Housing
 - * Regeneration and economic development

**Corporate Performance Plan
2012/15**

Review and update - July 2014



www.tmbc.gov.uk

Tonbridge & Malling Borough Council

Key Priorities 2012/15

During 2012/15 we are working 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.**

This Corporate Performance Plan sets out how we are doing this. First published in July 2012, this is a review of progress during the first two years of the plan (2012/14) and an update for the third and final year.



Nicolas Heslop
Leader of the Council



Julie Beilby
Chief Executive

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Health and well-being	10
Children and young people	12
Community safety	14
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Regeneration and economic development	18
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Scope and context

This plan focuses on our key priorities for 2012/15. These are shown on page two.

We are working to redesign services and further improve efficiency across the entire council in the context of further significantly reduced funding and resources. This will help to ensure that we can continue to make progress against all of our key priorities, which show where we most want to continue to see improvement.

Following this introduction, the main part of this plan is divided into seven further sections, each focussing on one of our key priorities. Each section is colour coded for easy identification. The pages for each key priority are set out in a similar way and cover the following content:

- The key priority itself.
- An introduction justifying and setting out the context for each key priority.
- Ongoing activities and levels of service that are directly related to each key priority.
- Improvement themes that show where we particularly intend to make progress.
- Tables and charts showing the latest results and targets for key indicators.

This Corporate Performance Plan brings together the main ongoing activities, improvements and measures to achieve our key priorities. This requires a collective effort across all of the council's services. Beyond the scope of this plan is a range of other priorities, improvements and indicators that are managed by individual services.

Key indicators

Key performance indicators (KPIs) and other key indicators (KIs) that support our key priorities are an integral part of this performance plan. Key performance indicators are indicators where it is realistic for us to set targets or a lead partner publishes targets. Key indicators are indicators where we are unable to set realistic targets. This is because our influence is not sufficiently strong compared with the combined weight of outside influences or where we do not, at this stage, have the required data. Improved performance is encouraged by setting challenging but realistic targets where possible and then doing our best to achieve them.

Tables for each indicator show, where available:

- The target for 2013/14.
- The result for 2013/14.
- A numerical index and simple colour coding comparing the result and target in the "Target met?" 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. In the example indicator table below, where the lower the number the better, $(3,220/2,392) \times 100 = 135$.
- Longer term performance based on simple colour coding in the "Trend" column. Green shows improving performance and red shows deteriorating performance. The trend is based on directly comparable data from the year shown up to and including 2013/14.
- The target for 2014/15.

Indicator table - example				
Anti-social behaviour				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-220: Number of incidents of anti-social behaviour recorded by the police.				
3,220	2,392	135	2011/12	2,369

Notes to indicator tables provide further information about the indicators where appropriate.

Reviews and updates

At the end of each financial year we intend to review progress achieved. This version covers progress during 2012/14 and also updates the plan for 2014/15.

Each annual review/update is a stand-alone document, without the need to refer back to previous versions.

We review progress against our improvement themes at the end of each financial year using the following colour coded symbols:

- Excellent
- Good
- Some
- None

We do this by assessing progress against a range of underlying projects that are designed to achieve the intended improvements. Progress at the project level is assessed using the same symbols, but labelled differently, as follows:

- Complete
- Started and on or ahead of schedule
- Started, but behind schedule
- Not started

Projects are listed and progress is shown for each of them in Annex 1, as at 31 March 2014.

Reviewing progress against our improvement themes is not always straightforward. In doing this we take account of the nature, importance, and impact of the underlying projects, as well as their impact where this is known or can be estimated. Sometimes strong progress at the project level can mean limited progress at the theme level where circumstances are adverse. So in this review/update the “Some” progress and the “Started, but behind schedule” symbols are orange, instead of red as in last year’s plan.

Similarly, each year we publish updated indicator results and review performance against targets. Future targets are revised if warranted.

As and where warranted, we have updated the ongoing activities and levels of service, improvement themes and indicators associated with each of the priorities.

Contact details

This plan is produced by the Improvement and Development Unit. We want to improve our performance and this plan year on year. Please contact Bruce Hill, Improvement and Development Manager, with any suggestions for improvement or for further information.



By email: bruce.hill@tmbc.gov.uk



By telephone: 01732 876020 (direct line)

This plan can be viewed on our website at www.tmbc.gov.uk.

Key priority

Continued delivery of priority services and a financially viable Council.

Introduction

The national budget strategy and wider economic conditions continue to have a major impact on the Council's finances in the form of reduced:

- Grant from central Government excluding New Homes Bonus. This has been cut by around £2.6m (45%) over 2011/15 with further cuts expected in future.
- Income from fees and charges.
- Earnings from deposits in the context of low interest rates.

The other main source of income is council tax. Historically, the Council has charged less than the average amount for the district council part of the total council tax bill when compared with other district councils in Kent. This continues to be the case in 2014/15, for which our "Band D" charge is £183.85 compared with the average "Band D" charge of £184.39 for all district councils in Kent, including Tonbridge & Malling. This is despite receiving the lowest Government grant per head in Kent, at £36.07, and one of the lowest in the country, compared with other district councils.

The latest projection puts the 'funding gap' between expenditure and income in the order of £1.875 million. The activities, improvements in efficiency and other economies set out on these pages are essential in helping to bridge this gap, achieve this key priority and, in turn, make the resources available to achieve the other key priorities set out in this plan.

Government initiatives impacting on the Council's finances in-year and/or over the medium to longer term are:

- Welfare Reform and our administration of housing benefit ending by 2017/18.
- Replacement of council tax benefit with local council tax reduction schemes, accompanied by a 10% cut in funding.
- Enabling councils to retain a share of the growth in business rates in their area above a pre-determined baseline.
- Devolution of setting planning fees.

Overall, the financial difficulties and uncertainty faced by the Council are unprecedented and will remain so for the foreseeable future. These are taken into account in our ten year Medium Term Financial Strategy (MTFS) with the aims of maintaining a minimum general revenue reserve balance of £2 million and achieving a balanced budget.

Main activities and service levels

Our Medium Term Financial Strategy covers both Capital and Revenue budgets for the period 2014/24. It aims to provide a realistic and sustainable plan that channels financial resources to meet the Council's priorities and to meet our financial objectives. We regularly review the Strategy to monitor and respond to actual and expected changes in circumstances. The District Auditor concluded (September 2013) that the Council continues to have a strong focus on effective financial management, including a robust medium term financial planning framework. We have routinely achieved efficiency savings in recent years while safeguarding services.

We collect council tax from almost 51,000 domestic properties and business rates from about 3,500 commercial properties in the borough. In 2014/15 we expect to collect in the order of £70 million in council tax and £57 million in business rates. We spend about 12% of the council tax we collect. The rest goes to other public authorities that provide services in the borough. Income from business rates is shared between central Government and public authorities, including the Council, as set out in the Business Rates Retention scheme. We are usually amongst the highest performers in Kent for collection of council tax and business rates. Timely collection means we earn more interest on these funds until we pass them on.

We buy in a wide range of goods and services that contribute to the services we provide to the public. Always looking to improve the value for money of goods and services we buy in, we are also keen that our suppliers produce them in ways that help to look after the environment.

We work successfully with a wide range of partners, adding value to our services beyond what we can achieve alone and supporting others to add value to their activities. In particular we are working with neighbouring councils to achieve savings, greater resilience and improve performance through joint working.

We scan and bid for funds from external sources, and support our partners' bids. For example, a joint bid with another council to DEFRA secured a grant of £150,000 to evaluate the impact on local air quality from retrofitting buses with emissions reducing equipment.

Improvement themes

During 2012/15 we are undertaking a range of projects and new initiatives that will help achieve the improvements set out below. Progress so far is summarised using these symbols:

- Excellent
- Good
- Some
- None

- **Increasing usage levels at, and revenue from, our leisure facilities.**
- **Providing more services via the voluntary sector and new sources.**
- **Reducing overheads.**
- **Reducing the cost of procured services.**
- **Developing/sustaining revenue income.**
- **Improving efficiency and resilience of services.**
- **Reducing management/staff costs.**
- **Achieving more cost effective customer contacts.**
- **Identifying new sources of external funding to support capital schemes.**
- **Realising capital receipts from surplus Council assets.**

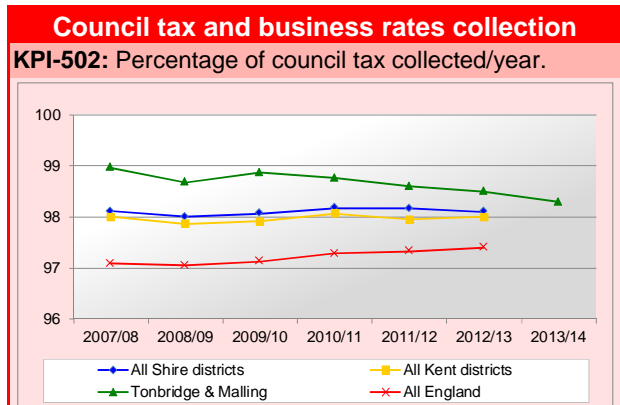
Reviewing progress against our improvement themes is not always straightforward. In doing this we take account of the nature, importance, and impact of the underlying projects, as well as their impact where this is known or can be estimated. Sometimes strong progress at the project level can mean limited progress at the theme level where circumstances are adverse. So in this review/update the "Some" progress symbol is orange, instead of red as in last year's plan.

Detailed progress against the underlying projects is shown in Annex 1 (pages 20-26). We will again report progress after the third and final year of this plan.

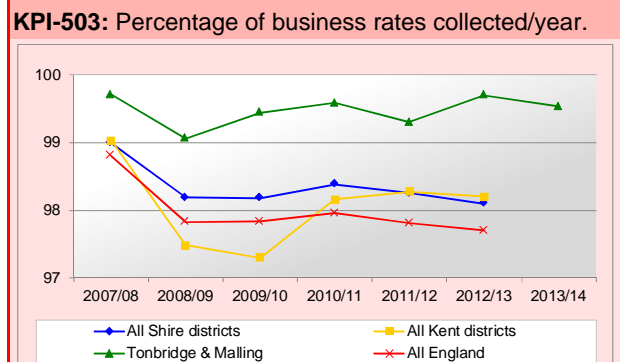
Key indicators

Balancing expenditure and income				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-513: Reducing the funding gap (£000s). ¹				
1,100(+) ²	1,200	109	N/A	200

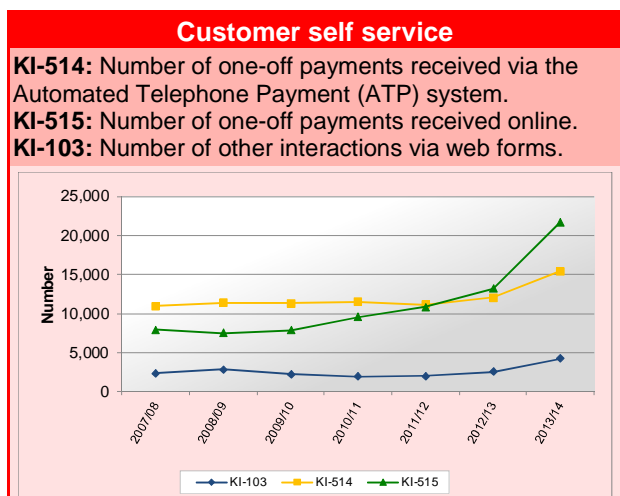
1. Target savings identified and ideally implemented by/on 1 April of following financial year.
2. Raised by £200,000 after 2013 Spending Review.



2013/14: target 98.50, result **98.29**. 2014/15: target 98.20.



2013/14: target 99.60, result **99.53**. 2014/15: target 99.60.



Excludes Tonbridge & Malling Leisure Trust:
 - forms (KI-103);
 - payments received for KI-515 from 1 October 2013 and for KI-514 from 1 November 2013.
 We aim to out-perform the trend for each indicator.

Key priority

A clean, smart, well maintained and sustainable Borough.

Introduction

Tonbridge and Malling residents have consistently identified clean streets and public areas as one of the most important factors in making somewhere a good place in which to live.

We deal with litter and keep streets and public open spaces clean by:

- Education, working with communities, businesses, schools and other agencies on a range of initiatives and campaigns, including the Cleaner Borough Campaign and Love Where You Live.
- Effective cleaning and clearing dumped rubbish, spending over £1 million each year.
- Enforcement against littering and dog fouling.

We were the first local authority in the country to be chosen by Keep Britain Tidy to take the lead in a new national anti-littering campaign entitled Love Where You Live.

We view waste as a resource and, via the Kent Resource Partnership, work with Kent County Council, as the Waste Disposal Authority, and other councils in Kent to ensure effective and efficient delivery of recycling, waste collection and waste disposal services.

Our street cleansing, recycling and waste collection services are carried out under a major contract with Veolia Environmental Services.

The quality and appearance of the built environment and management of parking are further important aspects of an attractive and thriving street scene. Our adopted Local Development Framework identifies land for residential and commercial development and sets out our policies and proposals to guide such development. It aims to strike a balance between the needs of communities, the local economy and the environment. We are preparing a new Local Plan, which should be adopted during 2016.

We work with transport operators, Kent County Council, local organisations and developers on major sustainable public transport projects.

We are already taking action locally to mitigate the causes of climate change and are determined to do more in the future, both as an organisation and via our local communities. We signed up to the Climate Local Kent Commitment in December 2012.

Main activities and service levels

We provide a range of regular services that are vital to achieving this priority. These include:

- Recycling, composting or producing energy from over 90% of the waste we collect. 80% of our waste is processed in the borough.
- Removing litter, dogs' mess and rubbish from roads and public open spaces. We carry out more than 1,500 site inspections every year to ensure over 400 miles of roads are clean.
- Emptying over 9,000 wheeled-bins of green or residual waste every normal working day. We also collect paper and cans via a kerbside green box scheme and have over 50 recycling centres for recycling plastic bottles, glass and other materials.
- Investigating 118 and removing 5 abandoned vehicles in 2013/14. Vehicles that are removed and not reclaimed are recycled.
- Receiving and making decisions on over 3,500 planning applications and enquiries with regard to development in 2013/14. Decisions are taken in the context of our Local Development Framework, our emerging Local Plan and the National Planning Policy Framework.
- Processing over 750 building applications during 2013/14. These involved more than 5,300 site inspections to ensure buildings are safe, sustainable and accessible, in compliance with current regulations and standards.
- Providing, managing and maintaining 36 off-street car parks.
- Installing, maintaining and enforcing on-street waiting restrictions via an agreement with Kent County Council.
- Providing and maintaining a range of outdoor leisure facilities including: sports grounds in Tonbridge, Leybourne Lakes Country Park, Haysden Country Park, Tonbridge Skate Park, children's play areas and public open spaces. Leybourne Lakes and Haysden each hold the Green Flag Award, which recognises the best green spaces in the country.
- Monitoring air, water and land for pollution (page 10).

Improvement themes

During 2012/15 we are undertaking a range of projects and new initiatives that will help achieve the improvements set out below. Progress so far is summarised using these symbols:

- Excellent
- Good
- Some
- None

- **Improving public open spaces and enabling everyone to enjoy them in safety.**
- **Improving the appearance of high profile waterways.**
- **Improving the condition and appearance of Council car parks and adjacent landscaped areas.**
- **Reducing energy consumption across the Council's own estate.**
- **Better management of parking.**
- **Further working with our communities.**
- **More effective law enforcement.**
- **Recycling more of the Council's own waste.**
- **Improving the appearance and quality of the Council's leisure facilities, other property and land holdings.**
- **Recycling more household waste.**
(Pending new contract from 2019.)
- **Reducing littering in the borough.**

Reviewing progress against our improvement themes is not always straightforward. In doing this we take account of the nature, importance, and impact of the underlying projects, as well as their impact where this is known or can be estimated. Sometimes strong progress at the project level can mean limited progress at the theme level where circumstances are adverse. So in this review/update the "Some" progress symbol is orange, instead of red as in last year's plan.

Detailed progress against the underlying projects is shown in Annex 1 (pages 27-30). We will again report progress after the third and final year of this plan.

Key indicators

Clean streets and open spaces				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-324: Residents' satisfaction with cleanliness of roads, pavements, parks and public open spaces. ¹				
3.50	3.42	98	N/A	No survey
KPI-322: Cleanliness of roads and pavements. ²				
7.0	7.0	100	2010/11	7.1
KPI-831: Percentage of users satisfied with the cleanliness of our principal public open spaces. ³				
85	95	112	2011/12	85
KPI-309: Percentage of reported high priority fly-tips collected within 24 hours.				
100	100	100	2005/06	100

1. Average score on a scale from 1 (very dissatisfied) to 5 (very satisfied). Survey every three years.
2. Average score on a scale from 1 (heavy littering) to 10 (litter free). For example, a score of 6.7 means mainly litter free.
3. Measured at a different site each year but the target is constant. 2013/14 result is for Haysden Country Park. 2014/15 survey site will be Tonbridge Farm Sportsground.

Waste and recycling				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-323: Residents' satisfaction with waste and recycling collection service from households. ¹				
3.50	3.57	102	N/A	No survey
KPI-320: Percentage of household waste sent for reuse, recycling and composting. ²				
43.00	41.70	97	2005/06	42.00

1. Average score on a scale from 1 (very dissatisfied) to 5 (very satisfied). Survey every three years.
2. Adverse winter weather conditions reduced the amount of green waste for collection. It also resulted in the co-collection of green and residual waste on a number of occasions, which all had to be treated as residual waste.

Environmental pollution				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-313: Percentage of complaints about environmental pollution and other requests for service responded to within 5 working days.				
100	97	97	2005/06	100

Key priority

Healthy living opportunities and community well-being.

Introduction

In general, Tonbridge and Malling residents enjoy better health than the average for the country. However, there are general health concerns regarding smoking, obesity, alcohol consumption and an ageing population. For example, based on NHS and other research:

- Less than a quarter of Tonbridge and Malling adult residents participate in sport or active recreation.
- About one in six adult residents smoke.
- About one quarter of adult residents are obese.
- About one in six local children in Year 6 (age 11) is obese.
- Less than one third of adults eat healthily.
- Almost a quarter of adults drink more than the recommended amounts of alcohol for men and women.
- Alcohol related hospital admissions for women and under-18s are increasing.
- Predicted increases in the proportion of people age 65+ and 85+ are amongst the highest in Kent.

In the light of this research, recognising that people have lifestyle choices, we particularly want to provide opportunities for them to:

- Increase physical activity/exercise;
- Quit smoking;
- Reduce obesity;
- Drink sensibly when they choose to drink alcohol;
- and, for older people, improve general well-being.

Most of our work to these ends is carried out in partnership with a range of health and voluntary organisations that cover Tonbridge and Malling.

Life expectancy varies significantly between the richest and poorest wards. In this context, East Malling, Snodland and Trench ward in Tonbridge continue to be areas of high priority. Local Partnerships for these areas tackle health inequalities and other well-being issues. They also support community development activities.

More generally, in 2011 we set up a £500,000 Community Enhancement Fund using money from the Government's New Homes Bonus Scheme. During 2011/13 more than 100 community groups and parish councils have benefitted from grants totalling over £230,000 in support of local community projects.

Main activities and service levels

We are commissioned by Kent County Council to deliver a wide range of health improvement projects within our local communities, including:

- Healthy weight management programmes for adults and families.
- A health improvement programme for local employers.
- Healthy living community events/campaigns.
- Support for victims of domestic abuse.
- A project to tackle under-age drinkers gathering in public places.
- Support for people who misuse substances.
- A range of projects to address mental health and well-being issues.

We work to protect the public from pollution by monitoring air, water and land at about 50 locations, regulating local polluting processes and responding to around 1,500 complaints a year about pollution, stray dogs and noise.

There are about 1,700 commercial premises in our borough. Some 900 prepare or sell food, over half of which are classed as high risk. We inspect high risk premises, give direct advice and provide training in partnership with K College to prevent food poisoning, accidents and work related ill health. We assess food businesses under the national Food Hygiene Rating scheme, publishing their hygiene scores at www.food.gov.uk.

We provide a range of indoor and outdoor sports and leisure activities with a strong track record of independently accredited awards. To give a sense of scale, there were around 325,000 'casual swims' at our leisure centres in 2013/14.

Our planning services ensure new developments include open spaces, children's play areas and other community facilities. Developments are also planned with community safety in mind.

Good housing is essential to good health and well-being. Via enforcement action, housing assistance and other interventions we improve property conditions, making homes safer, warmer and healthier. Our building control services also ensure that new buildings and changes to existing ones are safe, accessible and energy efficient.

Since November 2013 we treat pests that are a risk to public health and where the client receives means tested benefit. We refer other pest control requests to our contractor.

Improvement themes

During 2012/15 we are undertaking a range of projects and new initiatives that will help achieve the improvements set out below. Progress so far is summarised using these symbols:

- Excellent
- Good
- Some
- None

- **Encouraging healthy eating.**
- **Encouraging physical activity and exercise, and reducing obesity.**
- **Promoting health awareness in workplaces and communities.**
- **Improving mental health.**
- **Reducing health inequalities.**
- **Reducing risks to health and safety at work.**
- **Reducing environmental pollution.**
- **Reducing substance misuse.**

Reviewing progress against our improvement themes is not always straightforward. In doing this we take account of the nature, importance, and impact of the underlying projects, as well as their impact where this is known or can be estimated. Sometimes strong progress at the project level can mean limited progress at the theme level where circumstances are adverse. So in this review/update the “Some” progress symbol is orange, instead of red as in last year’s plan.

Detailed progress against the underlying projects is shown in Annex 1 (pages 31-34). We will again report progress after the third and final year of this plan.

Key indicators

Sport and leisure				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-829: Residents’ satisfaction with sports and leisure facilities. ¹				
3.50	3.64	104	N/A	No survey
KPI-830: Residents’ satisfaction with parks and open spaces. ¹				
3.50	4.09	117	N/A	No survey
KPI-833: Percentage of Lifestyles (gym) customers at high risk of leaving who are encouraged to stay and do stay.				
70.0	71.4	102	N/A	70.0
KPI-834: Number of leisure pass holders. ²				
900	1,001	111	N/A	900

1. Average score on a scale from 1 (very dissatisfied) to 5 (very satisfied). Survey every three years.

2. The leisure pass scheme entitles borough residents who receive certain state benefits to discounts at Council owned leisure facilities and activities.

Obesity, alcohol and smoking				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-326: Number of overweight adult referrals onto the weight management programme. ¹				
400	426	107	2011/12	250
KPI-327: Number of adults who receive information and brief advice about their alcohol intake.				
300	350	117	N/A	300
KPI-328: Number of referrals to NHS “Stop Smoking” service. ²				
50	17	34	N/A	50

1. The 2014/15 target of 250 reflects available funding.

2. Compared to previous years it seems that fewer people covered by our health improvement projects wished to stop smoking.

Healthy eating and food hygiene				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-329: Number of food businesses signed up to Healthy Eating Award.				
25	25	100	N/A	30
KPI-330: Percentage of food establishments broadly compliant with food hygiene law. ¹				
90.0	92.0	102	N/A	90.0

1. Based on national Food Hygiene Rating scheme.

Key priority

Children and young people who are safe, involved and able to access positive activities.

Introduction

The Council provides a wide range of indoor and outdoor leisure facilities that are directly aimed at children and young people.

Other activities and services for children and young people are delivered via programmes that we run directly or via partnerships with:

- The County Council's Kent Integrated Youth Service and, from 1 April 2014, the Kent Integrated Family Support Service for 0-11 year olds and the Kent Integrated Adolescent Support Service for 11-19 year olds.
- Voluntary and community sector groups.

We have a statutory duty to safeguard children who use our facilities and services. Our approach is guided by our Child Protection Policy and we work closely with the Kent Safeguarding Children's Board (www.kscb.org.uk) to ensure we have effective safeguarding procedures in place, including a bi-annual Self Assessment.

We are a member of the Children's Operational Group which reports to both the Kent Children and Young People's Joint Commissioning Board and the West Kent Health and Well Being Board:

- The Children's Operational Group ensures effective child and family centred local engagement by partners, working in a coordinated way with the aim of improving the wellbeing of all children.
- The Kent Children and Young People's Joint Commissioning Board is the lead body for the prioritisation and coordination of services commissioned for children and young people in the county.
- The West Kent Health and Well Being Board is a forum where key leaders from the health and care system work together to improve the health and well-being of their local population, reduce health inequalities and promote integration of services.

We are also committed to working towards addressing the health inequalities gap, ensuring that our programmes for young people provide opportunities for those in greatest need.

Our commitment to children and young people who live, work, study and play in Tonbridge and Malling is under-pinned by public support. Residents have consistently identified facilities and activities for teenagers as a priority to make the area a better place in which to live.

Main activities and service levels

We ensure all Council staff who work directly with children are vetted through the Disclosure and Barring Service.

Our holiday activity schemes for children and young people include:

- Activate - offering an exciting range of adventurous and artistic activities for age 8-16s during the Easter and summer holidays.
- Summer holiday Playscheme - for age 4-11s at 13 venues, where children can thrive, learn and develop skills while having fun and making friends.
- Y2 Crew - providing educational and diversionary activities in the summer holiday for age 11-18s in the borough's most deprived areas or where anti-social behaviour is a concern. We work with the Kent Integrated Youth Service on this programme.

All the schemes offer substantial discounts for young people from lower income families, ensuring fair access for all.

With parish councils, we provide a range of opportunities for informal recreation for children and young people. These include skate parks, youth shelters, ball courts, multi-use games areas and outdoor gyms throughout the borough.

The Tonbridge and Malling Youth Forum meets five times a year and is open to all young people age 11-18 in our borough. It aims to raise issues that affect the lives of young people, to work with other organisations to address these issues and to get their voices heard. The Youth Forum is integral to the development of our youth policies.

We have a continuous programme of consultation and market research. This includes surveys of users of our holiday activity schemes and targeted questionnaires designed by the Youth Forum to engage and obtain the opinions of other young people using services in the borough.

We provide opportunities to raise awareness of the many positive things young people do through award schemes such as the Young Achievers Award. This acknowledges achievements and promotes a positive image of young people in the borough. We also work with the Kent Integrated Youth Service to offer the Try Angle Awards. These recognise the efforts of young people age 11-18 in our community who really do TRY, often with little recognition, to do their best.

Improvement themes

During 2012/15 we are undertaking a range of projects and new initiatives that will help achieve the improvements set out below. Progress so far is summarised using these symbols:

- Excellent
- ① Good
- ⓪ Some
- None

- **Further improving local play and leisure facilities.**
- **Involving schools and young people in celebrations for the Olympic Games and Queen's Diamond Jubilee.**
- ① **Developing opportunities for young people across the borough in partnership with Kent County Council.**
- ① **Encouraging more young people to attend dry side coaching courses at our leisure centres.**
- ① **Introducing new educational programmes and facilities.**
- ⓪ **Giving young people more opportunities to influence decisions.**
- ⓪ **Improving access to holiday activity programmes to meet identified needs.**
- ⓪ **Improving housing for young people.**

Reviewing progress against our improvement themes is not always straightforward. In doing this we take account of the nature, importance, and impact of the underlying projects, as well as their impact where this is known or can be estimated. Sometimes strong progress at the project level can mean limited progress at the theme level where circumstances are adverse. So in this review/update the "Some" progress symbol is orange, instead of red as in last year's plan.

Detailed progress against the underlying projects is shown in Annex 1 (pages 35-36). We will again report progress after the third and final year of this plan.

Key indicators

Keeping children safe				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-840: Average number of customers enrolled in Swim School. ¹				
1,850	1,821	98	N/A	1,900
KI-837: Percentage of parents satisfied with Activate in terms of safety. ²				
Not set	88.8	N/A	2010/11	Not set
KI-838: Percentage of parents feeling their children were safe while attending the summer Playscheme. ²				
Not set	91.5	N/A	2009/10	Not set

1. 2013/14 result is average across all four quarters from Tonbridge and Malling Leisure Trust.

2. We focus on complying fully with underlying safety standards rather than setting and meeting targets based on customer feedback.

Access to positive activities				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-835: Average number of Excel members age 11-18. ¹				
300	620	207	N/A	325
KPI-836: Average number of Kick Start members age 0-10. ¹				
400	340	85	N/A	425
KPI-819: Percentage of parents/participants satisfied with activity programmes:				
a) Activate.				
92	96	104	2005/06	92
b) Summer Playscheme.				
92	90	98	2005/06	92
c) Y2 Crew.				
92	95	103	N/A	92

1. 2013/14 'result' is end of year figure, pending provision of average full year result across all four quarters from Tonbridge and Malling Leisure Trust.

Key priority

Low levels of crime, anti-social behaviour and fear of crime.

Introduction

Based on data provided by the police, Tonbridge and Malling had the second lowest number of crimes per head of population in Kent for the period April 2013 to March 2014. There were 40.8 recorded crimes per 1,000 population within the borough over this period, well below the average number of crimes throughout Kent of 57.8 crimes per 1,000 population.

Our main involvement in helping to ensure the safety and security of Tonbridge and Malling's residents, businesses and visitors is via The Tonbridge and Malling Community Safety Partnership and a Community Safety Unit:

- The Community Safety Partnership (CSP) includes: Kent Police, Kent County Council, West Kent Clinical Commissioning Group, Kent Probation, Kent Fire & Rescue Service and ourselves as statutory partners. Along with other, non-statutory, partners we work together to tackle crime and disorder in our borough.
- Our Community Safety staff and a police unit have been co-located in a Community Safety Unit (CSU) at our Kings Hill offices since summer 2010 to enable significantly closer working. The CSU became fully operational during 2011 and is able to coordinate and provide a quicker, multi-agency response to residents and businesses that report anti-social behaviour or any community safety issues.

Each year we undertake a Strategic Assessment to provide a sound basis for updating the CSP's priorities and planned activities in an Action Plan for the forthcoming financial year. The Strategic Assessment identifies and reviews patterns and trends relating to crime and anti-social behaviour in our borough. Community consultation is also used to consider areas of concern to the public. Our residents have consistently identified addressing anti-social behaviour/disorder as a priority to make the area a better place in which to live. The top three CSP priorities for 2014/15 are:

- Anti-social behaviour, including environmental crime.
- Domestic abuse.
- Substance misuse.

These are the same as for 2012/14.

Main activities and service levels

Within the Community Safety Partnership and the Community Safety Unit the Council's role is to:

- Undertake annual Strategic Assessments to inform priorities and planned activities for the next financial year.
- Lead the preparation of annual Action Plans and coordinate delivery.
- Coordinate actions to tackle anti-social behaviour (ASB) and its causes.
- Take direct action to address ASB incidents.
- Coordinate the commissioning of services to:
 - Support victims of domestic abuse and address the behaviour of perpetrators.
 - Address substance misuse with an emphasis on preventing under-age drinking and drug abuse.
- Host the Coordinator who runs the Tonbridge and Malling Safer Towns Partnership. This involves all sectors of the business community working together with the authorities to reduce crime and disorder against businesses.
- Provide residents with an accurate picture of the relatively low crime levels in the borough by sustained publicity.
- Promote the work and successes of the CSP.
- Provide administrative support, including preparation and monitoring of annual expenditure plans.

The CSP aims to ensure that people feel safe in the borough, regardless of their age, disability, race or any of the other "protected characteristics" set out in the Equality Act 2010. A 2011 Equality Impact Assessment was carried out to ensure the CSP considers equality issues in all its work. Operationally, the CSP funds telephone reporting lines for anyone wanting to report sexual or hate crimes, and partners share information and work together to resolve issues.

Closed circuit television (CCTV) is an effective method of both deterring and detecting crime and disorder. We have CCTV in Council car parks and local town centres. Cameras are monitored in a jointly managed control room with Tunbridge Wells Borough Council. We also operate six of our own mobile CCTV cameras which are deployed by the CSU. They complement mobile systems used by the police.

Improvement themes

During 2012/15 we and our partners are undertaking a range of projects and new initiatives to achieve the priorities of the Community Safety Partnership. Progress so far is summarised using these symbols:

- Excellent
- Good
- Some
- None

➤ Reducing anti-social behaviour (ASB):

- Reducing the number of incidents of ASB.
- Reducing the number of persistent/repeat ASB offenders.

➤ Reducing domestic abuse:

- Ensuring victims of domestic abuse who need help know how and where to access support.
- Increasing the number of domestic abuse referrals to support services, including MARAC (the monthly Multi-Agency Risk Assessment Conference).
- Reducing the number of domestic abuse incidents.
- Reducing the number of repeat victims of domestic abuse.

➤ Reducing substance misuse:

- Reducing residents' concern about drunk or rowdy people in their area.
- Reducing the number of possible drug offences.

Reviewing progress against our improvement themes is not always straightforward. In doing this we take account of the nature, importance, and impact of the underlying projects, as well as their impact where this is known or can be estimated. Sometimes strong progress at the project level can mean limited progress at the theme level where circumstances are adverse. So in this review/update the "Some" progress symbol is orange, instead of red as in last year's plan.

Detailed progress against the underlying projects is shown in Annex 1 (pages 37-40). We will again report progress after the third and final year of this plan.

Key indicators

Overall crime				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-219: Total number of crimes recorded by the police.				
5,453	4,944	110	2005/06	4,895

Anti-social behaviour				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-220: Number of incidents of anti-social behaviour recorded by the police.				
3,220	2,392	135	2011/12	2,369

Domestic abuse				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-221: Number of repeat victims of domestic abuse within past year. ¹				
303	331	92	2008/09	325

1. Low and medium risk victims will receive bespoke support in future as these make up a significant proportion of repeat victims.

Drug abuse				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-222: Number of drug offences recorded by the police. ¹				
273	422	65	2005/06	414

1. The 2013/14 result is partly due to an increased number of operations by the police to target drug dealers and users.

Fear of crime ¹				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-203a: How safe Tonbridge and Malling residents feel overall.				
3.86	3.87	100	2001/02	No survey
KPI-203b: How safe Tonbridge and Malling residents feel in daylight.				
4.36	4.31	99	2004/05	No survey
KPI-203c: How safe Tonbridge and Malling residents feel when it starts to get or is dark.				
3.42	3.49	102	2004/05	No survey

1. This is monitored via surveys of residents across the borough. Next survey scheduled for 2015/16.

Key priority

A continuing supply of homes, including affordable housing to buy and rent, and prevention of homelessness.

Introduction

A new Strategic Housing Market Assessment completed in March 2014 objectively assesses the need for new housing in our borough at 650 homes per year from 2011 up to 2031. Our 2013 Annual Monitoring Report identifies a 5 year housing land supply to meet this level of need and we estimate approaching 800 new dwellings, net of demolitions, were completed in 2013/14. Work has also started on a new Local Plan that will guide future development in the borough up to 2031.

Despite a steady growth in housing supply, buying or renting at market prices is unaffordable for many households. However, the Council believes that every household in the borough should have a good quality, affordable home. Affordable housing is defined nationally as social rented, affordable rented (up to 80% of market rent) and intermediate (e.g. shared ownership) housing that is provided to eligible households whose needs are not met by the market.

Locally, the main reasons for homelessness are:

- Parents, relatives or friends no longer willing or able to provide accommodation.
- Termination of assured short-hold tenancies.
- Breakdown in relationships.

Our approach majors on preventing homelessness through more timely intervention, well informed advice on debt counselling, mediation and identifying alternative housing options. This reduces the human as well as financial cost of homelessness.

Partnership working is vital to providing affordable housing and preventing homelessness. Our main partner is Circle Housing Russet, provider of most of the social housing within our borough.

We administer housing benefit and our local council tax reduction scheme to help people on low incomes pay their rent and council tax, thereby making their housing more affordable. Universal Credit is a new benefit that is replacing six of the main means-tested benefits and tax credits, including housing benefit. It is being phased in from 2013. Universal Credit is to be administered by The Department of Work and Pensions but local authorities are expected to have a supporting role in this.

Main activities and service levels

We regularly carry out and provide a range of functions and services that are vital to achieving this priority. These include:

- Working with a range of partners to identify development land and funding opportunities.
- Determining residential planning applications from householders and their agents. In 2013/14 we determined 636 of these.
- Negotiating affordable housing on new qualifying sites, of 15 or more dwellings or above 0.5 hectares, coming through the planning system.
- Working with Registered Provider Partners to ensure that the additional income from new "affordable rents" is reinvested in new affordable housing within the borough.
- Undertaking, with partners, a rolling programme to identify the need for affordable housing in rural communities.
- Working with owners to bring empty homes back into use.
- Maintaining and operating the Housing Allocations Scheme by which applicants in greatest housing need are prioritised for affordable housing.
- Providing housing advice and processing homelessness applications. In 2013/14 we advised a total of 766 households, prevented 108 households from becoming homeless and processed 35 homeless applications.
- During 2013/14 we paid almost £41 million in housing benefit and in help with payment of council tax to some 7,800 claimants.
- Providing assistance through the discretionary housing payments fund to tenants receiving housing benefit. The size of the fund has been significantly increased for the 2014/15 year to account for the effect of changes in connection with the Government's welfare reform agenda; for example, the introduction of the 'benefit cap' and the social sector size criteria ('bedroom tax').

Improvement themes

During 2012/15 we are undertaking a range of projects and new initiatives that will help achieve the improvements set out below. Progress so far is summarised using these symbols:

- Excellent
- ① Good
- ⦿ Some
- None

- ① **Allocating land for new employment and housing development.**
- ① **Making better use of existing affordable housing.**
- ① **Making it easier for people to apply for benefits.**
- ① **Meeting the accommodation needs of vulnerable people.**
- ① **Providing affordable housing for low income households.**
- ① **Reducing the shortfall in Gypsy and Traveller pitches.**
- ① **Securing good sources of good quality affordable private rented accommodation.**
- ① **Tackling homelessness.**
- ⦿ **Improving housing for young people.**
- ⦿ **Improving the energy efficiency of homes in the borough.**

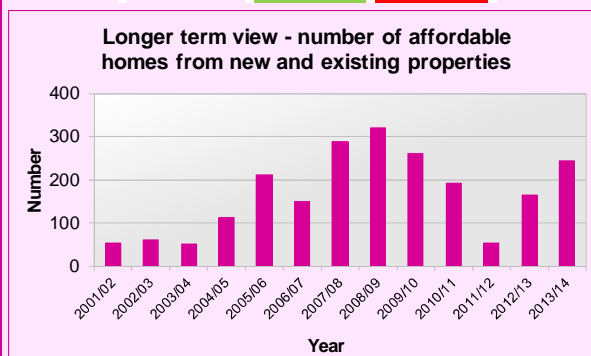
Reviewing progress against our improvement themes is not always straightforward. In doing this we take account of the nature, importance, and impact of the underlying projects, as well as their impact where this is known or can be estimated. Sometimes strong progress at the project level can mean limited progress at the theme level where circumstances are adverse. So in this review/update the "Some" progress symbol is orange, instead of red as in last year's plan.

Detailed progress against the underlying projects is shown in Annex 1 (pages 41-44). We will again report progress after the third and final year of this plan.

Key indicators

Housing				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KI-516: Number of new homes (including affordable housing).				
Not set	536	N/A	2011/12	Not set

Affordable housing and homelessness				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-410: Number of new affordable housing completions to buy or rent. ¹				
150	221	147	2005/06	131
KPI-402: Number of households becoming sole or part owners of existing properties through low cost home ownership initiatives. ²				
10	23	230	2005/06	10



KPI-409: Number of households living in temporary accommodation.				
15	14	107	2007/08	15

1. Outturn above target is due to The Pinnacles scheme being delivered entirely as affordable homes and 'windfall' sites such as Moat Housing's Red House scheme in Tonbridge.
2. Outturn above target is due to improvement in housing market and appetite for shared ownership, along with broader range of suitable and accessible mortgage products.

Housing benefit and council tax reduction				
2013/14 target	2013/14 result	Target met?	Trend	2014/15 target
KPI-510: Average number of days to process all new housing and council tax benefit claims. ¹				
28.0	37.8	74	2005/06	28.0
KPI-511: Average number of days to process changes in claimants' circumstances. ¹				
7.0	8.7	80	2005/06	7.0

1. Welfare reform changes have increased the complexity and overall workload for new claims and changes in claimants' circumstances.

Key priority

Sustainable regeneration of Tonbridge town centre and economic development in communities across the Borough.

Introduction

The local economy is generally robust and compares favourably against most other areas in Kent. Gross Value Added (GVA) is the Office for National Statistics' preferred measure of an area's overall economic wellbeing. It measures the value of goods and services produced. Tonbridge and Malling's estimated GVA is one of the highest in the county. However, we recognise the need and have plans for further improvement:

- Our Local Development Framework (LDF) provides guidance on the kinds of development that are permitted or preferred in different parts of the borough. It includes sites and policies for major economic development.
- Detailed discussions with local groups such as the Chamber of Commerce have confirmed the demand and potential for regeneration and development, transport improvement and environmental enhancement in Tonbridge. Our Tonbridge Central Area Action Plan, part of the LDF, provides for these improvements.
- Through our new Local Plan we will reflect a culture of sustainable growth in support of employment and other new development at appropriate places across the borough.

The National Planning Policy Framework was published on 27 March 2012, followed by the National Planning Guidance on 6 March 2014. These are a key part of the Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth. They will inform the new Local Plan.

We are an active member of the West Kent Partnership (WKP) together with Sevenoaks District Council and Tunbridge Wells Borough Council. Collectively, we use our influence to promote the economic and transport needs of the west Kent area and ensure that specific issues and problems are recognised and addressed by regional and national bodies. The WKP has prepared a five year (2010/15) West Kent Investment Strategy for the area. This identifies key opportunities and problems affecting the local economy and determines where action is required to address skills, business development, regeneration, infrastructure and tourism issues.

The WKP has recently produced a West Kent Priorities for Growth document setting out key future requirements for transport infrastructure

and business support. This has influenced priorities for the wider Kent and Medway area and aims to attract future funding from the South East Local Enterprise Partnership.

Main activities and service levels

We undertake a range of planning and development activities that are vital to achieving this priority. These include:

- Working with a range of partners to identify development land and funding opportunities.
- Determining around 100 planning applications concerning businesses every year. Most of these applications are approved or conditionally approved.
- Negotiating development contributions arising from sites coming through the planning system.

We provide a strong role in support of our communities by advocating improvements in strategic and local transport investment, through initiatives such as our Rail Manifesto, lobbying for the A21 improvements and working with Kent County Council to improve local highways.

Tourism is worth over £158 million a year to the local economy and supports over 3,000 local jobs. Working with Visit Kent, our tourist information service in Tonbridge deals with around 50,000 enquiries and visits every year.

We provide and manage parking, striking a balance to meet the needs of residents, visitors and businesses.

In 2013, with support funding from Kent County Council, we jointly commissioned a new West Kent Business Support programme involving one to one support and workshops. These focus on addressing the needs of start-up businesses, small businesses looking to expand, home-based businesses and the land-based and rural sectors. All commissioned services are free to the end user.

We use our purchasing power to support local and smaller businesses where legally possible. When last independently assessed in 2009/10, around 20% of our annual spend was made locally and more than 40% was made with small and medium sized enterprises.

Improvement themes

During 2012/15 we are undertaking a range of projects and new initiatives that will help achieve the improvements set out below. Progress so far is summarised using these symbols:

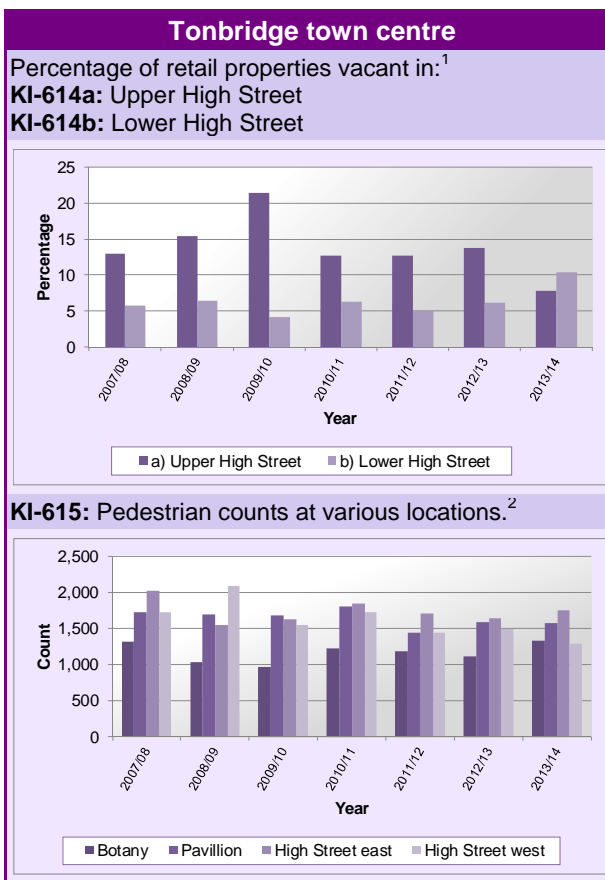
- Excellent
- Good
- Some
- None

- **Allocating land for new employment and housing development.**
- **Improving local road and rail infrastructure.**
- **Supporting smaller and local businesses in the borough.**
- **Encouraging new investment and development in Tonbridge town centre.**
- **Improving the fabric of Tonbridge town centre.**
- **Improving the street scene.**
- **Improving the vitality of local commercial centres.**

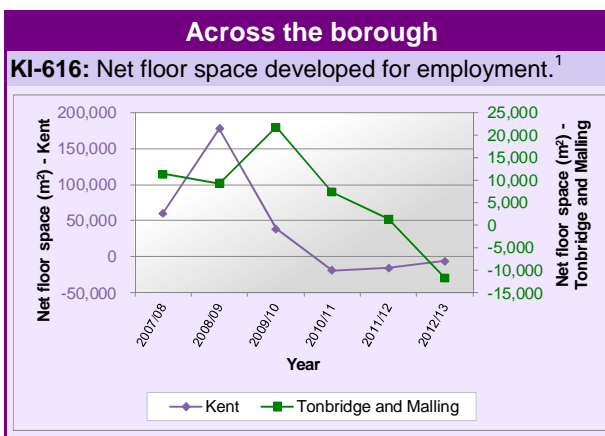
Reviewing progress against our improvement themes is not always straightforward. In doing this we take account of the nature, importance, and impact of the underlying projects, as well as their impact where this is known or can be estimated. Sometimes strong progress at the project level can mean limited progress at the theme level where circumstances are adverse. So in this review/update the “Some” progress symbol is orange, instead of red as in last year’s plan.

Detailed progress against the underlying projects is shown in Annex 1 (pages 45-47). We will again report progress after the third and final year of this plan.

Key indicators



1. KI-614 takes account of the frontage of each property in calculating the overall percentage vacant.
2. Counts are undertaken at the same time each year for a total of 2.25 hours at each location. The main purpose of these counts is to provide comparative annual data rather than absolute numbers.



1. KI-616 measures net floor space developed for financial and professional services (e.g. banks, estate agents etc.), offices, industry and storage/distribution.













Annex 1 - 2012/14 progress

Key priority

Continued delivery of priority services and a financially viable Council.

Improvement project	Progress	
	Comment	Symbol
<p>● Complete ● Started, on or ahead of schedule ● Started, behind schedule ○ Not started</p>		
<h3>Improving efficiency and resilience of services</h3>		
<p>Expand the range of shared services where there is a proven business case. Services to be tested in 2012/15 are:</p>		
<p>- Forward planning.</p>	<p>Liaison with adjoining authorities identified joint commissioning and working rather than shared services. Examples include:</p> <ul style="list-style-type: none"> - Commissioning with Maidstone and Ashford Borough Councils, a new Strategic Housing Market Assessment (SHMA). - Working with Medway Council to oversee preparation of a new Master Plan for Rochester Airport, partly in our borough. - Commissioning with Gravesham, Medway and Ashford Councils a new Gypsy & Traveller Accommodation Assessment by Salford University. 	●
<p>- IT:</p>		
<ul style="list-style-type: none"> ▪ Implement at TMBC further website developments/facilities shared across all four west Kent partnership LAs. 	<p>Website access via smartphones and other hand-held devices enabled. Benefits from joint developments have included sharing external costs and staff experience/expertise.</p>	●
<ul style="list-style-type: none"> ▪ Implement shared E-forms system across all four west Kent partnership LAs. 	<p>This enables all four authorities to share common forms, e.g. abandoned vehicles, while still allowing each authority to develop individual forms on the shared platform.</p>	●
<ul style="list-style-type: none"> ▪ Progress via Kent Connects joint infrastructure projects across Kent. 	<p>Kent Connects infrastructure has enabled deployment of the same website content management system (CMS) and sharing of staff across a number of authorities.</p>	●
<p>Review options for providing staff with improved remote access to the Council's IT systems:</p>		
<p>- Via aggregated remote access, whereby a number of authorities share the same system, or by</p>	<p>Deferred beyond March 2015.</p>	○
<p>- Adopting the Government's standard for remote access by staff, using the Employee Authentication System.</p>	<p>Deferred beyond March 2015.</p>	○














Annex 1 - 2012/14 progress

Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
Develop and roll-out a corporate document management system (DMS):		
- Review and validate workflows in revenues and benefits using IDOX's standard DMS.	The workflows are being developed afresh following adoption of the standard IDOX system. Progress on this and the following DMS projects have been hampered by staffing changes at IDOX.	
- Develop a process template for rolling out the DMS corporately.	Document management covering both storage and workflow has been implemented in specific services. The emphasis has now changed to development and roll-out of a corporate system. The next stage is to develop a corporate process template informed by the application of document storage within planning services.	
- Expand the corporate DMS to environmental health, housing and waste services.	This will include revisiting the existing IDOX system within private sector housing.	
Replace our existing/legacy telephone system with a modern unified communications system based upon Voice Over Internet Protocol (VOIP).	VOIP is an alternative way of making phone calls, with the advantage of making the calls cheaper or completely free. The 'phone' part is not always present, as it is possible to communicate without a traditional telephone. The next step is to develop and test a pilot system.	
Implement collection of housing benefit overpayments by direct debit.	We currently have in excess of 50 customers using the direct debit method of payment and numbers are increasing. This option continues to be promoted whenever practical to do so.	
Redirect internal audit resources into projects aimed at delivering efficiency and other savings.	No time was allocated to such projects in 2011/12. Over 100 audit days were allocated in 2012/13 and, despite an overall reduction in resources, a further 45 days were allocated in 2013/14.	
Implement online technology to streamline the administration of the Safety Advisory Group (SAG).	We have developed and have tested an online database that holds all relevant information for large scale public events. This is accessible to all agencies and organisers via a secure login. The next stage is testing by our partner agencies. It has already started to replace a substantial amount of traditional administration.	
Develop and implement electronic storage of personnel and payroll documents.	All personnel documents have been stored electronically since November 2012. Earlier paper documents have been archived. During 2014/15 the focus will be on payroll.	
















Annex 1 - 2012/14 progress

Improvement project	Progress	
	Comment	Symbol
<p> ● Complete ◐ Started, on or ahead of schedule ◐ Started, behind schedule ○ Not started </p>		
<p>Achieving more cost effective customer contacts</p>		
<p>Implement customer self-service online to cover:</p>		
- License administration.	All of our licenses can now be applied for online. During 2013/14 we enabled online payments and granting of licenses in pdf format, and semi-automated renewal reminders, all of which has substantially reduced costs of administration and postage. The feasibility of making further progress is under review.	◐
- Ordering/repair of refuse and recycling bins/boxes and missed bin collections.	Web forms are in place for these and other transactions. However, at present they generate emails, and staff have to re-enter the details and then action the requests. They need to be replaced by web forms that automatically capture the details and, where appropriate, forward them direct to the contractor to action. During 2013/14 full self-service forms have been developed for: <ul style="list-style-type: none"> - Abandoned vehicles. - Repair/replacement of damaged bins. Provision of replacement/extra green boxes and missed bins are the next priority.	◐
- Self service reporting of potential statutory nuisances, for example: noise, bonfires.	Prioritised to follow re-development of the web forms for waste services.	○
Develop and implement new Facebook/Twitter applications to engage with more young people.	Facebook page developed for TM Youth forum. Corporate Twitter account opened, with restricted use pending development of policy.	◐
Evaluate the feasibility of E-billing and enable residents to view their council tax account online.	Feasibility of E-billing proven. Residents can now check their council tax balances online.	●
Implement E-billing via My Account.	This will enable paperless council tax billing via our website. The next stage is to ensure secure access by verifying that each request for information is from a valid resident at a matching postal address.	◐
Develop our current website payment pages to enable payment of council tax via smartphones and other hand-held devices.	Payment enabled although formatting needs development to automatically fit smaller screens without manual scrolling or zooming.	◐
Investigate feasibility of online forms for developers and property owners to request street and property naming and numbering.	Feasibility proved.	●
Implement online forms for developers and property owners to request street and property naming and numbering.	This covers applications, changes and payments. Almost complete.	◐
Simplify application forms to register to vote and to request a postal or proxy vote.		●

Annex 1 - 2012/14 progress











Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
Investigate alternative solutions for delivery of information and documents to residents and businesses.	Discontinued as a separate project because the work involved is covered by other projects such as the development of My Account (including E-billing), preparation of an online business directory etc.	⊗ (cancelled)
Implement an online residents' panel for quantitative research of a representative cross section of residents.	<p>Initial recruitment to the Panel was completed during the summer of 2013 and two surveys carried out on:</p> <ul style="list-style-type: none"> - Improving our online services. - Satisfaction with front-line services, and community safety. <p>Further work is ongoing to recruit young people (age 16+) and 'grow' the overall Panel to around 1,200 members to enable more in-depth analysis.</p>	
Further develop self-service based on "My Property" searches via our website - enabling residents to review availability and details of local services by entering the address of their property.	This is currently available via our main website under "My Location". It will be included under My Account/My property during 2014/15 and the range of services widened thereafter.	
Reducing overheads		
Complete the transition from paper to electronic working for the main processes of land charges:		
- Send search results electronically.	All search results now sent via email or through NLIS, the National Land Information Service.	
- Convert replies to searches from the Highway Authority (KCC) to pdfs for storage and audit purposes.	All replies now stored electronically.	
- Computerise Land Charges register and information to complete CON29 forms for local authorities that together provide all information required for standard searches.	Priority awarded to operational matters in line with significant increase in housing market activity.	
Standardise/rationalise procurement processes where feasible, in partnership with other north and west Kent authorities, for a range of goods, works and services.	In the main, Dartford Borough Council now manages and administers the tender process for contracts above £75,000. Leased cars now sourced via Kent Lease.	
Review management options for the delivery of the Council's leisure facilities.	Review of management options completed. A new Leisure Trust was established to manage the Council's main leisure facilities from 1 November 2013.	
Develop and introduce E-Payslips and E-P60s.	E-Payslips implemented for all Council staff from March 2013 and E-P60s from April 2013.	
Convert Payroll and Personnel forms to electronic (e-form) format.	The most frequently used 14 forms were converted in 2012/13. Further development is being covered via implementation of the HR21 payroll and personnel system.	

Annex 1 - 2012/14 progress

Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
Enable managers and staff to self-serve by recording, updating and viewing a range of personnel and payroll information.	This includes: <ul style="list-style-type: none"> • Accessing historical payslip information. • Booking annual leave online. • Electronic recording of sickness absence. • Updating of personal details. • Completion of time sheets by casual staff. Staff will have full access to their own information. Managers will have limited access to information about their staff. In both cases access is direct via the HR21 payroll and personnel system.	
Introduce tablet computers for Members to reduce the printing of meeting agendas, papers and minutes.	This involved the replacement of the Egenda system with Modern.gov and deployment of tablet computers to Members, along with associated training.	
Reducing management/staff costs		
Re-test the senior management structure to ensure that all opportunities for efficiencies are explored.	The senior management structure was rationalised from seven to five chief officers. Completed 16 May 2013.	
Realising capital receipts from surplus Council assets		
Evaluate options for land in Council ownership and release sites for alternative use and development where appropriate.	Following the decision by Sainsbury's not to proceed with major plans for regeneration utilising Council assets, we are now reviewing how to proceed and address the Council's economic regeneration objectives in Tonbridge town centre. That will require an alternative approach to the future of all public property holdings in the town centre, coordinated with potential transport and environmental improvements in the High Street, all of which need to be subject of a fresh local dialogue, particularly engagement with businesses/traders.	
Reducing the cost of procured services		
Test procurement options for the following services with a view to reducing costs:		
- Waste management services, in collaboration with Kent Waste Partnership and KCC Waste Management.	Review of services completed November 2012. Agreed that existing services will continue until end of existing contract in 2019.	
- Pest control.	Services reviewed and changes approved.	
- Dog warden.		
- Public Conveniences cleansing contracts.		
Implement new contracts for the following services with a view to reducing costs:		
- Pest control.	New contracts implemented and have reduced service costs by £99,000 per year.	
- Dog warden.		
- Public Conveniences cleansing contracts.		













Improvement project	Progress	
	Comment	Symbol
<p> ● Complete ◐ Started, on or ahead of schedule ◐ Started, behind schedule ○ Not started </p>		
<p>Increasing usage levels at, and revenue from, our leisure facilities</p>		
Replace squash courts at Larkfield Leisure Centre with exercise and dance studio.	Completed December 2012, thereby increasing the capacity of group exercise classes. Attendance increased by 28% in 2013 compared to 2012.	●
Deliver, in partnership with West Kent PCT, a Lighter Lifestyles weight management programme at our leisure centres for 400(+) participants.	Number of referrals: - 2012/13: 408 - 2013/14: 426	●
Deliver KickStart and Excel programmes at our leisure centres for 650 children and young people.	Average number of KickStart & Excel members at the end of each quarter: - 2012/13: 691 - 2013/14: 960 (Quarter 4 result, pending full year result from Tonbridge and Malling Leisure Trust).	●
<p>Providing more services via the voluntary sector and new sources</p>		
Commission a new more in-depth service via K-dash and DAVSS to identify repeat victims of domestic violence and provide them with one to one support.	<p>K-dash and DAVSS are both local organisations/charities who train and use volunteers to support individuals, families and children affected by domestic abuse. Both organisations are now able to offer one to one support, rather than often simply referring victims on to other agencies.</p> <p>During 2012/13:</p> <ul style="list-style-type: none"> - DAVSS worked with 47 low to medium risk victims, three of whom were male. - K-dash worked with 74 high risk victims. <p>During 2013/14:</p> <ul style="list-style-type: none"> - DAVSS worked with 83 low to medium risk victims, nine of whom were male. - North Kent Women's Aid (which took over K-dash) worked with 76 high risk victims. <p>These figures include repeat and first-time victims. The one to one support is aimed at reducing the likelihood of recurrence.</p>	●
Evaluate options with the CAB and KCC's Library Service for potential shared accommodation and provision of outreach services in Borough Green, Larkfield, East Malling and Aylesford.	East Malling and Larkfield surgeries combined at Martin Square library. Surgery at Borough Green library opened February 2013.	●
Develop our relationship with the Probation Service to increase local deployment of people involved in the Community Payback Scheme.	Community Payback is a national scheme run by the Probation Service. It involves offenders doing compulsory hard work for the benefit of the community. All projects are strictly supervised and offer the chance for offenders to develop important life skills. The scheme helps to reduce the risk of re-offending and so makes our communities safer.	●

Annex 1 - 2012/14 progress

Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
<p>Identifying new sources of external funding to support capital schemes</p>		
<p>Seek new developer contributions to meet the leisure, open space and other needs generated by new developments, including schemes in the Capital Plan.</p>	<p>Schemes supported by developer contributions include:</p> <ul style="list-style-type: none"> - Frogbridge Sportsground in Tonbridge; this scheme is complete. - St. Philips Church, Woodlands Walk, and the Memorial Gardens, all in Tonbridge; these schemes are in progress. <p>Planning Services also negotiated contributions towards the installation of new facilities for pedestrians and provision/enhancement of parking and open space.</p>	
<p>Seek new funding mechanisms for affordable housing that are not reliant on capital grant funding from Government.</p>	<p>The Council adopted a Tenancy Strategy that permits housing associations to build new affordable homes for affordable rent. This enables housing associations to charge up to 80% of local market rents instead of much lower social rents. This additional income supports the development of new schemes.</p>	
	<p>Developer Crest Nicholson are building 18 shared equity dwellings at Isles Quarry West, Borough Green without Government funding. These comply fully with the Council's policy of affordable housing being exclusively for those who cannot afford to buy in the open market.</p>	
<p>Developing/sustaining revenue income</p>		
<p>Review the current fee structure for licensing to better align fees with service costs.</p>	<p>The majority of licensing fees are set by the Council. These have been reviewed to reflect costs and new fees are effective from 1 April 2014.</p> <p>Other fees are set nationally by Government. This includes those set in accordance with The Licensing Act (2003), which is subject to a Spring 2014 consultation for local authorities to set their own fees in future.</p>	
<p>Review the Council's investment property holdings with a view to granting new long term leases to encourage investment by tenants and increase rental income.</p>	<p>The review has been completed and two existing tenants have been granted longer term ground leases. This has both increased rental income and enabled investment by both tenants.</p>	
<p>Distribute the National Fraud Authority's e-learning package to better enable Council staff to recognise and report fraud against the Council.</p>		

Key priority

A clean, smart, well maintained and sustainable Borough.











Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
Recycling more household waste		
Evaluate options for extending borough-wide doorstep recycling services.	Review of services completed November 2012. Agreed that existing services will continue until end of existing contract in 2019.	
Pilot a Waste Electric and Electrical Equipment (WEEE) project aimed at recycling more electrical waste.		
Develop and implement with Veolia a 'Slim Your Bin' campaign aimed at diverting waste from black bins to recycling streams.		
Reducing littering in the borough		
Work as a national ambassador for the Keep Britain Tidy Group for the second 'Love Where You Live' campaign and, with local partners, businesses, community groups and residents, enhance the street scene in the borough.	Second Love Where You Live campaign successfully completed with assistance of partners.	
Expand litter enforcement activity by developing joint working with the police, the Environment Agency, Community Wardens and PCSOs – with a focus on 'hot spot' areas.	Joint working initiatives with the police piloted during 2012/13. A positive working relationship has since developed with police colleagues who have assisted the investigation of a range of environmental crimes.	
Continue to work towards greater coordination of street scene services with Kent Highways & Transportation, for example: grass cutting, weed control and graffiti on highway structures.	Kent Highways & Transportation attend officer working groups. Ongoing issues of coordinating services to ensure maintenance of a good street scene continues to be a problem.	
Develop and implement county-wide street scene improvements with The Kent Resource Partnership and Kent Highways & Transportation.		
Undertake new initiatives with the police and the Clean Kent Enforcement Team to deter fly-tipping and apprehend offenders.	Joint enforcement initiatives undertaken to target vehicles without correct waste transfer documents.	

Annex 1 - 2012/14 progress

Improvement project	Progress	
	Comment	Symbol
<p> ● Complete ⌚ Started, on or ahead of schedule ⌚ Started, behind schedule ○ Not started </p>		
More effective law enforcement		
Undertake Environmental Visual Audits with our partners to target 'hot spot' areas, as necessary.	<p>Audit of Woodlands Parade, Ditton completed June 2012. This focused on complaints about ASB, young people gathering and causing a nuisance, and residents' concerns about the poor condition of the properties. Actions taken by partners include:</p> <ul style="list-style-type: none"> - Identifying the young people and warning them about their behaviour. - Fire safety inspections and advice. - Checks that procedures are in place to prevent the sale of alcohol/cigarettes to under 18s. - Clearance of dumped rubbish. <p>Audit of the Nelson Avenue area of Tonbridge completed April 2013. This focused on graffiti, litter and general ASB. Actions taken by partners included a general clean-up of the area as well as creation of a new footpath to replace a well used dirt track between Nelson Avenue and the bridge over the nearby railway line.</p>	●
Recruit a seasonal ranger to patrol public open spaces in Tonbridge.		●
Further working with our communities		
Develop and implement, with schools, a programme to educate young people on the consequences of environmental crime.	Visits to 21 schools were undertaken in both 2012/13 and 2013/14.	●
Better management of parking		
Implement parking action plans for Aylesford and West Malling and a programme of targeted parking management improvements at various locations across the borough.	<p>The Aylesford parking action plan is complete.</p> <p>The first phase of the West Malling parking action plan is complete and we are currently reviewing existing pressures on parking with a view to updating the action plan.</p> <p>Phase 6b of the parking action plan, covering a further set of individual on-street parking problem sites, is complete. Consultation has commenced on Phase 7.</p>	⌚
Review existing parking plans for Snodland, East Malling and Borough Green.	<p>The parking plan for Snodland has been reviewed and the revisions will be implemented during 2014/15.</p> <p>The parking plan for East Malling is under review and any revisions will be implemented during 2014/15.</p> <p>The parking plan for Borough Green will be reviewed during 2014/15.</p>	⌚











Improvement project	Progress	
	Comment	Symbol
<p> ● Complete ◐ Started, on or ahead of schedule ◐ Started, behind schedule ○ Not started </p>		
<p>Improving the condition and appearance of Council car parks and adjacent landscaped areas</p>		
Identify and implement programme of improvement works in car parks to include: surfacing, white lining, lighting and signage.		●
<p>Improving public open spaces and enabling everyone to enjoy them in safety</p>		
Implement priority improvements to Tonbridge Castle grounds identified in the DDA access audit.		●
Raise new funds to improve Tonbridge Memorial Gardens.	Tonbridge Memorial Gardens are being totally refurbished and access improved. The design has been finalised. This work is now fully funded, with the Council supplementing donations by third parties.	●
Renew the entrance bridge from Avebury Avenue into Tonbridge Racecourse Sportsground.	Works have been rescheduled for summer 2014 following electricity main diversions by UK Power Networks that have delayed this project in 2013 and will now follow the Environment Agency's works at Buleys Weir.	◐
Refurbish/repair paths in Tonbridge cemetery on a priority basis, as identified through the recent access audit.		●
Undertake a programme of works to improve the visual amenity of Woodlands Walk, Tonbridge to include: refurbishment/re-painting of gates, fencing and bins; provision of new seating and signs; and revetment of the stream bank and habitat enhancement.	Gates refurbished and repainted. Fencing and bins refurbished and repainted. Revetment work completed. Habitats enhanced through selective coppicing.	◐
Enhance both the amenity and wildlife value of the Brungers Pond site through coppicing, clearance of the ponds and other general site improvements.	Initial clearance of vegetation completed 2012/13. Additional site clearance work programmed for summer 2014.	◐
Refurbish Brindles Field play area.		●
Repair/re-deck The Shallows bridge at Haysden Country Park.		●
Engage commercial and community organisations in providing new voluntary resources to improve public open spaces.	Veolia engaged at both Holly Hill and Haysden Country Park.	●
Seek new developer contributions to fund improvements to public open spaces.	Schemes supported by developer contributions include: <ul style="list-style-type: none"> - Frogbridge Sportsground in Tonbridge; this scheme is complete. - St. Philips Church, Woodlands Walk, and the Memorial Gardens, all in Tonbridge; these schemes are in progress. 	●
Install new play area and community garden on land adjacent to St Philips Church in Tonbridge.	The new play area is complete. The Church is developing the community garden.	●

Annex 1 - 2012/14 progress

Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
Implement actions from the Equality Impact Assessments concerning Pleasure Grounds & Open Spaces.	<p>Actions undertaken in 2012/13 include:</p> <ul style="list-style-type: none"> - Completion of an Access Audit for Tonbridge Cemetery; - Implementation of site specific management plans; and - User survey undertaken at Tonbridge Racecourse Sportsground. <p>Actions undertaken in 2013/14 include:</p> <ul style="list-style-type: none"> - Implementation of actions from Tonbridge Cemetery Access Audit; - Continued implementation of site specific management plans; and - User survey undertaken at Haysden Country Park. 	
<p>Improving the appearance and quality of the Council's leisure facilities, other property and land holdings</p>		
Identify any property or land holding which is in need of improvement to sustain local amenity.	Tonbridge Memorial Gardens are being totally refurbished and access improved. The design has been finalised. This work is now fully funded, with the Council supplementing donations by third parties. Completion expected during 2014.	
<p>Improving the appearance of high profile waterways</p>		
Work closely with the Environment Agency to identify areas of common interest and work together to improve visual amenity.	The Environment Agency has assisted with the cleansing of 'high profile' river banks in the borough and committed significant resources to the clean up of streams in Tonbridge after the 2013/14 winter floods.	
<p>Reducing energy consumption across the Council's own estate</p>		
Construct a draught lobby at Larkfield Leisure Centre.	Completed December 2012. Positive feedback received from both customers and staff post implementation.	
Install a replacement energy efficient condensing boiler and implement five heating control zones at Kings Hill offices.	Overall energy efficiency of the new system is subject to monthly monitoring. Zoning has enabled efficient heating of offices in the east wing that are occupied by the police 24/7.	
<p>Recycling more of the Council's own waste</p>		
Implement a recycling scheme across all Council offices.	A scheme to recycle paper and cardboard has been implemented throughout our main Kings Hill offices, reducing residual waste by 25%. Lack of a suitable location for an external bin store means this will not be extended to our Tonbridge Castle offices.	














Key priority		
Healthy living opportunities and community well-being		
Improvement project	Progress	
	Comment	Symbol
<p>● Complete ● Started, on or ahead of schedule ● Started, behind schedule ○ Not started</p>		
Encouraging physical activity and exercise, and reducing obesity		
Invest in improvements to our leisure centres and sports facilities:		
- Provide new dance/exercise studio space at Larkfield Leisure Centre.	Completed December 2012, thereby increasing the capacity of group exercise classes. Attendance increased by 28% in 2013 compared to 2012.	●
- Install new rubber crumb flooring in Tonbridge Swimming Pool changing rooms.	Completed December 2012.	●
- Replace/upgrade existing fitness equipment at Larkfield Leisure Centre and Angel Centre.	Tender process completed in partnership with Dartford Borough Council. Equipment installed December 2012.	●
- Refurbish the changing rooms at Pout Wood Golf Centre.	Completed April 2013.	●
Deliver four 10-week Mind Exercise Nutrition Do It! (MEND) courses to help families adopt a healthy lifestyle and lose weight naturally.	In 2012/13 we delivered: <ul style="list-style-type: none"> - Three MEND programmes at Larkfield Leisure Centre and the Hugh Christie School, Tonbridge, and - Three "Go 4 It" programmes, designed to help children get fitter and maintain a healthy weight, at our leisure centres in Larkfield and Tonbridge. 	●
Develop and implement a schools based programme to help children adopt a healthy lifestyle and lose weight naturally.	Different approaches were trialled and a Learn, Eat and Play (LEAP) programme was developed. This is designed to help families eat a healthy diet and increase their physical activity. <p>In 2013/14 we delivered:</p> <ul style="list-style-type: none"> - Three LEAP programmes, and - Two 'Go 4 It' at schools across the borough. 	●
Deliver, in partnership with West Kent PCT, a Lighter Lifestyles weight management programme at our leisure centres for 400(+) participants.	Number of referrals: <ul style="list-style-type: none"> - 2012/13: 408 - 2013/14: 426 	●
Deliver KickStart and Excel programmes at our leisure centres for 650 children and young people.	Average number of KickStart & Excel members at the end of each quarter: <ul style="list-style-type: none"> - 2012/13: 691 - 2013/14: 960 (Quarter 4 result, pending full year result from Tonbridge and Malling Leisure Trust). 	●
Introduce water therapy sessions at Tonbridge Swimming Pool.	Water therapy classes introduced on Friday mornings as part of wider GP referral programme.	●
Hold at least two 'Healthy Living days' at Tonbridge Gateway.	Held on 21 August and 11 December 2012.	●

Annex 1 - 2012/14 progress

Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
Reducing substance misuse		
Expand the work of Kenward Trust's out-reach team, focusing on areas where under-age drinking has been reported.	Kenward Trust is a local charity. A larger team is now able to work more intensively across more locations. The team covered a total of eight different locations in 2012/13 and six in 2013/14.	
Organise and deliver an alcohol awareness campaign and signpost those with alcohol issues to appropriate support services.	We ran a double page spread in the winter 2012 edition of the Council's newspaper, Here & Now, delivered to households across the borough and on our website. This provided a guide on the number of units and calories in different alcoholic drinks and tips on reducing consumption.	
Expand the work of Kenward Trust's out-reach team to focus on areas where excessive drinking and associated problems have been reported.		
Promoting health awareness in workplaces and communities		
Deliver a healthy living programme to seven workplaces to address healthy workforce issues.	<p>In 2012/13 the programme reached 14 workplaces at 6 events and included: Veolia; Kimberly Clarke; Russet Homes (now Circle Housing Russet); Invicta Telecare; Enalon in Tonbridge; RBLI and businesses on the Morley Road Industrial Estate.</p> <p>In 2013/14 the programme was delivered to the Kent Wildlife Trust.</p>	
Organise health promotion events and community engagement days in a variety of locations to help promote healthy living messages and available public health services.	<p>In 2012/13 main events were held at Tonbridge Gateway, Platform 51 in Tonbridge and Larkfield Library.</p> <p>In 2013/14 four health events were held at Platform 51 and we promoted healthy living at events at the St. James Centre in East Malling, TAMS forum and at various library open days, across the borough.</p>	
Evaluate the British Heart Foundation Heart Town scheme and assess the feasibility of bringing forward such a scheme in Tonbridge and Malling.	Evaluation completed. Decided not cost effective to proceed with the scheme at this stage.	

Improvement project	Progress	
	Comment	Symbol
<p> ● Complete ◐ Started, on or ahead of schedule ◐ Started, behind schedule ○ Not started </p>		
Improving mental health		
Expand the Jasmine - Platform 51 project, subject to funding, to support women with issues affecting their emotional health and wellbeing.	Jasmine is an eight-week programme run by the Tonbridge branch of charity Platform 51 (previously known as YWCA). There were three eight-week programmes in 2012/13, up from just one in the previous year. As a result of the closure of Platform 51 in 2013/14 only one programme was delivered, in East Malling. We now plan to run 3 Jasmine Programmes in 2014/15 with the mental health charity MIND in Tonbridge that will be open to both men and women.	◐
Set up information and signposting on TMBC's website to mental health services.	In 2014/15 we will add links to the Live it Well and Six Ways to Wellbeing websites.	◐
Carry out a Mental Health and Wellbeing Impact Assessment of a current or developing Council service or project in the community.	This was carried out on the Jasmine Project, involving service users and other stakeholders. Results showed that outcomes were being met, but that this service should be extended to men as well as women.	●
Develop and deliver a campaign for Local World Mental Health Awareness week in October 2012, in partnership with Kent Libraries and in conjunction with other agencies in the community.	The campaign aimed to raise awareness of the personal risks to mental health, ways of promoting personal health and wellbeing and the treatment services available.	●
Encouraging healthy eating		
Implement the revised Healthy Eating Award and promote it to catering businesses in the borough.	Re-launched in September 2012, this Award encourages food businesses to reduce the amount of salt, sugar and saturated fat in their dishes and increase fruit and vegetables. It promotes healthier cooking methods, proportions and serving sizes, and assists businesses to promote their healthy food options. 22 business achieved the Award by 31 March 2013, increasing to 25 by 31 March 2014.	●
Introduce the National Food Hygiene Rating Scheme and provide all businesses with a score for their hygiene standards.	The scheme rates each food premises based on the last food hygiene inspection. It was introduced in Tonbridge and Malling from 2 April 2012. Eight hundred and thirty three (833) food businesses currently have a score between 0 (general failure to comply with legal requirements) and 5 (Very high standards of food safety management/fully compliant with food safety legislation).	●

Annex 1 - 2012/14 progress












Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
Reducing risks to health and safety at work		
Deliver, with the HSE and local authority partners, programmes focusing on:		
- LPG installations	The safety of LPG installations continues to be high priority.	
- Visitor safety at animal attractions.	The main focus was on the Hop Farm, Paddock Wood.	
- Controlling the risks from Legionella in cooling towers and evaporative condensers.	We targeted inspections of cooling towers and evaporative condensers during 2013/14 as part of the HSE's national Legionella programme.	
Reducing health inequalities		
Identify and address, with partners, the health needs of 'troubled families'.	<p>The meaning of 'Troubled families' is explained on page 38.</p> <p>Seventy-eight (78) 'troubled families' were identified in 2012/13 (Year 1) and 46 have received direct support, many with health issues causing, or associated with, other problems.</p>	
Identify and refer relevant families to the 'troubled families' programme.	Since March 2013, Kent County Council has coordinated the 'troubled families' programme and our role has been to provide local management support and refer families who meet the criteria. Overall, a further 84 families were referred in 2013/14 (Year 2) and 45 have received direct support, which is ongoing in some cases.	
Implement actions from the Promoting Healthier Communities Equality Impact Assessment.	<p>Action 1: Further study and investigation into other pockets of deprivation/inequality across the borough, not just the three priority communities - implemented via the Health Inequalities Action Plan.</p> <p>Action 2: Involve Tonbridge and Malling Seniors (TAMS) Forum in health projects/initiatives - Forum briefed on health inequalities and health associated projects at open meetings in November 2013 and January 2014.</p>	
Reducing environmental pollution		
Update the contaminated land strategy and implement the action plan in the context of new technical guidance and review the number of contaminated land sites.	Completion expected during 2014/15.	
With partners, implement the borough-wide action plan to improve air quality and undertake the Updating and Screening Assessment of current air quality throughout the borough.	Updating and Screening Assessment completed. Implementation of action plan ongoing.	
Produce and start to implement actions to improve air quality along Tonbridge High Street, as part of a borough-wide action plan.	Section of borough-wide plan action plan relating to Tonbridge High Street produced. Implementation of action plan ongoing.	

Key priority

Children and young people who are safe, involved and able to access positive activities.









Improvement project	Progress	
	Comment	Symbol
<p>● Complete ● Started, on or ahead of schedule ● Started, behind schedule ○ Not started</p>		
Involving schools and young people in celebrations for the Olympic Games and Queen's Diamond Jubilee		
Run a Jubilee competition for local schools linked to promoting awareness of the monarchy.		●
Assist schools with sport and art Olympic themed celebration events across the borough.	A number of events took place including a large event in Tonbridge and one in Wrotham.	●
Deliver Olympic themed theatre performances to primary schools located near to the Olympic Torch route in Borough Green.		●
Giving young people more opportunities to influence decisions		
Provide the Tonbridge & Malling Youth Forum with a budget to manage new initiatives.	External funding successfully secured for one-off projects.	●
Develop and implement new Facebook/Twitter applications to engage with more young people.	Facebook page developed for TM Youth forum. Corporate Twitter account opened, with restricted use pending development of policy.	●
Improving access to holiday activity programmes to meet identified needs		
Evaluate extending the opening hours of the summer Playscheme.	Research undertaken via survey of both customers and Playscheme staff, and operating costs identified. Decided not to extend as no clear need expressed by customers.	●
Encouraging more young people to attend dry side coaching courses at our leisure centres		
Introduce continuous assessment and direct debit payments for dry side courses.		●
Further improving local play and leisure facilities		
Replace and upgrade play equipment on Brindles Field play area, Tonbridge.		●
Provide new play area on land adjacent to St Philips Church, Tonbridge.		●
Install new items of play equipment at Frogbridge play area.		●
Provide floodlighting to the skate park and ball court at Tonbridge Racecourse Sportsground.		●
Seek new external funding contributions to progress improvements.	Contributions secured in 2012/13 and 2013/14 for refurbishment of Tonbridge Memorial Gardens.	●

Annex 1 - 2012/14 progress









Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
Implement relevant recommendations from the Equality Impact Assessments of leisure facilities and services.	Action plans for: <ul style="list-style-type: none"> - Leisure Development - Tonbridge Cemetery mostly complete for 2013/14 and ongoing. Responsibility for action plans for the: <ul style="list-style-type: none"> - Leisure Services Business Unit - Poulton Wood Golf Centre have been transferred to the new Tonbridge and Malling Leisure Trust.	
<p>Developing opportunities for young people across the borough in partnership with Kent County Council</p>		
Determine with KCC Youth Service its offer for commissioning youth services across the borough for the next three years.		
Review delivery programme for the Y2 Crew summer scheme.	Delivery programme reviewed with alternative options implemented.	
<p>Introducing new educational programmes and facilities</p>		
Evaluate provision of a new Education Centre at Leybourne Lakes Country Park.	Under preliminary consideration.	
Provide funding for education programmes to feature as part of the Tonbridge Music Festival and Music at Malling programme.		
Develop a Golf Academy at Poulton Wood in partnership with Hadlow College.	Golf Academy developed with Hadlow college but dependent upon student take-up directed from the college.	
<p>Improving housing for young people</p>		
Through partners provide, from existing housing stock, suitable 'move-on accommodation' for young people leaving accommodation-based support.	Nine units of supported accommodation for vulnerable young people were opened in Tonbridge in June 2011. Young people can be there for up to two years. Provision of suitable move-on accommodation is being identified with Circle Housing Russet, and Porchlight, a charity supporting vulnerable and homeless people.	

Key priority		
Low levels of crime, anti-social behaviour and fear of crime.		
Improvement project	Progress	
	Comment	Symbol
<p> ● Complete ◐ Started, on or ahead of schedule ◐ Started, behind schedule ○ Not started </p>		
Reducing anti-social behaviour (ASB) - Reducing the number of incidents of ASB		
Upgrade and digitise our CCTV monitoring arrangements.		●
Develop and deliver a peer mentoring scheme with Maidstone Mediation to help prevent ASB through work with schools in the Malling area.	<p>Maidstone Mediation Scheme is a charity and voluntary organisation whose work includes a variety of services to schools including training children to be peer mediators.</p> <p>During 2012/13 and 2013/14 about 225 students from seven schools in the borough received peer mediation training. Peer mediation is offered each lunch time and is available for the whole school. Usually there are between 2 to 10 students a week in each school who access the service.</p>	●
Focus more of the CSU's resources on identifying repeat and vulnerable victims, and resolving their issues.	<p>Calls received by the CSU from repeat and vulnerable victims:</p> <ul style="list-style-type: none"> - 2011/12: 816 - 2012/13: 1,558 - 2013/14: 1,198. <p>Each case was investigated, usually by a PCSO in person, and appropriate action taken.</p>	●
Develop and implement increased multi agency working with the police, Trading Standards and other authorities to better ensure compliance with licenses.	A step change in multi-agency working has been achieved and is now established. This is exemplified by the Kent Community Alcohol Programme (KCAP) initiative in Snodland. This is a partnership between KCC Trading Standards, Tonbridge & Malling Borough Council, Kent Police, Snodland Town Council, local organisations and the retailers aimed at reducing incidents of underage drinking.	●
Reducing anti-social behaviour (ASB) - Reducing the number of persistent/repeat ASB offenders		
Fund Parents Plus to support parents whose children are causing ASB.	<p>Parents Plus is a Tonbridge based charitable venture, whose mission is to offer practical and emotional support, guidance and friendship for parents. For example, Tonbridge and Malling's Community Safety Unit and local agencies, including Parents Plus, targeted persistent ASB offenders and their parents in East Malling towards the end of 2012. Since that time reports of ASB in the area have fallen by more than 50 per cent.</p> <p>Overall, Parents Plus worked with 58 families in 2012/13. Most of these have one, usually female, parent. There was no further funding for 2013/14.</p>	●









Annex 1 - 2012/14 progress

Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
Implement the Government's 'troubled families' programme by:		
- developing a database of 'troubled families';	<p>The Government's programme covers the financial years 2012/15. 'Troubled families' are those where at least two of the following apply:</p> <ul style="list-style-type: none"> - a family member is involved in ASB or crime; - a family member is at risk of exclusion or excluded from school; - a family member is long-term unemployed. <p>In Tonbridge and Malling this is known as the Family Focus initiative.</p> <p>Seventy-eight (78) 'troubled families' were identified in 2012/13 (Year 1) and 46 have received direct support.</p>	
- bringing together appropriate agencies;		
- developing an action plan for each family to address the root causes.		
Identify and refer relevant families to the 'troubled families' programme.	<p>Since March 2013, Kent County Council has coordinated the 'troubled families' programme and our role has been to provide local management support and refer families who meet the criteria. Overall, a further 84 families were referred in 2013/14 (Year 2) and 45 have received direct support, which is ongoing in some cases.</p>	
Identify and refer 'troubled families' for support via the new Progress Project.	<p>The Progress Project focuses on 'troubled families' with long term unemployment problems.</p> <p>During 2012/13 there were 44 referrals to the Progress Project for Tonbridge & Malling and Tunbridge Wells, and 20 have received direct support.</p>	
<p>Reducing domestic abuse - Reducing the number of repeat victims of domestic abuse</p>		
Commission a new more in-depth service via K-dash and DAVSS to identify repeat victims of domestic violence and provide them with one to one support.	<p>K-dash and DAVSS are both local organisations/charities who train and use volunteers to support individuals, families and children affected by domestic abuse. Both organisations are now able to offer one to one support, rather than often simply referring victims on to other agencies.</p> <p>During 2012/13:</p> <ul style="list-style-type: none"> - DAVSS worked with 47 low to medium risk victims, three of whom were male. - K-dash worked with 74 high risk victims. <p>During 2013/14:</p> <ul style="list-style-type: none"> - DAVSS worked with 83 low to medium risk victims, nine of whom were male. - North Kent Women's Aid (which took over K-dash) worked with 76 high risk victims. <p>These figures include repeat and first-time victims. The one to one support is aimed at reducing the likelihood of recurrence.</p>	

Annex 1 - 2012/14 progress










Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
Fund a new Independent Domestic Violence Adviser (IDVA) for high risk victims of domestic abuse.	During 2013/14, the IDVA worked with 76 high risk victims and 80% of all referrals to MARAC (Multi-agency Risk Assessment Conferences) have had an offer of support from the IDVA. 74% of the 76 high risk victims felt that the level of risk had been reduced further to support from the IDVA.	
Reducing domestic abuse - Reducing the number of domestic abuse incidents		
Fund the Community Domestic Abuse Programme to prevent re-offending.	This is aimed at males who accept they commit domestic abuse and who want to change. There were eight self-referrals, five of whom completed the programme during 2012/13. The Programme was not available between April - November 2013 while the organisation achieved charity status. Since then there have been eight self-referrals by 31 March 2014.	
Commission a new more in-depth service via K-dash and DAVSS to identify repeat victims of domestic violence and provide them with one to one support.	<p>K-dash and DAVSS are both local organisations/charities who train and use volunteers to support individuals, families and children affected by domestic abuse. Both organisations are now able to offer one to one support, rather than often simply referring victims on to other agencies.</p> <p>During 2012/13:</p> <ul style="list-style-type: none"> - DAVSS worked with 47 low to medium risk victims, three of whom were male. - K-dash worked with 74 high risk victims. <p>During 2013/14:</p> <ul style="list-style-type: none"> - DAVSS worked with 83 low to medium risk victims, nine of whom were male. - North Kent Women's Aid (which took over K-dash) worked with 76 high risk victims. <p>These figures include repeat and first-time victims. The one to one support is aimed at reducing the likelihood of recurrence.</p>	
Reducing domestic abuse - Ensuring victims of domestic abuse who need help know how and where to access support		
Develop and run one domestic abuse campaign during the year to raise awareness and publicise the services available.	<p>The campaign focused on:</p> <ul style="list-style-type: none"> - Teenagers, social media and domestic abuse in 2012/13. - Promoting healthy, as opposed to controlling, relationships in 2013/14. <p>During 2013/14 there were 1,262 incidents reported to the police, up from 1,219 in 2012/13. This could well be due to the work we have been doing to publicise the services available locally, which should give victims more confidence in reporting incidents and can be a first step towards prevention. The national media's coverage of abuse generally could also have encouraged an increase in reporting of incidents.</p>	

Annex 1 - 2012/14 progress










Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
<p>Reducing domestic abuse - Increasing the number of domestic abuse referrals to support services, including MARAC (the monthly Multi-Agency Risk Assessment Conference)</p>		
Develop and run a training session to inform front line staff across relevant agencies of the support services available.	Completed June 2013, with 11 agencies represented. MARAC reviewed 79 domestic abuse cases during 2013/14, up from 54 in 2012/13.	
<p>Reducing substance misuse - Reducing the number of possible drug offences</p>		
Develop and run a substance misuse campaign.	A multi-agency group has produced an action plan that focuses on Snodland as a pilot area. The action plan includes: work in schools, publicising the services available, targeting drug suppliers and staffing a drop-in clinic.	
<p>Reducing substance misuse - Reducing residents' concern about drunk or rowdy people in their area</p>		
Involve a wider range of agencies to identify and target under-age drinking via the Kenward Trust.	Membership of the monthly CSU meetings has been extended to include more agencies, thereby providing more comprehensive intelligence. Kenward Trust is a local charity.	
Publicise work to reduce substance misuse and its successes.	Featured in the Summer 2013 edition of the Council's newspaper, Here & Now.	

Key priority

A continuing supply of homes, including affordable housing to buy and rent, and prevention of homelessness.








Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
<h3>Allocating land for new employment and housing development</h3>		
<p>Prepare a new Local Plan for the borough, based on:</p>		
<ul style="list-style-type: none"> - Commissioning a Strategic Housing Market Assessment (SHMA). 	<p>Preparation of a new Local Plan began in 2012 with the compilation of an evidence base. The commissioning of a new SHMA is one of the priority pieces of work. The completed SHMA for TMBC was received from the consultants in March 2014.</p>	
<ul style="list-style-type: none"> - Allocating land to meet market and affordable housing requirements. 	<p>Work is also underway on a Strategic Housing Land Availability Assessment which will identify future potential land allocations. Actual allocation of land to meet housing need will be informed by the results of the SHMA, which identifies those needs. A 'Call for Sites' exercise is due to be launched in April for 8 weeks.</p>	
<ul style="list-style-type: none"> - Undertaking an Employment Land Review. 	<p>The National Planning and Policy Framework requires Local Plans to be deliverable, which means sites allocated for certain uses are expected to come forward during the plan period. As part of the evidence base for the Local Plan it will therefore be necessary to refresh the Employment Land Review. Consultants Nathaniel Lichfield and Partners were appointed in January 2014 to carry out this work. The outcomes from this work will help inform employment and housing land allocations in the new Local Plan.</p>	
<h3>Providing affordable housing for low income households</h3>		
<p>Secure opportunities to increase the supply of new affordable homes for rent and purchase.</p>	<p>For 2012/13: - Expected number of units: 100 - Actual number of units: 108</p> <p>For 2013/14: - Expected number of units: 150 - Actual number of units: 216</p> <p>For 2014/15: - Expected number of units: 131</p>	
<p>Promote new opportunities to secure the delivery of new social rent affordable homes for households on very low incomes.</p>	<p>We worked with Russet Homes (now Circle Housing Russet), the borough's largest housing association, to secure two units at a social rent in the Pinnacles scheme, Tonbridge.</p> <p>We have also secured, with Circle Housing Russet, units on a range of schemes that at 70% are below the Affordable Rent ceiling, which is 80% of the open market rent.</p>	

Annex 1 - 2012/14 progress

Improvement project	Progress	
	Comment	Symbol
 Complete  Started, on or ahead of schedule  Started, behind schedule  Not started		
Consider the financial and wider benefits of participating in a Kent-wide Local Authority Mortgage Scheme (LAMS) in association with Kent County Council.	Particularly in view of the housing benefits, we intended to participate in the LAMS scheme subject to approval of full Council. However, LAMS has since been withdrawn due to the introduction of the national Help To Buy scheme.	⊗ (Cancelled)
Reducing the shortfall in Gypsy and Traveller pitches		
Deliver, with KCC, an improved Gypsy and Traveller site at Coldharbour.	This site was completed in January 2014, providing an additional 18 pitches.	
Carry out a new Gypsy and Traveller accommodation assessment and identify potential future sites.	Salford University was appointed to carry out a new Assessment in September 2012. Their final report addressing Gypsy and Travellers (Part One) was finalised in April 2013. Part Two, addressing Travelling Showpeople, is nearing completion.	
Making better use of existing affordable housing		
With housing provider partners, develop and implement new ways to address the under-occupation of family homes in the social rented sector.	Local Lettings Plans developed for new sites in Tonbridge prioritise part of the development for current under-occupiers in social housing. These plans refer to schemes/sites where there are restrictions on the way properties are allocated, often to try to achieve balanced and stable communities. Nationally, new rules were introduced on 1 April 2013 to reduce Housing Benefit for working age social rented sector tenants if they are deemed to be under-occupying their home. In this context we are seeking additional smaller units, for example bungalows and one/two bedroom homes, on new developments.	
Develop and implement, with partners, a Tenancy Strategy.	The Tenancy Strategy was approved February 2013. This sets out what the Council expects from all housing associations working within Tonbridge and Malling regarding the introduction of flexible tenancies and the new affordable rent tenure. In contrast to lifetime tenancies, a flexible tenancy lasts for a fixed period of time and is then subject to re-assessment.	
Develop and implement, with partners, a protocol for identifying and tackling housing fraud.	The Home Choice Procedure Manual was updated to include a Tenancy Fraud procedure, November 2012. As a result there have been more referrals from Housing Section to the Fraud team and closer joint working.	










Improvement project	Progress	
	Comment	Symbol
<p> ● Complete ◐ Started, on or ahead of schedule ◐ Started, behind schedule ○ Not started </p>		
Tackling homelessness		
Review and update our housing allocations scheme to reflect statutory Government guidance and an Equality Impact Assessment.	Scheme reviewed and implemented from September 2013.	●
Implement relevant actions as set out in the West Kent Homelessness Strategy 2011/16.	Main achievements include development and implementation of: <ul style="list-style-type: none"> - A policy for discharging the Council's duty to house homeless households with an offer of accommodation in the private rented sector. - An information pack for private landlords in the borough. - Via a partner organisation, a Resources Directory of homelessness organisations and services across West Kent. - A referral service to First Stop, part of the Elderly Accommodation Counsel, for older people requiring specialist advice on housing options. 	◐
Develop and implement a policy and guidance for taking action against private landlords to prevent harassment and illegal eviction.	Reviewing practices adopted by other local authorities.	◐
Securing good sources of good quality affordable private rented accommodation		
Promote and support the National Landlord Association Landlord Accreditation Scheme to landlords in Tonbridge and Malling.	This Scheme aims to publicly recognise good landlords. It has been promoted at West Kent Landlords' Forums but so far there has been no take-up in the borough. We will continue to promote and support the scheme as part of our ongoing work with private landlords.	●
Evaluate feedback from West Kent Landlords' Forums and explore additional ways of working with private landlords.	Further to the Forums an information pack has been developed that sets out how private landlords can rent to tenants who would otherwise potentially be social housing tenants or homeless. The pack is available on request and new landlords have already come forward and are working with our Housing Options Team.	●
Meeting the accommodation needs of vulnerable people		
Deliver new accommodation-based support for people fleeing violence.	We are working with Circle Housing Russet and Kent County Council to identify suitable sites.	◐
Improving housing for young people		
Through partners provide, from existing housing stock, suitable 'move-on accommodation' for young people leaving accommodation-based support.	Nine units of supported accommodation for vulnerable young people were opened in Tonbridge in June 2011. Young people can be there for up to two years. Provision of suitable move-on accommodation is being identified with Circle Housing Russet, and Porchlight, a charity supporting vulnerable and homeless people.	◐

Annex 1 - 2012/14 progress













Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
<p>Improving the energy efficiency of homes in the borough</p>		
<p>Establish, with other local agencies, a Kent Green Deal Partnership following the introduction of the Government's Green Deal.</p>	<p>The Green Deal aims to help householders and businesses install energy efficiency measures in their properties without paying the money up front by providing a loan to get the work done.</p> <p>Within Kent, the Kent & Medway Green Deal Partnership has been established.</p>	<p></p>
<p>Identify, investigate and evaluate with Kent Green Partners, opportunities arising from the Government's Green Deal.</p>	<p>Subject to Government consultation (see below) some householders will be eligible for a non-repayable grant to cover the cost of some or all of the Green Deal efficiency measures. These will be funded via the Energy Company Obligation (ECO), a fund of around £1.3billion per year from the six largest energy companies. The Kent & Medway Green Deal partnership aims to maximise the amount of funding coming into Kent particularly through ECO and to secure additional benefits in terms of: local jobs, opportunities for SMEs, local economic growth and training including apprenticeships.</p> <p>The ECO programme has stalled and a Government consultation was issued in March 2014. At this stage it is unclear what the future provision for ECO will be. In the meantime we continue to work with our partners via the Kent and Medway Green Deal partnership to maximise opportunities for retrofitting energy efficiency measures.</p>	<p></p>
<p>Making it easier for people to apply for benefits</p>		
<p>Design a scheme of localised council tax support that, as far as practicable, assists residents to easily claim support.</p>	<p>The Council's local council tax reduction scheme was adopted by full Council on 16 February 2013.</p>	<p></p>

















Key priority

Sustainable regeneration of Tonbridge town centre and economic development in communities across the Borough.

Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
<h4>Allocating land for new employment and housing development</h4>		
Prepare a new Local Plan for the borough, based on:		
- Commissioning a Strategic Housing Market Assessment (SHMA).	Preparation of a new Local Plan began in 2012 with the compilation of an evidence base. The commissioning of a new SHMA is one of the priority pieces of work. The completed SHMA for TMBC was received from the consultants in March 2014.	
- Allocating land to meet market and affordable housing requirements.	Work is also underway on a Strategic Housing Land Availability Assessment which will identify future potential land allocations. Actual allocation of land to meet housing need will be informed by the results of the SHMA, which identifies those needs. A 'Call for Sites' exercise is due to be launched in April for 8 weeks.	
- Undertaking an Employment Land Review.	The National Planning & Policy Framework requires Local Plans to be deliverable, which means sites allocated for certain uses are expected to come forward during the plan period. As part of the evidence base for the Local Plan it will therefore be necessary to refresh the Employment Land Review. Consultants Nathaniel Lichfield and Partners were appointed in January 2014 to carry out this work. The outcomes from this work will help inform employment and housing land allocations in the new Local Plan.	
<h4>Encouraging new investment and development in Tonbridge town centre</h4>		
Use the Council's own town centre land and property holdings to revitalise Tonbridge town centre and encourage new businesses.	Following the decision by Sainsbury's not to proceed with major plans for regeneration utilising Council assets, we are now reviewing how to proceed and address the Council's economic regeneration objectives in Tonbridge town centre. That will require an alternative approach to the future of all public property holdings in the town centre, coordinated with potential transport and environmental improvements in the High Street, all of which need to be subject of a fresh local dialogue, particularly engagement with businesses/traders.	
Support town centre services.	Representations made to secure high quality further education provision at West Kent College.	

Annex 1 - 2012/14 progress

Improvement project	Progress	
	Comment	Symbol
 Complete  Started, on or ahead of schedule  Started, behind schedule  Not started		
Implement Tonbridge Central Area Action Plan:		
- Promote development on Council owned land for mixed town centre development.	As the Local Planning Authority, we are engaged in pre-submission discussions with various private and public sector partners about potential development and investment in the town centre. We are also preparing brief guidance on the range of uses that might be agreeable on land owned by the Council.	
- Facilitate private sector development on other town centre sites.	Continuing dialogue with actual and potential developers to ensure their aspirations take full account of the provisions of the area action plan.	
- Secure developer contributions and infrastructure improvements.		
Expand the new Town Team to include a wider range of key stakeholders.	The Tonbridge Town Team was established as part of the Mary Portas Initiative in March 2012. It meets regularly and the original membership has been joined by two local councillors, an editor of a local magazine and four local traders.	
Develop and begin to implement an action plan to promote events, re-use of empty properties and retail marketing.	<p>Following the successful 'Taste of Tonbridge' day held in the town on 23 June 2013 the Town Team has focused on launching a Loyalty Card scheme. This was launched in October 2013 and now has in excess of 60 businesses signed up.</p> <p>Consideration is being given to another Taster Day event in 2015, subject to sufficient sponsorship being secured. For 2014, the previously successful Dragon Boat Races will be held again, alongside a Medieval Fayre, in September.</p> <p>The Town Team has taken on responsibility for its own bank account and is seeking advice from the Council on becoming more self-sufficient.</p>	
Review the Council's investment property holdings with a view to granting new long term leases to encourage investment by tenants and increase rental income.	The review has been completed and two existing tenants have been granted longer term ground leases. This has both increased rental income and enabled investment by both tenants.	
Improving the street scene		
Evaluate results of street clutter/street furniture audit, develop improvement options, develop and implement schedule of works.	The evaluation is complete along with a schedule of works for Tonbridge High Street. We are working with KCC to progress the implementation of the works.	
Approach County members with a bid to use member highway fund to carry out street scene improvements.	Money has been successfully secured from County members to assist in the street scene improvement for Tonbridge High Street.	

Improvement project	Progress	
	Comment	Symbol
<p>  Complete  Started, on or ahead of schedule  Started, behind schedule  Not started </p>		
Improving the vitality of local commercial centres		
Investigate options to improve the street scene and shopping facilities in smaller towns and village centres and at local shopping parades.	Options investigated and improvements progressed, including: <ul style="list-style-type: none"> - Canopies and external decoration of shops at Martin Square, completed June 2013. - Launch of Innovation Fund Grant scheme. 	
Supporting smaller and local businesses in the borough		
Prepare a directory of businesses in the borough that will be expanded to cover the entire west Kent area.	The Directory is available online, on CD and as a booklet. It is subject to being refreshed and maintained.	
Promote the take up of apprenticeships locally both at graduate level and below.	The West Kent Partnership completed a "100 in 100" campaign, involving placement of 100 new apprenticeships in 100 local companies.	
Improving the fabric of Tonbridge town centre		
Use the Council's own town centre land and property holdings to revitalise Tonbridge town centre and encourage new businesses.		
Complete the Town Lock development in Tonbridge to enhance the riverside appearance and access.	Construction planned for summer 2014 following refinements to the design.	
Implement a programme of capital works:		
- Stabilise slope of East Curtain Wall of Tonbridge Castle and remove footpath.		
- Fulfil the car park enhancement programme.	Phases 4 & 5 complete.	
Improving local road and rail infrastructure		
Lobby for improvements to local road and rail infrastructure which are important for businesses and our local economy as a whole. This includes:		
- Promote, with KCC, traffic and environmental improvements through a new Transport Strategy for Tonbridge town centre.		
- Improvements to the A21 at Pembury.	Public Inquiry closed July 2013. Awaiting Inspector's decision.	
- Provision of east facing slips to provide a fully working junction 5 (M25).	Providing direct access from the northbound A21 onto the M26, affording considerable benefits, locally and strategically, to economic development prospects as well as reducing traffic flows and improving air quality on the A25.	
- Early construction of the Colts Hill Bypass.		
- Re-introduction of City rail services from West Malling and direct services between Tonbridge and Gatwick.		

This Corporate Performance Plan can be viewed and downloaded via our website at www.tmbc.gov.uk.

Our website provides more information about many of the services and activities referred to within the plan.

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If you are having difficulty reading this plan and need the information in another format please email corporate.services@tmbc.gov.uk or call 01732 876020.

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

25 June 2014

Report of the Chief Executive and Director of Finance & Transformation

Part 1- Public

Matters for Recommendation to Council

1 **RISK MANAGEMENT STRATEGY**

This report asks Members to review the current Risk Management Strategy and to endorse it for adoption by the Council.

1.1 Introduction

1.1.1 The Council has had a Risk Management Strategy in place for a number of years. The Council's Risk Management arrangements are designed to ensure a prudent approach is taken, with risks reduced to an acceptable level, thereby safeguarding the Council's assets, employees and customers.

1.2 2014 Review of the Risk Management Strategy

1.2.1 The Risk Management Strategy has been reviewed and presented to the Audit Committee and subject to the Committee's consideration of the Strategy no amendment is considered to be required. The Strategy is presented at **[Annex 1]** of this report.

1.3 Legal Implications

1.3.1 There is a Health & Safety requirement for effective risk management to be in place and the strategy supports this requirement. There is also a requirement in the Accounts & Audit Regulations that accounting control systems must include measures to ensure that risk is appropriately managed.

1.4 Financial and Value for Money Considerations

1.4.1 Effective risk management arrangements make a positive contribution to ensuring value for money is provided in the delivery of services.

1.5 Risk Assessment

1.5.1 Sound risk management arrangements aid the Council in effective strategic decision-making. The Council's approach to risk should be reviewed on a regular basis to ensure it is up to date and operating effectively.

1.6 Equality Impact Assessment

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

1.7 Recommendations

1.7.1 Members are requested to review the Risk Management Strategy, and subject to any amendment required, recommend to Council it be adopted.

Background papers:

contact: David Buckley

Nil

Julie Beilby
Chief Executive

Sharon Shelton
Director of Finance & Transformation

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 report sets out the Council's Risk Management Strategy which applies to all aspects of the Council's business.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	
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.

TONBRIDGE AND MALLING BOROUGH COUNCIL
RISK MANAGEMENT STRATEGY STATEMENT

1. Introduction

The risk management strategy of Tonbridge and Malling Borough Council is to adopt best practices in the identification, evaluation, and cost-effective control of risks. This is intended to ensure that risks are reduced to an acceptable level or, where reasonable eliminated, thereby safeguarding the Council's assets, employees and customers and the delivery of services to the local community.

One of the Council's aims is to:

"Maintain the Council's high standards of financial management and probity".

The Council endeavours to pursue a forward-looking and dynamic approach to delivering services to the local community and will not be averse to taking a degree of commercial risk. However, it will always exercise a prudent approach to risk taking and decisions will be made within the parameters of the Council's internal control arrangements i.e. Constitution, Procedural Rules etc. These arrangements will serve to ensure that the Council does not expose itself to risks above an acceptable level.

Risks relating specifically to Health & Safety matters will be covered within the Council Health & Safety Policy and supporting guidance notes issued by the Director of Health and Housing.

2. Objectives

The risk management objectives of the Council are to:

- embed risk management into the culture of the Council;
- monitor, manage and report on risk in accordance with best practice;
- be responsive to changing social, environmental and legislative requirements whilst effectively managing the related risks and opportunities;
- prevent injury, damage and loss and reduce the cost of risk;
- raise awareness of the need for risk management;
- actively promote 'sensible and responsible risk management' using practical steps to protect workers and the public from real risks that cause injury and death

These objectives will be achieved by:

- defining the roles and responsibilities, in relation to risk management, of Officers and Members within the organisation;
- maintaining a risk management framework that will ensure the review on a rolling basis of strategic, operational and project risks faced by the Council – this approach will:

- identify corporate, operational and project risks;
 - assess the identified risks for likelihood and impact;
 - record the corporate risk register, linking these risks to strategic business objectives and assigning ownership for each risk;
 - detail the management action/controls required to mitigate identified risks;
 - require the corporate risk register to be discussed with the Audit Committee prior to approval by Council;
 - require regular reporting to the Audit Committee on all areas of “red zone” risks and action taken to manage them;
 - require the reporting of risks to full Council where appropriate
 - require all Cabinet/Committee reports to include a section covering the key risk issues to be considered, together with any action required to mitigate identified risks
 - require a risk assessment to be completed for all significant new projects and initiatives
 - require the Treasury Management Policy to outline the arrangements for properly managing treasury management risks;
 - require risks in relation to significant partnerships to be identified and assurances to be obtained regarding the management of those risks;
 - require appropriate incident recording to facilitate the analysis of risk data and steps taken to prevent or mitigate similar incidents occurring;
 - require an annual review of risk management framework by the review of this strategy.
- providing relevant training on risk management to employees and Members of the authority;
 - actively participating in inter-authority internal audit and insurance groups thereby developing and sharing best practice in risk management;
 - encouraging officers participating in other professional discipline groups to secure the inclusion of risk management as an agenda topic;
 - disseminating to officers as appropriate published risk management information received from insurers and other related sources;

3. Roles and Responsibilities

a) Members

The Risk Management Strategy will be reviewed at least annually. Council approval of the updated strategy will be witnessed by the signature of the Leader of the Council and countersigned by the Chief Executive. The Chairman of the Audit Committee will take a lead role in promoting the application of sound risk management practices across the Council.

All Members of the Council will receive a Risk Management Training session during a four-year term in office.

The Audit Committee will consider the Risk Management process as part of the assurance evidence in support of any Corporate Governance Statement.

The Audit Committee will provide independent assurance of the adequacy of the risk management framework and will monitor the effective development and operation of risk management in the Council.

b) Management Team

Management are responsible for the identification and management of risks.

Management Team will consider strategic risk and if necessary will formulate an action plan to address the risk. Strategic risk reviews will be undertaken where new situations arise or as considered necessary by the Management Team.

The business continuity plan will include strategic risks that will cascade down to operational risk registers.

Chief Officers will ensure that their managers carry out an annual review of operational risk for all their areas of responsibility. This review process will include the views of relevant staff within the activity. This will be supported by a half yearly review carried out by the manager with any risks entering the red zone being reported to the Chief Officer. The Chief Officer shall alert Management Team of any significant emerging risks as he deems necessary.

Chief Officers will take steps to ensure that their staff are fully aware of the Council's Risk Management Strategy and how to raise concerns relating to risk.

c) Section Managers

Section Managers in conjunction with members of their teams (as appropriate) and other parties / partners (where applicable) will lead reviews of the operational risks relating to their sections, and will reflect the outcomes of these reviews in their own Operational Risk Registers. These operational risk reviews will be undertaken annually. In addition a half-yearly review will take place to identify any significant change in scored risk and any new risks that have arisen.

Where risks are identified as being in the red zone of the risk matrix they will be reported to Management Team.

Where a manager identifies that a risk is moving significantly towards the red zone he should monitor the situation and alert his Chief Officer to the fact.

d) Partners

Where the Council enters into a partnership arrangement, the officer responsible for monitoring the partnership must ensure that the partner has an adequate risk management strategy and sufficient insurance cover to protect the interests of the Council.

e) Employees Generally

The concept of risk management will be conveyed to all employees.

“Netconsent” will be used to raise staff awareness of the Strategy annually.

A copy of this document will be held on the Council’s Intranet site. Employees will be expected in the first instance, to refer risk management concerns to their line managers. Should such concerns remain un-addressed, employees can refer their concerns elsewhere as prescribed in the Council’s Confidential Reporting Code.

Staff identified as being appropriate by their Manager will be asked to review the content and scoring of the Operational Risk registers for their section. This review should assist the Manager in completing the Risk Register.

All staff also have a duty to consider safe working practices and owe a duty of care to the safety of others. Any concerns relating to Health & Safety matters should be raised with line management, who, as part of their response, should seek guidance as necessary from the Director of Health and Housing.

f) Director of Planning, Housing and Environmental Health

The Director of Planning, Housing and Environmental Health shall be responsible for:

- monitoring and reviewing arrangements for the proper management of work place health and safety;
- preparing and updating the Council’s Health & Safety Policy;
- overseeing the issue of Health & Safety Guidance to assist service managers and staff comply with the Council’s Health and Safety Policy; and
- assessing compliance with Health & Safety legislation.

In the execution of these responsibilities the Director of Planning, Housing and Environmental Health will:

- consult with service managers in preparing an annual health and safety work programme which will include undertaking audits of work place activities and related risk assessments;
- assist service managers identify emerging health and safety risks and measures to address them including appropriate training;
- assist services managers prepare and review health and safety risk assessments; and
- submit an annual report on health and safety management in the work place.

g) Financial Services

The Director of Finance & Transformation in consultation with the Exchequer Services Manager will:

- regularly review and advise upon the Council’s insurance requirements and arrangements
- advise Officers and Members on insurance covers available and / or in place

- regularly advise Members of the Audit Committee on claims history and preventative action arising
- arrange insurance cover as necessary
- advise Officers on claims procedures, and process claims arising
- assist in the development and provision of claims data to aid future risk control
- disseminate published risk management information received

The Director of Finance & Transformation will report to Management Team on any areas of significant financial risk identified by the budget monitoring process

Internal Audit Section will take account of Risk Management provision when formulating the annual audit plan. Although the provision of adequate and effective risk management is Management responsibility each Internal Audit review will include a provision to ascertain if an up to date and adequate risk register is in place.

Signed

Leader of the Council

Signed

Chief Executive

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TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

25 June 2014

Report of the Chief Executive and Director of Finance & Transformation

Part 1- Public

Matters for Recommendation to Council

1 LOCAL CODE OF CORPORATE GOVERNANCE

The Audit Committee is due to review the Local Code of Corporate Governance at its meeting on 16 June and it is intended that an updated Code is recommended to Cabinet for final adoption by Council.

1.1 Introduction

1.1.1 Tonbridge & Malling Borough Council is committed to adopting the principles of good governance and demonstrates this publicly through the adoption and continued maintenance of a local Code of Corporate Governance, as recommended within the CIPFA/SOLACE (Chartered Institute of Public Finance & Accounting and the Society of Local Authority Chief Executives) Framework for Good Governance in Local Government, 2007.

1.1.2 In 2012, CIPFA/SOLACE published an addendum to the 2007 framework along with a Guidance Note for English Local Authorities. In order to meet the latest guidance, the Council's Code of Corporate Governance was reviewed and updated in 2013.

1.1.3 The CIPFA/SOLACE Framework for Good Governance in Local Government defines governance as 'the systems and processes, cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities'.

1.1.4 Each year, the Annual Governance Review process, culminating in the Annual Governance Statement, is used to confirm that the Council's arrangements to comply with the Local Code of Corporate Governance are in place and effective.

1.2 2014 Review of the Local Code of Corporate Governance

1.2.1 A review has been carried out and the Local Code of Corporate Governance adopted in 2013 is considered to remain appropriate, and requires only one change; the addition of a reference to the Council's Strategic Risk Register at 4.3. A copy of the Code is attached at **[Annex 1]**.

1.3 Legal Implications

- 1.3.1 Whilst there is no legal requirement for Council's to develop a Local Code of Corporate Governance, such a Code provides a public document that demonstrates how the Council ensures it operates in a proper way and in accordance with the law.

1.4 Financial and Value for Money Considerations

- 1.4.1 There are no financial and value for money considerations arising from the Code.

1.5 Risk Assessment

- 1.5.1 The Code of Corporate Governance meets the principles of the CIPFA/SOLACE Framework for Good Governance in Local Government and has been prepared with due consideration to good governance practice, as set out in the Framework.

1.6 Equality Impact Assessment

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

1.7 Recommendations

- 1.7.1 Subject to any comments from the Audit Committee, Cabinet is **REQUESTED** to consider the revised Local Code of Corporate Governance and **RECOMMEND** to Council that it be adopted.

Background papers:

contact: David Buckley

Nil

Julie Beilby
Chief Executive

Sharon Shelton
Director of Finance & Transformation

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 Local Code of Corporate Governance is intended to provide a summary of the Council's arrangements for ensuring good governance.

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	
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.

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**Tonbridge & Malling Borough Council
CODE OF CORPORATE GOVERNANCE**

INTRODUCTION

- 1.1 In 2001 the Chartered Institute of Public Finance & Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) published *Corporate Governance in Local Government – A Keystone for Community Governance: Framework*. The Framework outlined the need for local authorities to review their governance arrangements against a number of key principles and report on their effectiveness in practice.
- 1.2 Six core principles of good governance were advocated by the Independent Commission on Good Governance in Public Services in *The Good Governance Standard for Public Services (2004)* with support from the Office for Public Management and CIPFA. In response to subsequent changes in local government, CIPFA and SOLACE published an updated framework for good governance in local government in 2007. The framework defines governance as, 'the systems and processes, and cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities'.
- 1.3 The Independent Commission's six core principles of good governance outlined in the CIPFA-SOLACE Framework show that good governance means:
- (i) Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area
 - (ii) Members and officers working together to achieve a common purpose with clearly defined functions and roles
 - (iii) Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour
 - (iv) Taking informed, transparent decisions which are subject to effective scrutiny and managing risk
 - (v) Developing the capacity and capability of Members and officers to be effective
 - (vi) Engaging with local people and other stakeholders to ensure robust public accountability

CODE OF CORPORATE GOVERNANCE	SUPPORTING EVIDENCE
1. Good governance means focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area.	
1.1. <i>Exercising strategic leadership by developing and clearly communicating the authority's purpose and vision and its intended outcomes for citizens and service users.</i>	<p>There is a clear statement of the organisation's purpose in:</p> <ul style="list-style-type: none"> • Tonbridge & Malling Borough Council – Corporate Performance Plan 2012/15 <p>This document sets out the key priorities for the authority and how the Council will work with a range of partners and the local communities towards achieving the objectives.</p>
1.2. <i>Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning.</i>	<p>The Corporate Performance Plan also sets out how the Key Priorities will be delivered and identifies improvement plans on how these can be delivered efficiently and effectively. This will involve working with partners and contractors to achieve this. Regular update reports are given to Management and Members outlining progress towards achieving these priorities.</p>
1.3. <i>Ensuring that the authority makes best use of resources and that tax payers and service users receive excellent value for money.</i>	<p>The council works towards improving value for money through:</p> <ul style="list-style-type: none"> • Exploration of innovative ways of working including potential for joint-working and shared services. • Robust budgeting and Financial monitoring arrangements including detailed reviews of budgets and potential savings opportunities. • The work of Internal Audit • The work of External Audit • Publication of annual budget and accounts information
CODE OF CORPORATE GOVERNANCE	SUPPORTING EVIDENCE
2. Good governance means Members and officers working together to achieve a common purpose with clearly defined functions and roles	
2.1. <i>Ensuring that a constructive working relationship exists between authority members and officers and that the responsibilities of members and officers are carried out to a high standard.</i>	<p>The council has a protocol for relations between Members and Officers. The council's Constitution sets out clearly any delegation of responsibility from Council and the decision making powers of:</p> <ul style="list-style-type: none"> • The Council, • The Cabinet (including the Executive Leader and delegated decision-making to the Cabinet Portfolio Holders), • Regulatory Board, the Licensing Committee and other council committees.
2.2. <i>Ensuring effective leadership throughout the authority and being clear about executive and non-executive functions and of the roles</i>	<p>The council's Constitution clearly sets out the process for holding the executive to account through the debate of items at committees and, specifically, the role of the Overview Scrutiny Committee.</p>

<i>and responsibilities of the scrutiny function.</i>	
2.3. <i>Ensuring relationships between the authority, its partners and the public are clear so that each knows what to expect of the other</i>	<p>The council is accountable to the citizens of Tonbridge & Malling in delivering its duties and responsibilities.</p> <p>The council manages relationships with partners and consults with the public through a number of mechanisms:</p> <ul style="list-style-type: none"> • Transparency agenda • Regular reporting to Members • Partnership arrangements supported by protocol agreements • Council Constitution
3. Good governance means promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.	
3.1. <i>Ensuring authority Members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance</i>	<p>The council has a code of conduct for Members. In addition the council has:</p> <ul style="list-style-type: none"> • An Equalities Policy • A Code of Conduct for staff • A Declaration of Interest Register for Members and for staff • A Register of Gifts and Hospitality offered to Members and staff • Financial Procedure Rules • Contract Procedure Rules • A publicised complaints procedure • A fraud-aware culture
CODE OF CORPORATE GOVERNANCE	SUPPORTING EVIDENCE
3.2. <i>Ensuring that organisational values are put into practice and are effective.</i>	<p>The council has robust arrangements in place to ensure that it does the right things, for the right people in a timely, inclusive, open, honest and accountable manner. These are monitored and publicised through:</p> <ul style="list-style-type: none"> • The council's Performance Management Framework and performance reporting arrangements, • Procedures for recruitment and training, • Decision making practices, • Data transparency arrangements, such as publication of decisions and committee meeting minutes, • Partnership governance arrangements
4. Good governance means taking informed and transparent decisions which are subject to effective scrutiny and managing risk	
4.1. <i>Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny</i>	<p>The council's Constitution sets out the clearly the decision-making powers of:</p> <ul style="list-style-type: none"> • The Council • The Cabinet (including the Executive Leader and delegated decision-making to the Cabinet Portfolio Holders), • Other council committees. <p>Feedback from the Overview Scrutiny Committee and</p>

	the council's Cabinet Committees is taken into account in decision-making.
4.2. <i>Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs.</i>	The council has a Data Quality Policy which sets the rules and standards for ensuring that high quality information is consistently achieved. The Performance Management Framework underpins this policy. The council's Financial Procedure Rules support the provision of high quality financial advice. The Council also acts in consultation with stakeholders.
4.3. <i>Ensuring that an effective risk management system is in place.</i>	The council has arrangements in place to effectively monitor and manage risks to its business through the: <ul style="list-style-type: none"> • Risk Management Strategy • Strategic Risk Register • Corporate Risk Register • Service Risk Registers • Audit Committee role in scrutinising corporate risk • Consideration of risk in all Committee reports • Annual Governance Statement
4.4. <i>Using their legal powers to the full benefit of the citizens and communities in their area</i>	The council actively recognises the requirements and responsibilities placed on it by public law and will act to observe all specific legal requirements placed upon it when taking decisions. The council also strives to utilise its statutory powers to work in the public interest and to the full benefit of its citizens, particularly in relation to regulatory activity. All committee reports now include a section to ensure any legal implications are fully analysed when making decisions.
CODE OF CORPORATE GOVERNANCE	SUPPORTING EVIDENCE
5. Good governance means developing the capacity and capability of Members and officers to be effective	
5.1. <i>Making sure that Members and officers have the skills, knowledge, experience and resources they need to perform well in their roles</i>	The council has a training programme for Members and holds regular training sessions for Members on a variety of topics: <ul style="list-style-type: none"> • Induction training for all new members • Service-specific training e.g. Community Safety • Committee-specific Training e.g. Audit Committee The council has an extensive training programme for council officers including mandatory and voluntary training.
5.2. <i>Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group</i>	The council examines the capability of its people with governance responsibilities through appraisals and the Performance Management Framework and identifies any training gaps – the relevant training programmes are updated accordingly. The appraisal system for Managers is specifically competency focused.
5.3. <i>Encouraging new talent for membership of the authority so that best use can be made in individuals' skills and resources in</i>	The political group leaders take a lead in this area and use the Member training programme to support this ambition as required.

<i>balancing continuity and renewal.</i>	
6. Good governance means engaging with local people and other stakeholders to ensure robust public accountability	
6.1. <i>Exercising leadership through a robust scrutiny function which effectively engages local people & all local institutional stakeholders including partnerships, & develops constructive & accountability relationships.</i>	<p>The council is clear that it is ultimately accountable to the citizens of Tonbridge & Malling. The council's Corporate Performance Plan 2012/15 outlines the means by which local stakeholders will be engaged and how constructive, challenging relationships will be built. The council has put in place Committees with cross-party representation to ensure effective and robust discussion of issues.</p> <p>The council also has an Overview and Scrutiny Committee to scrutinise decisions made by Cabinet.</p>
6.2. <i>Taking an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly by the authority, in partnership or by commissioning.</i>	<p>The council has taken action to develop and support effective engagement opportunities with all groups of the local community:-</p> <ul style="list-style-type: none"> • The council promotes the TM Youth Forum that represents the views of young people living in Tonbridge and Malling • The council supports the Tonbridge & Malling Seniors' Forum (TAMS) which promotes and the needs of the older resident.
CODE OF CORPORATE GOVERNANCE	SUPPORTING EVIDENCE
6.2 <i>Taking an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly by the authority, in partnership or by commissioning.</i>	<p>The council being in a position to say we have a good understanding of who lives, works and plays in the borough and have mechanisms to listen to and respond to their needs, aspirations and concerns:-</p> <ul style="list-style-type: none"> • The council engages with other key stakeholders through a number of partnerships that the council has embarked upon, which are detailed in the council's Partnership Register. • The council actively uses complaints received to learn and improve services, whether through the internal complaints system or via the Ombudsman.
6.3. <i>Making best use of human resources by taking an active and planned approach to meet responsibility to staff.</i>	<p>The council has Investors' in People accreditation for the whole council and actively engages with its staff through:</p> <ul style="list-style-type: none"> • Staff talks • Team meetings • Regular performance management meetings • The Joint Staff Consultative Committee

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TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

25 June 2014

Report of the Director of Finance and Transformation

Part 1- Public

Matters for Recommendation to Council

1 TREASURY MANAGEMENT UPDATE AND ANNUAL REPORT FOR 2013/14

A report detailing treasury management activity undertaken in April of the current financial year is to be considered by Audit Committee on 16 June. That report also includes details of the treasury management outturn for the 2013/14 financial year. Cabinet are invited to recommend Council endorse the action taken by Officers thus far in the current financial year and note the outturn position for 2013/14.

1.1 Introduction

1.1.1 Council adopted the 2009 CIPFA Code of Practice for Treasury Management on 18 February 2010. That Code, and subsequent updates, requires as a minimum that full Council receives an annual strategy published prior to the start of the financial year, a mid-year review of that strategy and an outturn report (this report).

1.1.2 Additional reports updating Members on current activity are presented to Audit Committee and performance is also reported on a regular basis to the Finance, Innovation and Property Advisory Board. The combination of Member reporting and detailed scrutiny of activity ensures this Council complies with best practice.

1.2 2014/15 Treasury Management Performance

1.2.1 As at the end of April 2014 funds invested and interest earned is set out in the table below. The authority bettered the benchmark return and interest earned of £13,150 was broadly in-line with budget expectations (£300 higher than expected for cash flow and £850 lower for core funds).

	Funds invested at 30 April 2014 £m	Average duration to maturity Yrs	Weighted average rate of return %	Interest earned to 30 April 2014 £	Gross annualised return to 30 April 2014	7 day LIBID benchmark %
In-house cash flow	6.6	0.29	0.81	6,050	0.73	0.41
Externally managed core funds	13.4	0.80	0.59	7,100	0.64	0.41
Total	20.0	0.63	0.66	13,150	0.68	0.41

- 1.2.2 In accordance with previous Investment strategies all of the Council's core funds are currently managed by an external fund manager. Members are reminded that under the 2014/15 Strategy (considered by Audit Committee in January 2014) these funds are to be transferred to in-house management by the end of the financial year.
- 1.2.3 The core fund is being used to support both revenue and capital expenditure over the next few years of our medium term financial strategy as the authority grapples with savings targets to achieve a balanced budget. The core fund balance is currently £13.4m (expected to reduce to circa £11m by the end of the financial year) and is now at a level where in-house management is practical without the need for additional staff resources.
- 1.2.4 The transfer will contribute to savings targets through reduced fund management fees. Diversification of investment across a broad range of high quality counterparties will continue to be a key feature of our portfolio going forward and an element of liquidity within the core fund will be supported via the continued use of certificates of deposit.
- 1.2.5 Steps are currently being progressed to enable the transfer to take place over the summer.

1.3 2013/14 Treasury Management Outturn

- 1.3.1 The outturn report referred to Audit Committee is included in **[Annex 3]** of the Revenue and Capital Outturn report elsewhere on this agenda. Prudential and treasury indicators for 2013/14 are included at **[Annex 3 - Appendix 1]**.
- 1.3.2 Investment income of £159,650 earned during the year is marginally below the 2013/14 revised estimate by £4,750. The gross return for the year of 0.61% exceeds the 7-day LIBID benchmark by 20 basis points. For year-end reporting purposes, notional interest on our "defaulted" Landsbanki investment is added to the figure quoted above making total investment income for the year £179,800, £15,400 higher than our revised estimate.

1.4 Legal Implications

- 1.4.1 Members will be aware that our “defaulted” £1m investment with the Icelandic Bank, Landsbanki was sold at a competitive auction held in January 2014. The combination of partial payments and auction proceeds brought the total amount recovered to just over 95% of the original £1m investment. Participation in the auction has ensured the risks associated with pursuing full recovery (which would take many more years) have been avoided. Officers are satisfied that the price achieved at auction represents a good outcome for the Council.

1.5 Financial and Value for Money Considerations

- 1.5.1 At year end investment income for 2013/14, including notional interest on our “defaulted” Landsbanki investment was £15,400 higher than our revised estimate at £179,800. Investment income earned to the end of April 2014 of £13,150 is broadly in-line with budget expectations for 2014/15.
- 1.5.2 All investments undertaken in 2013/14 and thus far in 2014/15 have complied with the requirements of the relevant Treasury Management Strategy Statement and Annual Investment Strategy.

1.6 Risk Assessment

- 1.6.1 The application of best practice as identified by the CIPFA Code, including the regular reporting and scrutiny of treasury management activity, is considered to be the most effective way of mitigating the risks associated with treasury management.

1.7 Equality Impact Assessment

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

1.8 Recommendations

- 1.8.1 Subject to any comments from the Audit Committee, Cabinet is invited to **RECOMMEND** that Council:

- 1) Endorse the action taken by officers in respect of treasury management activity for April; and
- 2) Note the 2013/14 outturn position.

Background papers:

contact: Michael Withey

Nil

Sharon Shelton
Director of Finance and Transformation

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?	N / A	The report gives details of the treasury management activity undertaken in the early part of the current financial year and the outturn position in respect of 2013/14.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	N / A	
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.

TONBRIDGE & MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

16 April 2014

Report of the Director of Central Services

Part 1- Public

For Recommendation to Council

1 DIVERSION OF RESTRICTED BYWAY MR221A, LONDON GOLF CLUB, SOUTH ASH MANOR, ASH

1.1 Members will recall that this matter was the subject of a report to the Area 2 Planning Committee on 14 August 2013 and it was recommended to Council that approval be given for the Kent County Council to draft and advertise the Diversion Order under section 257 of the Town and Country Planning Act 1990. Approval was given by Council on 5 December 2013.

1.1.1 Consultations have been carried out by the Kent County Council as required by the 1990 Act. It has been necessary to send out two consultations, as a number of objections were received to the first proposal (diversion of MR221A and SD257/MR234). Following discussions with the applicant, the objectors and after discussing various options a new proposal was put forward. The main changes are: - a new alignment is proposed for the diversion of Restricted Byway MR221A, the diversion of SD257/MR234 is not being taken forward and it is proposed to create a new length of footpath and bridleway. Whilst the creation of the new length of footpath (as shown at Appendix A, between Points A-B) and bridleway (as shown at Appendix A, between the points X-F-G) will be processed by the County Council under section 26 of the Highways Act 1980, for completeness reference will be made to them throughout this report. The following details the responses to the second consultation.

1.2 Views of consultees

1.2.1 County Members, Mrs Sarah Hohler and Mr David Brazier were consulted but no responses were received.

1.2.2 Parish Council: Ash-cum-Ridley Parish Council is satisfied with the current proposals for Restricted Byway MR221A and the creation of a public footpath and bridleway. West Kingsdown Parish Council objected to the first consultation but no response was received to the second proposal. No response was received from Stansted Parish Council.

- 1.2.3 District/Borough Councils: Councillor Ann Kemp has no objections to the proposed diversion. Sevenoaks District Councillor Alan Pett made a number of comments regarding the proposed diversion. He queried how the planting clusters that are proposed along the eastern side of the route can be relied upon as a safety measure, to protect public rights of way users, when there are gaps along the length. He is reluctant to see the new route ending up as a tree lined tunnel stating that one of the joys of the existing route is the open nature and vistas it offers. He asked if the driving range could be re-aligned so that its axis is more north easterly, which would address the safety issue more effectively. He does state that he is reasonably content with the proposed re-routing as long as the planting is set back 2.5 metres from the edge of the path to prevent encroachment. Councillors Cameron and Carol Clark endorsed the comments made by Cllr Pett.
- 1.2.4 User Groups: The British Horse Society/British Driving Society stated that “the proposals for diverting MR221A and adding a new bridleway look excellent and are a really nice addition to the network”. The only comment they made was with reference to the proposed equestrian gates on the new length of bridleway. The representative for the Ramblers has requested gaps within the proposed planting along the eastern side of the route so that walkers can still enjoy views from the path and an enclosed corridor is not created
- 1.2.5 Statutory undertakers: Southern Gas Networks stated that there is a high pressure pipeline in close proximity to the site; however on inspecting the plan, the pipeline will not be affected by the proposal. No other objections have been received.

1.3 Legal Tests –Town and Country Planning Act 1990

- 1.3.1 Section 257 of the Town and Country Planning Act 1990 “The 1990 Act” states that “a competent authority may by Order, authorise the stopping up or diversion of any footpath, bridleway or restricted byway if it is satisfied that it is necessary to do so in order for development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990” or “if it is satisfied that an application for planning permission has been made under Part 3 of that Act and if the application were granted it would be necessary to authorise the stopping up or diversion of the footpath, bridleway or restricted byway...to enable development to be carried out” The competent authority in this instance is the Tonbridge and Malling Borough Council and the Order will need to be sealed by the Borough Council.
- 1.3.2 To satisfy the test there must be conflict between the development and the right of way. Section 55 of the 1990 Act defines development as “the carrying out of building, engineering, mining or other operations in, on, over or under land or the making of a material change in the use of any buildings or other land.
- 1.3.3 Although the above is the only test, the Secretary of State, should the matter go before him, has discretionary powers to balance the need for development against

the effect on the public rights and enjoyment of the highway. The planning authority must therefore act in a quasi-judicial manner to consider the relevant merits of any application.

- 1.3.4 In addition consideration should be given to the case of *Vasiliou v. Secretary of State and Others [1991]* where the Court of Appeal held that the effect an Order would have on those entitled to the rights which would be extinguished had to be taken into account.
- 1.3.5 Circular 1/09 – published by DEFRA - contains the following advice to planning authorities: “The local planning authority should not question the merits of the planning permission when considering whether to make or confirm an order, but nor should they make an order purely on the grounds that planning permission has been granted. That planning permission has been granted does not mean that the public right of way will therefore automatically be diverted or stopped up. Having granted planning permission for a development affecting a right of way however, an authority must have good reasons to justify a decision either not to make or not to confirm an order. The disadvantages or loss likely to arise as a result of the stopping up or diversion of the way to members of the public generally or to persons whose properties adjoin or are near the existing highway should be weighed against the advantages of the proposed order”.

1.4 Discussion

- 1.4.1 As stated above, the proposed new practice facility will extend across the line of MR221A and it is therefore considered essential, in order to enable development to take place, to divert MR221A away from this new facility. Consent for the development was granted as a result of the planning application TM/09/03149/FL. The proposed diversion is shown on the plan at Appendix A to this report. Stopping up MR221A and the provision of an equally pleasant and safe alternative route will eliminate the potential risk presented to users of MR221A as a result of the practice facility. Furthermore the creation of a new length of bridleway and footpath will improve the network in the local area.
- 1.4.2 It was intended to maintain the existing junction with South Ash Lane (at point C on Appendix A); however a view was expressed during the consultation process that access to Public Footpath SD257 should be provided from the proposed bridleway. The applicants have agreed with this view and in order to comply it has been agreed to extend Restricted Byway MR221A south by a further 57 metres. This will therefore provide access to South Ash Lane, the public footpath and the proposed bridleway. This further extension is shown between the points C and X at Appendix A.
- 1.4.3 The length of Restricted Byway MR221A to be diverted commences at its junction with South Ash Road (point C on the plan) and runs for approximately 302 metres in a generally east south easterly direction to its connection with Byway MR200 (point D on the plan). The new length of Restricted Byway MR221A commences

at a new connection with South Ash Road, approximately 57 metres south of its existing connection (point X on the plan) and runs for approximately 451 metres in a generally north easterly through east north easterly direction to a new connection with Byway MR200 (point E on the Plan).

- 1.4.4 The new length of path will have a width of 4.0 metres and will have a geotextile base to ensure that there is no risk of the surfacing works moving under use. Then approximately 100mm of sub base with 35mm of fines will complete the surfacing. In addition to this a number of soak aways will be installed along the route to ensure that it drains adequately in inclement weather. It is proposed to install a Kent Carriage Gap at the southern end of the route (point X on the plan).
- 1.4.5 Concerns were raised regarding the proposed planting along the eastern edge of the path, with some consultees requesting that the planting is set back 2.5 metres from the edge of the path and that there are gaps in the planting so as to allow views from the path. It was also suggested that the practice facility could be realigned. In response to this, the vegetation planting across the site is subject to an imposed condition as part of the planning permission granted for the practice facility and the 9 hole golf course. It is not possible to realign the practice facility as this would require a whole new planning application which would be an expensive process. However, the screening along the proposed route E-C-X will be in clusters and will therefore allow light into the route whilst also providing views out, which in effect will stop the route from becoming a tree lined tunnel. In terms of the location of the planting, ordinarily where a route is to be bounded on either side, the County Council would ask for an additional 0.5 metres to allow for vegetation overgrowth. A 2.5 metre gap between the route and the vegetation is deemed to be excessive and would encroach too far into the practice facility. However, as a compromise the applicants are prepared to set the vegetation back 1.0 metre from the defined width which will be more than sufficient to allow for growth.
- 1.4.6 Concerns were raised in relation to the additional walking/riding, which would be necessary if the diversion were successful, to reach Byway MR200 and Footpaths MR221 and MR199. These comments were taken on board and after in-depth discussions it is proposed that the County Council takes concurrent actions, to create by way of a Public Path Creation Order under the Highways Act 1980, a new length of public footpath between the points A-B and a new length of bridleway between the points X-F-G. The new length of footpath will benefit walkers wishing to head south, to connect with the newly created bridleway, on the eastern side of South Ash Road and the new length of bridleway will improve the network substantially and in conjunction with MR221A and MR200 provide a circular route for pedestrians and equestrians. This will also result in less road walking thereby benefitting users.
- 1.4.7 Overall, it is considered that there will not be a negative effect on the local public rights of way network as a result of the diversion.

1.4.8 An assessment under the Equality Act 2010 has been undertaken and there will be no adverse impact on the use of the affected path as a result of the diversion.

1.4.9 Kent County Council is satisfied that the legal tests are met in all respects in that the Borough Council has granted planning consent under Part III of the Town and Country Planning Act 1990 for the development of the site, and that Restricted Byway MR221A would be adversely affected by such development.

1.5 Financial and Value for Money Considerations

1.5.1 The costs incurred by the Kent County Council will be recovered from the London Golf Club and there will be no cost to the Borough Council.

1.6 Risk Assessment

1.6.1 The proposed diversion is considered to be necessary to allow the development proposal to be implemented and to pose acceptable changes that will improve the public rights of way network in this location.

1.7 Equality Impact Assessment

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

1.8 Recommendations

1.8.1 Members are asked to **RECOMMEND** to Council that approval be given to :

1) the making of an Order under section 257 of the Town and Country Planning Act 1990 to divert Restricted Byway MR221A at Stansted (as shown at Appendix A to this report) in order to enable the proposed development to be carried out;

2) the confirmation of the Order, if unopposed; or

3) referral of the Order to the Secretary of State for Communities and Local Government for determination if any objections are sustained.

Background papers: Correspondence file TM-H1-2

contact: Cliff Cochrane

Nil

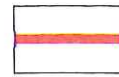
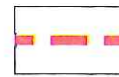
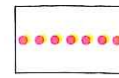
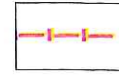

Adrian Stanfield

Director of Central Services

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?	N/A	N/A
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	N/A	N/A
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

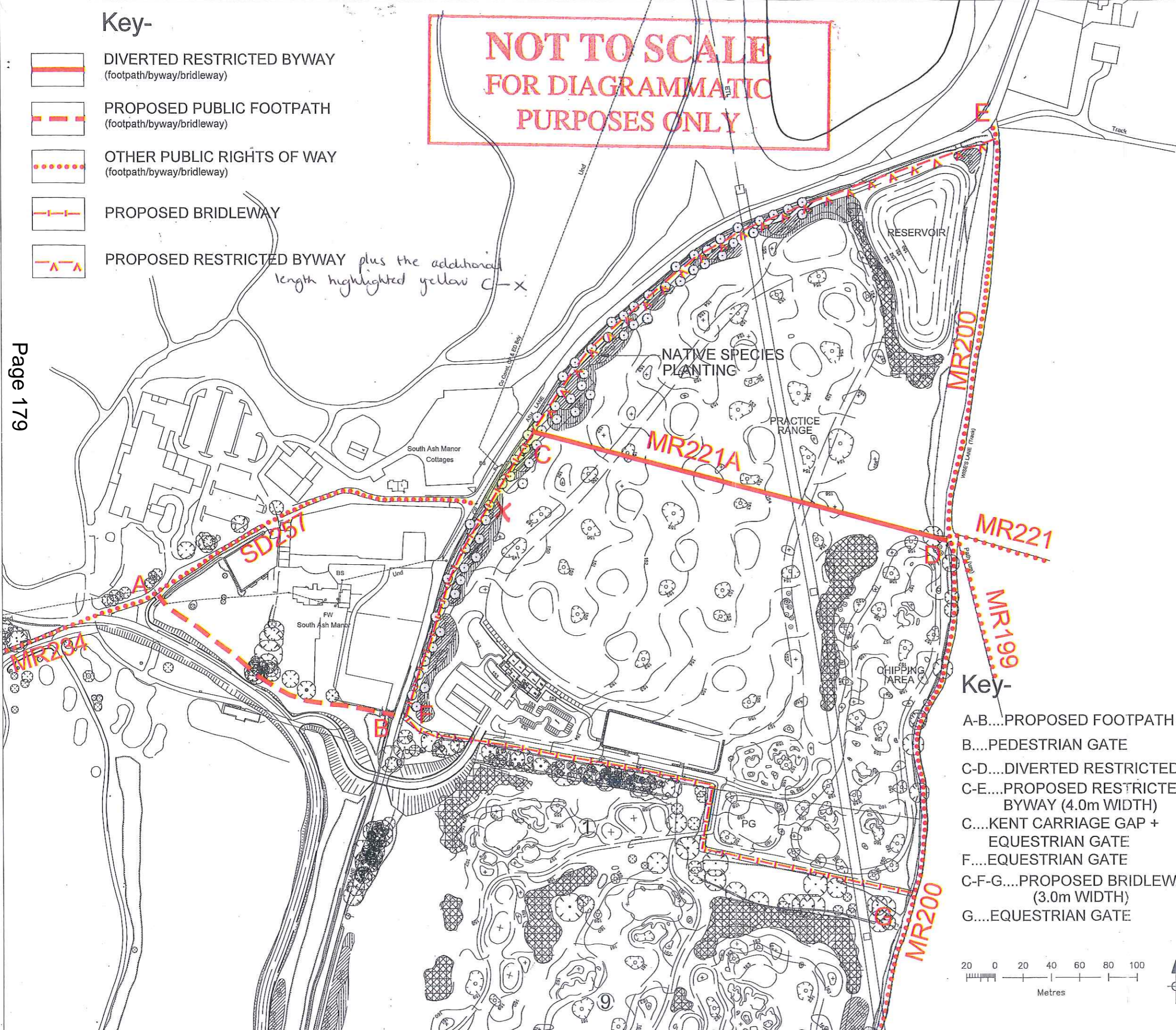
In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.

Key-

-  DIVERTED RESTRICTED BYWAY (footpath/byway/bridleway)
-  PROPOSED PUBLIC FOOTPATH (footpath/byway/bridleway)
-  OTHER PUBLIC RIGHTS OF WAY (footpath/byway/bridleway)
-  PROPOSED BRIDLEWAY
-  PROPOSED RESTRICTED BYWAY plus the additional length highlighted yellow C-X

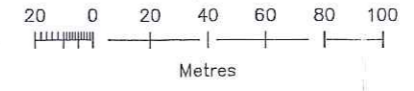
**NOT TO SCALE
FOR DIAGRAMMATIC
PURPOSES ONLY**

Page 179



Key-

- A-B....PROPOSED FOOTPATH (2.5m WIDTH)
- B....PEDESTRIAN GATE
- C-D....DIVERTED RESTRICTED BYWAY
- C-E....PROPOSED RESTRICTED BYWAY (4.0m WIDTH)
- C....KENT CARRIAGE GAP + EQUESTRIAN GATE
- F....EQUESTRIAN GATE
- C-F-G....PROPOSED BRIDLEWAY (3.0m WIDTH)
- G....EQUESTRIAN GATE



rev	reason	date
client LONDON GOLF CLUB		
project LAND TO EAST AND WEST OF SOUTH ASH ROAD, SEVENOAKS, KENT		
title PLAN OF PROPOSED DIVERSIONS OF PUBLIC RIGHTS OF WAY		
drwg DHA/9405/01	rev 1:1250	date OCT 2013
		
<small>Eclipse House, Eclipse Park, Sittingbourne Road Maldstone, Kent, ME14 3EN t: 01622 776226 e: info@dhaplanning.co.uk</small>		
<small>t: 01622 776227 w: www.dhaplanning.co.uk</small>		
<small>No reproduction by any method of any part of this document is permitted without the consent of the copyright holders. Produced for Town and Country planning purposes only. O.S. Licence Number: AL54535X</small>		
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TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

15 July 2014

Report of the Monitoring Officer

Part 1- Public

Matters For Decision

1 CHANGES TO CONSTITUTION

Summary

This report deals with changes to the Constitution to reflect changes in working practises

1.1 Contract Procedure Rules

- 1.1.1 The Contract Procedure Rules are contained in part 4 of the Constitution and govern the procedures and working practises which must be followed by officers when letting Council contracts.
- 1.1.2 Contract Procedure Rule 2.3 currently sets out the circumstances in which the Council is not required to follow the rules concerning purchases. The exception in rule 2.3.2 covers “contracts relating solely to the purchase or sale of interest in land”. There is currently a gap in the rules relating to the sale of assets such as old or obsolete items of equipment or commodities which have been collected by the Council under its duties relating to waste which it may be possible to sell for recycling. The Council is required to obtain best value for such items or commodities but there is no requirement to follow any specific procedure.
- 1.1.3 The EU procurement rules do not apply to sales of goods or commodities. Often there is a limited market for such commodities and therefore it is not appropriate to apply all of the detailed purchasing rules for the sale of such items.
- 1.1.4 It is suggested that where the sale will result in income or a capital receipt in excess of the current EU service/supply threshold that before the contract is entered into members should endorse the action taken by officers. This reflects the approach to other contracts within the rules where the EU service/supply threshold is used for the value of works contracts for which members should be involved in the decision making process.
- 1.1.5 This will result in two minor changes to the current rules. The first of these will be a new rule 12.6: “All contracts for the sale of equipment goods or recycled commodities which are valued over their life at in excess of the current EU service/supply tendering threshold set out in rule 7.4 shall be subject to

endorsement by members of the procurement process undertaken and the award decision before the contract is entered into". In addition a new exception from the procurement rules will be set out in rule 2.3.5 making it clear that the purchasing rules do not apply to such contracts other than rule 12.6 provided that best value is obtained on such sales. This exception will read "Subject to rule 12.6 contracts for the sale of equipment goods or recycled commodities provided that best value is obtained."

- 1.1.6 The preferred method for inviting tenders within the Council is in electronic form. To this end, an arrangement has been established with Dartford Borough Council ("DBC") for that authority to administer the tender process using their Pro Contract software solution on TMBC's behalf. DBC charge a negotiable fee for this work to cover their costs. The service has been working well but requires a minor amendment to the procedures for the submission and opening of tenders in rule 11.3 as the tenders are not stored in a secure mailbox but rather on the South East Centre of Excellence ("SECE") business portal which hosts the DBC system which the Council is utilising. This is a secure portal which requires password protected access to be given to open the tenders and provides a full audit trail of who has had access to the authority's contracts.

1.2 Delegation to Monitoring Officer to amend constitution

- 1.2.1 Part 7 of the Constitution sets out the Management Structure for the Borough Council, and details the operational areas of responsibility of the Chief Executive and each of the four Directors.
- 1.2.2 From time to time the Management Team agrees that it is necessary to amend these specific areas of responsibility in order to ensure that services can be delivered efficiently and effectively. By way of example, the Community Safety Unit (CSU) currently falls within the responsibility of the Chief Executive. However, given the clear synergies between the CSU and Licensing (which falls within the responsibility of the Director of Central Services) it was agreed by Management Team that the delivery of this service would be improved by transferring line management responsibility to Anthony Garnett, who now assumes the role of Licensing and Community Safety Manager. As a consequence, responsibility for the CSU will now move to the Director of Central Services.
- 1.2.3 In order to allow for this desired flexibility, it is recommended that delegated authority be granted to the Monitoring Officer to make any necessary amendments to the Constitution consequential upon changes to operational arrangements, without report to Council or Cabinet.

1.3 Legal Implications

- 1.3.1 Article 15 in part 2 of the Constitution sets out the procedure for review and revision of the Constitution. Save where the changes give effect to any decision of the Council, Cabinet or a Committee (in respect of which delegated authority has been granted to the Monitoring Officer), changes to the Constitution may only

be approved by full Council after consideration of a report on the proposal from the Council's Monitoring Officer.

1.4 Financial and Value for Money Considerations

1.4.1 None.

1.5 Risk Assessment

1.5.1 If the changes are not made to the Constitution then the current practise will be out of line with the rules.

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 None

1.8 Recommendations

1.8.1 The Monitoring Officer be authorised to amend the Constitution to give effect to the changes outlined in the above report.

Background papers:

contact: Lynn Francis

Nil

Adrian Stanfield
Monitoring Officer

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 decision will enforce the public sector equality duty in relation to purchasing.

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?	Yes	The public sector equality duty will be implemented in purchasing procedures as appropriate.
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 & MALLING BOROUGH COUNCIL

COUNCIL

15 July 2014

Report of the Chief Executive

Part 1- Public

Matters For Information

1 URGENCY PROVISIONS

The constitution requires a report to be submitted to Council whenever the urgency provisions under Budget and Policy Framework Procedure Rule 4 and Overview and Scrutiny Procedure Rule 15(i) are invoked. This report outlines where these provisions have been invoked in respect of land charges property searches litigation.

1.1 Background

1.1.1 At the meeting of the Cabinet on 25 June 2014 consideration was given to a recommendation for approval of proposed terms of settlement with claimants in ongoing litigation involving the Borough Council in connection with fees for local land charge searches. The deadline for approval of the settlement terms was 1 July 2014.

1.1.2 Since the decision would not be within the Council's budget framework and would normally be determined by the full Council, it was decided to invoke the urgency provisions under Budget and Policy Framework Procedure Rule 4 so that the Cabinet could take the decision as any delay would prejudice the chances of settlement. It was also necessary to set aside the normal call-in procedure as permitted by Overview and Scrutiny Procedure Rule 15(i). This provides that the call-in procedure shall not apply where the delay would seriously prejudice the Council's or the public's interest.

1.1.3 In order that the decision to approve the recommended terms of settlement could be taken by the Cabinet and implemented immediately it was resolved, with the concurrence of the Chairman of the Overview and Scrutiny Committee and Group Leaders as appropriate, that the urgency provisions within Rule 4 of the Budget and Policy Framework Rules and Overview and Scrutiny Procedure Rule 15(i) be invoked (Decision No D140086CAB).

1.2 Legal Implications

- 1.2.1 Under the Council's Constitution Budget and Policy Framework Procedure Rule 4 provides that when urgent decisions outside the budget or policy framework are taken, a report explaining the decision and the reason for urgency shall be submitted to the next appropriate meeting of the Council. Likewise, Overview and Scrutiny Procedure Rule 15(i) provides that executive decisions taken as a matter of urgency must be reported to the next appropriate meeting of the Council together with the reasons for urgency.

1.3 Financial and Value for Money Considerations

- 1.3.1 As set out in the report of the Director of Central Services and Monitoring Officer (contains exempt information).

1.4 Risk Assessment

- 1.4.1 As set out in the report of the Director of Central Services and Monitoring Officer (contains exempt information).

Background papers:

contact: Claire Fox

Nil

Julie Beilby
Chief Executive