

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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

Contact: Committee Services
committee.services@tmbc.gov.uk

27 October 2017

To: MEMBERS OF THE STREET SCENE AND ENVIRONMENT SERVICES
ADVISORY BOARD

(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Street Scene and Environment Services Advisory Board to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Monday, 6th November, 2017 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

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

MEMBERSHIP

Cllr M O Davis (Chairman)
Cllr D Keeley (Vice-Chairman)

Cllr Mrs J A Anderson
Cllr O C Baldock
Cllr M A C Balfour
Cllr Mrs T Dean
Cllr S M Hammond
Cllr D Keers
Cllr D Markham

Cllr L J O'Toole
Cllr S C Perry
Cllr M R Rhodes
Cllr T B Shaw
Cllr Ms S V Spence
Cllr Miss G E Thomas
Cllr T C Walker

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Apologies for absence

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

STREET SCENE AND ENVIRONMENT SERVICES ADVISORY BOARD

Monday, 9th October, 2017

Present: Cllr M O Davis (Chairman), Cllr D Keeley (Vice-Chairman), Cllr Mrs J A Anderson, Cllr O C Baldock, Cllr M A C Balfour, Cllr S M Hammond, Cllr D Keers, Cllr L J O'Toole, Cllr S C Perry, Cllr M R Rhodes, Cllr Miss G E Thomas and Cllr T C Walker

Councillors Mrs P A Bates, R P Betts, P F Bolt, M A Coffin, D J Cure, N J Heslop, Mrs F A Kemp, R D Lancaster, D Lettington, M Parry-Waller, R V Roud and A K Sullivan were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor T B Shaw

PART 1 - PUBLIC

SSE 17/9 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct. However, in the interests of transparency, Councillor M Balfour indicated that he was the Cabinet Member for Planning, Highways, Transport and Waste at Kent County Council.

SSE 17/10 MINUTES

RESOLVED: That the notes of the meeting of the Street Scene and Environment Services Advisory Board held on 20 June 2017 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

SSE 17/11 WASTE SERVICES CONTRACT RETENDER

Further to Minute SSE 17/3 of the meeting of the Board held on 20 June 2017 the report of the Director of Street Scene, Leisure and Technical Services provided an update on the retendering of the Waste Services Contract on a partnership basis with Dartford and Tunbridge Wells Borough Councils and Kent County Council. Particular reference was made to Procurement Process and Project Timetable, the Nominal Optimal Method (NOM) of collection, Container Standardisation, Recycling Bring Sites, Cleansing of High Speed Roads, the provisions to make a Collection Charge for Charity, Places of Worship and Parish Councils, the mobilisation and implementation of the new service and the importance of Marketing and Communications with residents and contractors to ensure understanding and the smooth introduction of the service. Members thanked the Officer team for the comprehensive

report, sought clarification on a number of issues and acknowledged the potential for improving the service provided, increasing performance and achieving savings.

RECOMMENDED: That Cabinet be commended to agree that



- (1) the way forward with regard to the Waste Services Contract specification and service levels outlined in the report be agreed;
- (2) a further report on the Inter Authority Agreement, cost analysis and financial arrangements be reported to the November meeting of the Advisory Board;
- (3) the evaluation criteria for the award of the contract be considered at the November 2017 meeting of the Advisory Board;
- (4) a detailed marketing and communications plan be reported to a future meeting of the Advisory Board; and
- (5) opportunities for joint client management across the West Kent Partners be explored.

***Referred to Cabinet**

SSE 17/12 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.00 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

06 November 2017

Report of the Directors of Street Scene, Leisure & Technical Services, Finance & Transformation and Central Services

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 WASTE SERVICES CONTRACT RETENDER

Summary

The current waste services contract for refuse, recycling & street cleansing is due to end in February 2019 and is being retendered on a partnership basis with Dartford & Tunbridge Wells Borough Council's and Kent County Council.

This report focusses on the proposed Inter Authority Agreement and financial disaggregation arrangements between the partners, and the evaluation criteria for the award of the contract.

1.1 Background

1.1.1 Further to previous reports to this Board, Members will be aware that the Council's Waste Services Contract is due to expire in February 2019 and that Officers are currently working with West Kent colleagues, as well as Kent County Council, to work in partnership on the future delivery of these services. The value of this Council's existing contract for refuse, recycling and street cleansing services is around £3.8m per annum, and provides a refuse and recycling collection service to over 52,000 households and a street cleansing service across the whole Borough.

1.1.2 At the June 2017 meeting of this Board, Officers provided an overview of the tendering process and outlined the proposed recycling & refuse collection arrangements for an enhanced service, known as the "NOM" (Nominal Optimal Method), which include:

- Weekly Food Waste Collection;
- Fortnightly Collection of Residual Waste;
- Alternate Fortnightly Collection of Mixed Dry Recyclate (plastics, metals, cartons and glass) in a wheeled bin with a separate container for paper and card; and

- In addition, the separate fortnightly collection of garden waste (as an “opt in” charged service).

1.1.3 The retendering of the waste services contract together with West Kent partners presents a real opportunity to review current arrangements, with an overall aim of providing:

- service improvements and efficiencies;
- greater consistency across partner authorities;
- increased recycling performance; and
- financial savings.

1.1.4 At the last meeting of this Board Members considered and agreed key policy and service levels relating to the specification for the new contract. This included a range of issues including contract length, design and size of containers, bring sites, street cleansing, high speed roads, green waste collection charges and mobilisation/implementation. In addition to agreeing the service levels Members also agreed that the Inter Authority Agreement, financial arrangements and evaluation criteria for the award of the contract be considered at this meeting.

1.2 Inter Authority Agreement (IAA)

1.2.1 The IAA is a legally binding agreement between this Council as the Waste Collection Authority and Kent County Council (KCC) as the Waste Disposal Authority. The aim of the IAA is to encourage increased levels of recycling by providing this Council with an incentive to maximise kerbside recycling, directly reducing the waste disposal costs for KCC. Where higher levels of recycling are achieved, KCC’s disposal costs are reduced. Accepting that a more comprehensive kerbside collection arrangement will be more expensive for this Council, it is essential that any IAA mutually benefits both authorities.

1.2.2 The IAA will replace all existing arrangements in relation to all payments made by KCC to this Council.

1.2.3 Following recent approval by KCC’s Cabinet Committee a summary of the core principles of the IAA are:-

- both KCC and TMBC will commit themselves to the most economically advantageous and closest coordination reasonably possible of waste services in Tonbridge and Malling.
- TMBC will introduce, provide and maintain the Nominal Optimal Method of collection across its administrative area, reaching the maximum number of households.

- TMBC will deliver waste streams in accordance with the NOM to transfer points and facilities specified by KCC.
- KCC will retain responsibility for the haulage and disposal of all materials.
- TMBC will purchase necessary containers to facilitate the new collection arrangements.
- the IAA shall commence on the commencement date of the new collection contract and will be in force until the expiry of the contract..

The IAA sets out in detail the financial obligations of each partner, which is outlined below in sub-section 1.3. In overview, the Council will receive a recycling support payment from KCC based on its recycling performance, and will retain all income achieved through the levy of a green waste charge. This performance based approach to the sharing of savings achieved is supported by Officers and will provide a real incentive to improve rates of recycling across the borough.

A final draft of the IAA will be produced in advance of the award of the contract and will be presented to this Board for formal approval.

1.3 Financial Arrangements

Waste Disposal Costs

- 1.3.1 Currently, the total waste collected from households in Tonbridge and Malling is around 48,000 tonnes and the associated waste disposal cost to KCC is in the order of £4.2m.
- 1.3.2 With the Nominal Optimal Method of collection the waste disposal cost will reduce. Dependent on take up of the opt-in garden waste collection service and based on anticipated tonnages, our consultants (WCL) estimate that waste disposal costs could reduce by circa £984,000. This figure is indicative and will be dependent on a range of factors including the final contract sum.
- 1.3.3 Under the proposed IAA, this Council will receive a Recycling Support Payment (RSP) equal to 50% of the saving achieved compared to the baseline waste disposal cost (where a saving is not achieved in any one year the RSP is zero and any increase in cost is recovered first from future year's savings).
- 1.3.4 Based on the above this would result in a RSP to this Council of £492,000. The RSP will replace recycling credits and other payments currently paid by KCC (excluding the contribution to the Saturday bulky household collection service) in the sum of £435,000. In addition, under the proposed arrangements this Council will not receive the income from recycled materials currently totalling around £109,000.

Green Waste Charges

- 1.3.5 It is proposed that a chargeable opt-in garden waste collection service be introduced. For illustration the table below gives projected income levels based on a take up rate of 30% and 40% and a charge of £35, £40 and £45. The projected take up rates are based on the performance of other local authorities, with the national average for a charge being iro. £42 p.a. All income achieved from a green waste charge will accrue to this Council.

		Price (£)		
		35	40	45
Take up (%)	30	500,360	571,840	643,320
	40	667,135	762,440	857,745

- 1.3.6 The table above shows the projected income levels range between £500,000 and £858,000 for the various take up rates and level of charge levied. Clearly, there is a balance between the charge set and the subsequent level of take up.

Recycling Bring Sites

- 1.3.7 With the Nominal Optimal Method of collection a wider array of materials will be collected at kerbside. This provides the opportunity to review the number and location of bring sites across the borough. At the last meeting of this Board it was agreed that a number of strategically located bring sites would be retained. If the number of sites were reduced to strategic sites a saving of £73,000 is estimated.

Capital Investment

- 1.3.8 The Nominal Optimal Method of collection will require capital investment on the part of this Council by way of an internal and external food caddy at a cost of circa £300,000. In addition, the purchase of garden waste bins at a cost of circa £400,000 based on a take up rate of 30%.
- 1.3.9 The current annual capital budget provision for new and replacement bins will need to increase on introduction of the arrangements. The required increase in budget provision is estimated to be £25,000. This increase will in part be offset by no longer having to make capital renewals provision for the replacement of the two recycling vehicles owned jointly by this Council and Tunbridge Wells Borough Council.

1.4 Contract Evaluation

- 1.4.1 It is proposed that the evaluation of the tenders will be based upon the most economically advantageous tender known as “MEAT”. This will be assessed on

the basis of the best price-quality ratio with the following weighting: 50% Cost/ 40% Quality with the final 10% awarded for the Interview with the contractor taking into account Added Value which may include environmental and/or social aspects over and above the base specification which are linked to the subject- matter of the service contract. The components which make up the quality score are still being considered by our partners and advice will be sought from Dartford Borough Council procurement team on their inclusion.

- 1.4.2 Members have previously approved the use of the Open Procurement Process. This allows all who wish to do so to submit a tender. In order to manage the evaluation of the tenders more efficiently the process will include a series of threshold criteria which are pass/fail questions so that if these are not met by the tenderers their tender will not be assessed further. These will comprise the mandatory and discretionary exclusions grounds in the government's standard selection questionnaire, a suitable threshold for financial standing, technical and professional ability (based on references and details of previous contracts), compliance with the Modern Slavery Act, a requirement to have or obtain adequate insurances, and such other criteria as are agreed with our partners.
- 1.4.3 The specific areas to be examined in assessing the qualitative aspects of the tenders are still being discussed with our partners but are likely to include the contractor's organisational detail, key personnel and contract execution. The contract execution will include the analysis of a range of method statements produced by the tenderers, including standards of service, customer care, health & safety, compliance with legislation, staff training, communications and continuous improvements.

1.5 Contract Lots and Variant Bids

- 1.5.1 The Public Contract Regulations 2015 require that the Contracting Authorities should consider whether it is possible to split the Contract into Lots with the aim of encouraging smaller contracts for the Small and Medium Enterprises to be able to bid for. The West Kent Partners are of the view that the best service delivery and savings will be achieved by having a single contract with no lots due to our preference for the Nominal Optimal Method.
- 1.5.2 A variant bid allows a contractor to submit their own different solution based on minimum specification being achieved. While variant bids can be useful in "testing" alternative options provided by contractors, they can also make the evaluation process more complicated (with increased risk of challenge). On balance, following feedback during the pre-tender Contractor Engagement sessions, the West Kent Partners concluded that variant bids would not be allowed.

1.6 Legal Implications

- 1.6.1 The Council has a legal duty to provide waste and street cleansing services. Due to the contractual and partnership aspects of this project regular and timely legal

services guidance is essential in taking this forward. The Procurement will be carried out in accordance with all current legislation, including the Public Contract Regulations 2015.

- 1.6.2 A number of legal considerations have been highlighted, are captured on the project timetable and are being led by Tunbridge Wells Borough Council. This includes specific involvement with the Inter Authority Agreement, the Conditions of Contract and the procurement process. Our own Legal Services Officers are represented at TMBC's Officer Project Group and are also included in the WKWPG legal services sub group.
- 1.6.3 The IAA will be entered into with KCC under the powers contained in Part II of the Environment Protection Act 1990, S111 of the Local Government Act 1972, S2 of the Local Government Act 2000 and S1 of the Localism Act 2011.

1.7 Financial and Value for Money Considerations

- 1.7.1 Some of the financial considerations to be taken into account in the retender of the waste services contract are set out at paragraph 1.3. A critical component of course is the contract sum. To all intents and purposes this should be more than the current contract payment and the extent of the increase will only be known when the tenders are opened and evaluated.
- 1.7.2 Members will recall that a number of provisional price options will also be included within the contract tender. These items (including the provision of high speed road cleansing and Saturday bulky waste services) will be reported to Members for consideration following tender submissions.
- 1.7.3 A statement summarising the potential range of revenue implications detailed at paragraph 1.3. is shown at **Annex 1**. **It is important, however, to recognise that the indicative figures provided are based on numerous assumptions not least in respect of the change in pattern of waste disposal, take up of the garden waste collection service and associated charge. Of equal importance is the fact that the potential revenue implications do not reflect any expected increase in the contract sum.** Therefore, any increase in the contract sum as outlined above would need to be deducted from the estimated savings.
- 1.7.4 Without the formal tender prices and experience 'on the ground' following implementation of the new arrangements, at this point it is not possible to predict the overall net savings that might be achieved, and it is therefore very important to stress that figures set out are indicative only. Nevertheless, it is apparent that the financial analysis supports the expectation that the retender of the waste services contract will make a significant contribution to the contract savings target reflected in the Savings and Transformation Strategy.

1.8 Risk Assessment

- 1.8.1 The Council has a duty to provide waste and street cleansing services within the borough. The value, the type of work and the high profile nature of the service give rise to a number of potential risks (financial, health & safety and reputational risks). In addition, there are further potential risks associated with delivering a joint contract in partnership with other authorities.
- 1.8.2 The WKWPG has recognised the need to assess risks and has already drafted a risk management register for the overall delivery of the project. It is envisaged that the key elements will be regularly monitored and reviewed to ensure that the project stays on track.
- 1.8.3 In addition, our Internal Audit Team (also represented in the TMBC Officer Project Group) has highlighted the Waste Services Contract Retender as a key area for focus.
- 1.8.4 There is a potential risk that at the end of the contract period the IAA is not renewed and the Recycling Support Payment (RSP) no longer received. However, this is thought to be unlikely, as the Waste Disposal Authority has a vested interest in achieving the level of performance anticipated by the NOM collection method. If the RSP was withdrawn making the collection method no longer affordable to the Waste Collection Authority, this would jeopardise the joint savings being generated by working in partnership.
- 1.8.5 There is a potential risk that one or more of our Partners may withdraw from the process which will reduce the potential savings which can be achieved by the remaining Partners. This risk is reduced by the Waste Disposal Authority having separate IAAs with each of the Waste Collection Authorities so that any one or more authorities still has the potential to achieve savings through an RSP payment.
- 1.8.6 As set out in paragraph 1.8 above, the financial data included in this report is indicative only.

1.9 Equality Impact Assessment

- 1.9.1 Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010; (ii) advance equality of opportunity between people from different groups; and (iii) foster good relations between people from different groups.
- 1.9.2 There are a number of individual specification and service elements associated with a contract of this size which will deal with protected characteristics under the Equality Act to ensure that the Service adequately affects those person who are affected e.g. a pull out service for those who require assistance such as disabled

residents or those who are frail and elderly etc. Although it is not envisaged that any particular group will be disadvantaged by this contract, the need to carry out a detailed Equality Impact Assessment has been noted by the WKWPG and will be included within the formal contract documents.

1.10 Policy Considerations

1.10.1 Communications

1.10.2 Community

1.10.3 Customer Contact

1.10.4 Procurement

1.11 Recommendations

1.11.1 It is **RECOMMENDED** to Cabinet that:

- i) the core principles for the Inter Authority Agreement between this Council and KCC as outlined in the report be agreed;
- ii) a final draft Inter Authority Agreement be reported to a future meeting of this Board for approval;
- iii) the financial arrangements relating to the new contract as outlined in the report and associated financial implications be noted;
- iv) the approach to the evaluation of the contract tenders as outlined in the report be agreed and incorporated within the tender documentation.

Background papers:

contact: Dennis Gardner

Nil

Robert Styles
Director of Street Scene, Leisure
and Technical Services

Sharon Shelton
Director of Finance and
Transformation

Adrian Stanfield
Director of Central Services and
Monitoring Officer

INDICATIVE FINANCIAL MODELLING

	£35 pa garden waste charge		£40 pa garden waste charge		£45 pa garden waste charge	
	30%	40%	30%	40%	30%	40%
Opt-in Garden Waste Collection Service - Take up	14,296	19,061	14,296	19,061	14,296	19,061
Opt-in Garden Waste Collection Service - Number of Customers						
	£	£	£	£	£	£
Recycling Support Payment	(498,690)	(492,422)	(498,690)	(492,422)	(498,690)	(492,422)
Current Recycling credits and other payments	434,900	434,900	434,900	434,900	434,900	434,900
Current Recycling income	108,700	108,700	108,700	108,700	108,700	108,700
COST/SAVING FROM NOM	44,910	51,178	44,910	51,178	44,910	51,178
New and replacement bins	25,000	25,000	25,000	25,000	25,000	25,000
Garden Waste Charges	(500,360)	(667,135)	(571,840)	(762,440)	(643,320)	(857,745)
SUB TOTAL	(430,450)	(590,957)	(501,930)	(686,262)	(573,410)	(781,567)
Review of Bring Sites	(73,000)	(73,000)	(73,000)	(73,000)	(73,000)	(73,000)
NET SAVING (but see notes below)	(503,450)	(663,957)	(574,930)	(759,262)	(646,410)	(854,567)

NOTES:

These indicative figures do not reflect any expected increase in the contract sum. Figures will need to be reviewed once tenders are received.

The figures provided are based on numerous assumptions not least in respect of the change in pattern of waste disposal, take up of the garden waste collection service and associated charge.

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

06 November 2017

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

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 REVIEW OF CAR PARKING FEES AND CHARGES

Summary

This report brings forward recommendations for car parking fees and charges for implementation from 1st April 2018.

1.1 Introduction

Fees and charges for parking in the Borough are regularly reviewed in the context of current and planned service improvements and the operational management of the parking service.

In bringing forward the proposals in this report, consideration has been given to the set of guiding principles for the setting of fees and charges established by the Council. The guiding principles can be summarised as follows:

- Fees and charges should have due regard to the Council's Medium Term Financial Strategy and should reflect the Council's key priorities.
- If there is to be a subsidy from the Council tax payer to the service user this should be a conscious choice.
- The Council should look to maximise income subject to market conditions, opportunities and comparable charges elsewhere, in the context of its key priorities and other corporate aims and priorities.
- Fees and charges should be reviewed at least annually (unless fixed by statute or some other body).
- Fees and charges should not be used to provide a subsidy from the Council tax payer to commercial operators.
- There should be consistency between charges for similar services.

In addition to the above, consideration also needs to be given to a number of specific principles relating to the provision of a successful car parking service. In summary the Council should:-

- Seek to optimise the availability of parking.

- Manage assets in a fair, commercial and efficient manner.
- Implement an appropriate charging regime taking into account the cost of the parking service
- Balance the management of the car parks to meet the needs of all users
- Have in place suitable inspection and maintenance regimes to ensure it provides safe and well maintained opportunities for the public to park their vehicles.

This report considers current and future fees and charges for parking, and following careful consideration of the aforementioned principles, brings forward a number of proposals. In summary the proposals are as follows:

- Short stay parking charges in Tonbridge to increase by 10p per hour including a 10p increase to the 30 min tariff. Introduction of short stay parking charges in the Castle grounds car park on weekdays.
- Residential preferential parking permits be retained at £40 across the whole Borough with new applicants continuing to receive 10 visitor permits free of charge. Free of charge visitor permits to existing holders renewing their permits to be discontinued.
- Visitor permits be retained at £12 for 10 permits.
- Country parks – an increase from £1 to £1.20 for the first 4 hours, and the retention of season tickets for regular users.
- Long stay parking in Tonbridge to increase by 10p per hour, capped to a maximum of £5.90.
- Blue Bell Hill car park – revised charges to reflect the quality and convenience of facilities provided and the cost of the provision to the Council.
- West Malling – an increase in short stay parking charges by 10p per hour including a 10p increase to the 30p minimum tariff. An introduction of a 4 hour tariff in the short stay car park. An increase in Season ticket charges in Ryarsh Lane to reflect the quality and convenience of facilities provided and the cost of the provision to the Council.
- Borough Green – charges in the Western Road car park to increase by 10p.
- On-street permit and pay & display parking in designated areas of North Tonbridge to be investigated.
- Evening and Sunday charging – to continue to be free of charge.
- Peak and Off-Peak Season tickets – increases to reflect market conditions/demand.

- Business permits/dispensations for on-street – increases applied with the exception of permits for carers.

It is important for Members to note that the annual review of car parking charges in 2016 did not recommend any increases or other changes. **Consequently there has been no increase in any parking charges in the Borough for the last 2 years.**

1.2 Investment in the Parking Service

1.2.1 The review seeks to achieve a balance between proactively managing parking on behalf of residents and businesses and an appropriate charging regime taking into account the cost of the parking service. Many items contribute to this cost, such as maintenance of the car parks, enforcement, business rates, lighting, security measures, renewal of signs and lines and a considerable investment in the Parking Action Plan to improve the management and convenience of parking throughout the Borough. Members will also note that car parking charges paid by users are subject to VAT. It is also true to say that many of the Council's car parks are potentially valuable land assets were they not to be given over for parking purposes, representing an 'opportunity cost' to the Council.

1.2.2 Over the period since the previous major review report to the Planning & Transportation Advisory Board in January 2016, the Council has implemented a significant number of parking management initiatives. In the context of this review of fees and charges, it is worth setting these out so that Members as well as local residents and businesses can understand the totality of the parking service beyond the purely financial considerations and obtain a better perspective on the positive impacts that the parking service has on local parking conditions.

- Approximately £60,000 has been invested since April 2016 on a range of on- street parking measures across the Borough.
- Improvement works to the value of £100,000 have been carried out at a number of car parks including the refurbishment of the retaining wall and railings in the Upper Castle Field Car Park, drainage improvements to Wateringbury car park.
- The Council's Capital Plan includes a provision for renewal of equipment in car parks. Earlier this year the Council replaced all the ticket machines to bring them up to an appropriate standard and to be capable of accepting the new £1 coinage. The cost of the new machines was £115,000.
- The improvement work is underpinned by a continuing and consistent programme of maintenance work to keep the car parks safe and convenient for our customers. This programme also includes work on-street to keep all the signs and lines in the

Borough clear and legible to support the enforcement work of the Civil Enforcement Officers (CEO).

Annual provision for this programme of maintenance work is £100,000.

Business Rates are around £260,000 each year and to round off this section on maintenance and safety, CCTV provision amounts to £200,000 each year to keep the car parks safe and secure.

- The enforcement service, including the CEOs has seen a growth in resource with 10 full time CEO's now in employment. This coupled with a change to the shift patterns has resulted in a more effective deployment of the CEOs. In real terms staff are patrolling until 8pm at locations across the whole Borough and income from Penalty Charge Notices has increased as a result. The CEO team are critical to promoting a well ordered parking environment in the Borough that is responsive to local needs and pressures. It is also relevant to note that as demand for parking grows and charges increase, the expectations from the public in terms of levels of enforcement grow as well.
- There is also a need to invest in IT systems to assist both in the effectiveness and responsiveness of our CEOs and the back office IT parking management systems. Mobile technology has advanced and part of the evolving role of the CEOs now includes enforcing 'pay by mobile' systems. It is vital that the handheld devices used by the CEOs are fit for purpose and are renewed and updated to enable them to be as efficient as possible and to limit any errors.
- In addition, there is also a staff cost associated with implementing Local Parking Plans and the phased programme of more ad hoc parking interactions. This is integrated with other transportation related work but the input in an average year comes to about £60,000

1.2.3 Taking all these elements together, they amount to a significant investment by the Borough Council in seeking to provide a comprehensive and integrated parking service on behalf of residents and businesses, and provide an important context for the review of parking fees and charges that follows.

1.3 Comparative Charges

1.3.1 Comparison with the parking fees and charges of other Kent districts and private sector operators should not be the main driver of what might be appropriate in this Borough, since local circumstances, such as the availability of short and long-stay parking, the convenience of the car park locations, and any "through the till" refunds offered by nearby businesses (such as Sainsburys, Waitrose and

Iceland in Tonbridge) are critical in such considerations. However, comparative charges do act as a guide and can be viewed by the public as to what might be considered the 'going rate' for parking. In addition, it is important to note that this Council does not currently charge at times that are now routinely charged for in many other districts such as charging on Sundays, public holidays and evenings. For these and other local reasons comparisons of charges outside the Borough and even within must be carefully qualified.

- 1.3.2 The scope of the review exercise covers consideration of all existing services and charges and includes an assessment of whether current circumstances justify them being maintained as they are or increased. In overview, a comparison of parking charges levied by neighbouring authorities would indicate the proposals are generally in line with others, although it is anticipated that most other Council's will be bringing forward increases in the next financial year.

1.4 Off-Street Parking in Tonbridge – Daily Short and Long Stay Charges

- 1.4.1 Detailed in Table 1 below are the current and proposed charges for daily short and long stay car parking charges in Tonbridge.

TABLE 1

Short Stay		
Period – Hours	Current Charge	Proposed Charge
30 minutes	£0.60	£0.70
1 hour	£1.20	£1.30
2 hour	£2.10	£2.30
3 hour	£2.80	£3.10
4 hour	£3.40	£3.80
Long Stay		
1 hour	£1.20	£1.30
2 hour	£2.10	£2.30
3 hour	£2.80	£3.10
6 hour	£4.10	£4.70
All day	£5.50	£5.90

- 1.4.2 The proposals represent an uplift in charges by a minimum of 10p (the lowest denomination the pay and display machines accept), and 10p per hour increase on each tariff, with the exception of the all-day tariff. Members are reminded that the current charges have remained unchanged for the last 2 years. This level of increase recognises the balance between the costs of provision and management of the Council's primary parking stock and the desire to support the economic sustainability of the town centre.

- 1.4.3 The all-day tariff is not recommended to exceed £5.90 as this is linked to the current all-day rate in the privately operated Tonbridge railway station car park.
- 1.4.4 At the present time pay & display parking in the Castle grounds is only offered on a Saturday. It is proposed that this be extended to weekdays, to utilise spare capacity in the car park not being utilised by staff. The proposal will maximise use of the car park, generate additional income and create additional parking for the public close to the high street, supporting local businesses in this area of the town. Staff will be consulted and their views sought. The proposal will require the purchase and installation of a new ticket machine at a one-off cost of £4,000.

1.5 Season Tickets, Tonbridge

- 1.5.1 The Council currently offers Season Tickets to park all-day in the Sovereign complex (Sovereign Way East, Sovereign Way North and Vale Road) and Lower Castle Fields car parks. They are available on a monthly, quarterly, half-yearly and yearly basis.
- 1.5.2 The take-up of Season Tickets is good, and we currently have 963 issued. The most popular way of paying is annually (86.4% of current season tickets), then half-yearly (9.4%), then quarterly (2.4%) and the remainder (1.8%) are monthly.
- 1.5.3 The current Season Ticket tariff provides an incentive to purchase annually, with shorter periods being weighted to reflect the additional administration required. The price of the Season Tickets take into careful consideration the charges applied at the Railway Station car park which has the advantage of being located immediately next to the Station. The current price of the Tonbridge Station season ticket is £1160.00.

TABLE 2

Season Tickets, Tonbridge		
	Current Charge	Proposed Charge
Monthly	£100	£110
Quarterly	£275	£300
Half-yearly	£500	£550
Annual	£900	£950

1.6 Off-Peak Season Ticket, Tonbridge

- 1.6.1 The Council offers an “Off-Peak Season Ticket” in Tonbridge that allows anyone to park between 4pm and 9am the next day (and all day Saturdays) for £260 per year in any of the Council’s car parks. The off peak availability of parking is of particular use to residents living in central Tonbridge. Members will note from Table 3 below that it is the intention to make an appropriate increase in the charge to £270 per year.

TABLE 3

Off Peak Season Ticket, Tonbridge		
	Current Charge	Proposed Charge
Off-peak season ticket (4pm-9am & Saturdays)	£260	£270

1.7 Off Street Parking in West Malling – Daily Short and Long Stay Charges

- 1.7.1 The current Season Ticket for the Ryarsh Lane car park is set at £150 per year. Privately managed, alternate long-stay parking is available relatively nearby at West Malling station. Although it is recognised that this is less convenient for the town, the comparative cost of the parking is shown below in Table 4.

TABLE 4

West Malling Long Stay Parking				
Parking provider	Daily Charge	Off peak Charge	Saturday Charge	Annual Charge
South-eastern (West Malling Station)	£4.70	£4.20	£2.60	£807.50 (£3.17 per day)
Kenden (West Malling Station)	£4.00	£4.00	£1.50	£640 (£2.50 per day)
Ryarsh Lane car park	Not available	Not available	Free	£150 (60p per day)

- 1.7.2 Despite an increase from £50 to £150 in May 2016, demand for permits in Ryarsh Lane continues to exceed supply and there remains a tendency for businesses to retain permits even when not always required. The relative low cost of the permits seems to make this practice worthwhile and prevents spaces to be resold to those on the waiting list. It is, therefore, suggested that the

season ticket price be increased. The proposal is to increase the cost of the season ticket to £175.

1.7.3 Members will I am sure recall that in May 2016 the Council introduced charges to the short stay car park in West Malling for the first time. The aim of the charges was twofold:-

- Firstly the charges were introduced to assist in the management of the car park. Setting charges was felt to allow more flexibility in the management of the car park, focussing on encouraging short stay and relatively quick turnover of spaces to optimise availability.
- The second aim was to generate income to address the costs of running the car park and the car parking service.

The introduction of the charges generated significant interest from the general public with a petition against the proposal considered by Members at full Council. Members of the public, the local Parish Council and traders were concerned about the potential impact on local businesses, congestion in the High street and visitors parking in surrounding residential roads where parking is free. It is felt that the introduction of the charges has met the Borough Council's original aims and the concerns of the public, local Parish Council and traders have not had the significant impact they feared.

A meeting to review the charges has taken place with the local Parish Council, representatives from businesses and the Cabinet Member for Street Scene & Environment Services which raised a number of issues. It has been agreed that the Borough Council's original proposal to include a 4 hour tariff in the short stay car park should be introduced as soon as is possible. This it is hoped will assist a number of specific traders in the High Street. It is also recognised that there is significant over demand from traders for staff parking. The local Parish Council are pursuing the identification of land to provide a new long stay car park and are in liaison with the Council's forward planning department.

The traders and local Parish Council have requested that the first hour of parking becomes free to help those people "just popping into" the town. This is not felt appropriate in operational terms and would in our view, be a major backward step with regard to parking management within the town. Members will also be aware that the parking bays in the High Street are free of charge to support the businesses. It is recognised, however, that any action to make it easier for visitors to pay would be welcome and it has been agreed to investigate the introduction of contactless card payment in the short stay car parks on a trial basis. With regard to enforcement there has been a significant increase in enforcement hours since the charges were introduced. It has also been agreed with the traders to meet to discuss priority areas for enforcement to help ensure that our resources are used most efficiently.

The Parish Council did organise a survey of local traders in the town. Of the 26 responses received the majority did indicate a loss of trade compared to before the charges were introduced. It is recognised that there is a wide range of factors that can impact on trading and Members will note that the 26 responses only represent the views of 14% of traders in the town.

- 1.7.4 The proposed parking charges for the High Street car park to operate Monday to Saturday, 8am to 6.00pm are shown in Table 5.

TABLE 5

West Malling Short Stay		
Period	Current Charge	Proposed Charge
30 minutes	£0.30	£0.40
1 hour	£0.60	£0.70
2 hours	£1.20	£1.40
3 hours	£1.80	£2.10
4 hours	£2.40	£2.80

- 1.7.5 Following liaison with Shepherd Neame, one of the freeholders of part of the car park, we have had to release 11 spaces within their ownership for the sole use of their business.

1.8 Blue Bell Hill Car Park

- 1.8.1 Blue Bell Hill car park is a commuter car park in the north of the Borough that is easily accessible and has good onward coach links towards London via the M2. The car park is 'Park Mark' accredited and as such it offers high-quality parking opportunities with a good surface, lighting and CCTV.
- 1.8.2 Parking charges apply, Monday to Saturday. The existing charges are relatively low and act as an incentive for commuters to use the car park rather than to park in nearby residential areas. However, since the establishment of the car park there has still been some on-street commuter parking in nearby residential areas, and to assist the Council has introduced on-street parking controls to deter this.
- 1.8.3 The proposed charges are shown in Table 6 below.

TABLE 6

Blue Bell Hill Car Park		
	Current Charge	Proposed charge
Daily	£2.40	£2.50
Weekly	£8.40	£10
Monthly	£32	£35
Quarterly	£85	£100
6 Monthly	£150	£180
Annual	£265	£300

1.9 Borough Green Western Road Car Park

1.9.1 The proposed charges for the Western Road car park are detailed below in Table 7 and represent a 10p increase on each tariff.

TABLE 7

Borough Green Western Road Car Park		
	Current Charge	Proposed charge
Up to 30 minutes	£0.10	£0.20
30 minutes to 1 hour	£0.20	£0.30
1 to 2 hours	£0.40	£0.50
2 to 4 hours	£0.90	£1.00
4 to 6 hours	£1.40	£1.50
6 to 9 hours	£2.00	£2.10
All day	£5.10	£5.20

1.10 Residential Preferential Parking Scheme (Residents Permits)

1.10.1 Residents permits across the Borough are currently set at £40 per year.

1.10.2 Having compared our existing charge to other local authorities and taking into account the £5 increase in 2016, it is not proposed to make any change to this charge.

1.11 Business Permits and Dispensations

1.11.1 The Council offers a variety of “business permits” and dispensations shown below in Table 8.

TABLE 8

Business Permits & Dispensations		
Permit type	Current charge	Proposed charge
Business permit (for businesses located within a permit scheme)	£150	£160
Carers permit	£50	£50
Dispensations		
Property Maintenance	£150	£160
Property Maintenance (with yellow lines)	£150	£160
Tonbridge High Street (Banking)	£150	£160
On-street dispensation (for building works etc.)	£10 for 2 weeks	£10 per day, £30 per week

1.11.2 Members will note that it is the intention to increase the cost of the permits/dispensations with the exception of Carers, to recognise the service they provide to vulnerable members of the community. A substantial increase in charges for builders parking on street is also proposed. This is to reflect that our existing charge is significantly below the market rate for this dispensation.

1.12 Visitor Permits

1.12.1 The Council has a system of issuing Visitor Permits to holders of Residents permits to enable their visitors to park within the restricted area. The Visitor Permits effectively operate as one-day permits.

1.12.2 Visitor Permits currently cost £12 per sheet of 10 permits, and every permit holder is given a free sheet of 10 permits when they take out or renew their permit.

1.12.3 It is proposed that the charge for Visitor Permits be retained at £12 for 10 permits, the offer of 10 free Visitor Permits for new applications be retained, but the offer of 10 free Visitor Permits for renewals be discontinued.

1.13 Leybourne and Haysden Country Park Car Parks

1.13.1 Members will be aware that charging is in place for car parking at both of the Council's Country Parks. The last increase was applied in 2016 with charges rising from 80p to £1.00 for up to four hours and from £3.00 to £4.00 for over four hours.

1.13.2 In addition to the charges above, an annual season ticket can also be purchased which provides parking at both Country Parks. The season ticket was introduced in 2008 at an annual charge of £25 and was increased to £30 in 2016.

The existing charges, together with the proposed charges, are detailed below in Table 9.

TABLE 9

Haysden/Leybourne Lakes Country Parks		
Period	Current Tariff	Proposed Tariff
0-4 Hours	1.00	1.20
4+ Hours	4.00	4.00
Annual Season Ticket	30.00	40.00

1.13.3 Members may be interested to note that the current charging structure in relation to Kent County Council's (KCC) Country Parks is:

- £1.50 to £2.00 (park dependent) flat rate Monday to Friday
- £2.00 to £3.00 (park dependent) flat rate weekend and Bank Holidays
- £40 season ticket (covers eight sites across Kent)

1.13.4 It can, therefore, be seen that in comparison to the charges applied by KCC, this Council's proposed charges continue to offer excellent value for money in terms of the market.

1.14 Tonbridge On-Street Pay and Display

1.14.1 The Council currently operates some very limited on-street pay and display parking in Tonbridge up to a maximum stay of 3 hours. The purpose of on-street pay and display is to provide relatively short stay parking that is convenient to customers of local businesses, with a regular turn-over of spaces.

1.14.2 The proposed on-street pay and display parking charges are shown in Table 10 below.

TABLE 10

On-Street Pay & Display		
	Current Charge	Proposed charge
Up to 30 minutes	£0.60	£0.70
Up to 1 hour	£1.20	£1.30
Up to 2 hours	£2.10	£2.30
Up to 3 hours	£2.80	£3.10

1.15 Charging Period

1.15.1 With the exception of the two Country Parks, the current charging times within the Council's car parks do not extend beyond 6pm or apply on Sundays or Bank Holidays. No changes to this policy are proposed.

1.16 Legal Implications

1.16.1 The powers allowing the Borough Council to carry out parking management activity are contained in the Road Traffic Regulation Act 1984, supplemented by formal agreement with Kent County Council as the Local Highway Authority, in respect of its powers under the Traffic Management Act 2004. In particular, section 122 of the Road Traffic Regulation 1984 Act imposes a general duty on local authorities exercising functions under the Act to secure the expeditious, convenient and safe movement of vehicular and other traffic

(including pedestrians) and the provision of safe and adequate parking facilities on and off the highway.

1.16.2 Changes to parking charges should be made via an Amendment Orders to the Council's on and off-street parking Traffic Regulation Orders, using the procedures set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

1.16.3 Part 2 of The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015 introduced a statutory requirement for a 10 minute "grace" period to time limited parking, whether on-street or off-street, including Pay and Display, regardless of the intended duration of stay, effectively adding the facility to park for an additional 10 minutes to all parking periods.

1.17 Financial and Value for Money Considerations

1.17.1 This review has examined parking fees and charges within the context of a set of guiding principles, the cost of parking service to the Council and ongoing investment in the parking management service. It is anticipated that the recommendations outlined in this report will generate additional income of £210,000, net of VAT and refunds. This estimate is based on the assumption that current usage and refund levels remains constant and that ticket sales remain uninfluenced by price increases and that there is a similar distribution of tickets in each pricing band. As outlined in sub-section 1.4.4. a new ticket machine will be required for the Castle grounds at a one-off cost of £4,000.

1.18 Asset management

1.18.1 It is worthy of note that many of the Council's car parks represent a significant asset in terms of resale and for development. It is essential given the context of the Medium Term Financial Strategy that the Council seeks to ensure that the assets are managed in the most economically advantageous way and may in some cases include disposal of the asset.

1.19 Risk Assessment

1.19.1 The estimated additional income is modelled on predicted future parking patterns and demand matching what currently takes place. It does not reflect any potential adverse customer reaction or the possibility of increased take up of the dual ticketing arrangement in Angel and Botany car parks.

1.20 Equality Impact Assessment

1.20.1 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.

1.21 Policy Considerations

1.21.1 Asset Management

1.21.2 Community

1.21.3 Customer Contact

1.22 Recommendations

1.24.1 It is recommended to Cabinet that it **APPROVE** the following proposals with effect from 1st April 2018;

- 1) Introduce the schedule of charges for short and long stay parking in Tonbridge shown in Table 1.
- 2) Introduce week day short stay car parking charges to the car parking bays in the Tonbridge Castle grounds, including the purchase of a new car parking ticket machine.
- 3) Adopt the schedules of Peak and Off-Peak Season ticket charges in Tonbridge shown in Tables 2 and 3.
- 4) Increase Ryarsh Lane annual season ticket charges to £175.
- 5) Introduce the schedules of charges for short stay parking in West Malling shown in Table 5, including a new 4 hour tariff.
- 6) Introduce the schedule of charges for Blue Bell Hill car park shown in Table 6.
- 7) Introduce the schedule of charges for parking in Borough Green Western Road car park shown in Table 7.
- 8) Retain Residents permits at £40.
- 9) Introduce the schedule of charges for business permits and dispensation shown in Table 8.
- 10) Visitor permits to be retained at £12 for a book of 10 permits, with the current offer of 10 free permits limited to new applicants only.
- 11) Introduce the schedule of charges for Haysden and Leybourne Lakes country parks shown in Table 9.
- 12) Introduce the schedule of charges for on-street pay & display parking in Tonbridge shown in Table 10.
- 13) Investigate the potential introduction of on-street permit and pay & display parking in designated areas of North Tonbridge.

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

Background papers:

contact: Andy Edwards

Nil

Robert Styles

Director of Street Scene, Leisure & Technical Services

Sharon Shelton

Director of Finance & Transformation

TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

06 November 2017

Joint Report of the Director of Street Scene, Leisure and Technical Services,
Director of Planning, Housing and Environmental Health and
Director of Finance and Transformation

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 REVIEW OF FEES AND CHARGES

Summary

This report sets out the proposed fees and charges for the provision of services in respect of household bulky refuse & fridge/freezer collections, "missed" refuse collections, stray dog redemption fees, pest control, food certificates, contaminated land monitoring and private water supplies from April 2018.

1.1 Introduction

1.1.1 In bringing forward the charging proposals for 2018/19 consideration has been given to a range of factors, including the Council's overall financial position, market position, trading patterns, the current rate of inflation and customer feedback.

1.1.2 The proposed charges for 2018/19 have also taken into account the set of guiding principles for the setting of fees and charges approved by Members of the Finance, Innovation and Property Advisory Board and reproduced below for the benefit of the Board:

- 1) Fees and charges should reflect the Council's key priorities and other corporate aims and priorities recognising there may be trade-offs as these are not mutually exclusive.
- 2) Fees and charges should have due regard to the Council's Medium Term Financial Strategy.
- 3) If there is to be a subsidy from the council tax payer to the service user this should be a conscious choice.
- 4) The Council should look to maximise income subject to market conditions, opportunities and comparable charges elsewhere, in the context of its key priorities and other corporate aims and priorities.

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

1.2 Household Bulky Refuse & Fridge/Freezer Collection Service

- 1.2.1 Following a full review, a new pricing structure for these services was introduced in April 2016. A two tier fee was introduced with £50 for up to six items of bulky refuse and £25 for up to two fridge/freezer only collections. The new fee structure also included a concession charge for those receiving Council Tax Support. This new arrangement has been running for 18 months with minimal complaints.
- 1.2.2 The review included £40,000 savings as part of the Savings & Transformation Strategy from a combination of increased income and reduced service costs. This saving has been achieved and is ongoing.
- 1.2.3 While Councils are not able to make a profit from the collection of a “prescribed” household waste (such as our bulky collection service), the legislation does allow us to recover the associated collection costs together with reasonable administration costs.
- 1.2.4 This service is included within the retendering of the Waste and Street Scene contract in partnership with Dartford and Tunbridge Wells Borough Council. All three authorities have agreed to move towards the same pricing structure as Tonbridge & Malling Borough Council.
- 1.2.5 The current fee structure of our neighbouring authorities (2017/18) is outlined below.

Maidstone B.C.	Sevenoaks D.C.	Tun. Wells B.C.
5 - 8 items, £34 Fridge Freezer, £20	1 item - £17 2 items - £28 3 to 4 items - £38 5 to 10 items £50 White goods - £17 each	£37.20 per item
No Concessions	No Concessions	1 free collection per month.

- 1.2.6 It is proposed that the full fee price is increased in line with inflation, with no change to the £10 fee for those receiving Council Tax Reduction.

Service	Current Full Charge	Proposed Full Charge 2018/19	Concession Charge	Est. Income 2018/19
Household Bulky Refuse Collection (up to six items)	£50.00	£52.00	£10.00	£84,500
Separate item Fridge/Freezer Collection	£25.00	£26.00	£10.00	

1.3 “Missed” refuse collection charge

- 1.3.1 On occasion the Waste Services team receive requests from customers to empty wheeled bins where the customer has not placed their bin out and “missed” the collection. In general, where it is the resident’s error the contractor is not obliged to return. On these occasions the team are often asked by the customer if they can pay for a “one off” return collection.
- 1.3.2 A collection charge to cover these circumstances was introduced in April 2015. It covers the contract cost of returning and includes a small administration fee. To date there have been no concerns raised by customers. Although very low numbers of requests have been made, this does allow our Waste Services staff to offer an alternative solution when discussing a “missed bin” or “bin not put out by the resident”.
- 1.3.3 It is proposed to increase this charge to £18.00 in April 2018 to reflect our increased contract costs and to include a small administration fee.

Service	Current Charge	Proposed Charge 2018/19	Income Full Year 2018/19
“Missed” Refuse Collection Charge	£17.00	£18.00	£600

1.4 Stray Dog Redemption fee

- 1.4.1 The Environmental Protection Act 1990 prescribes that a person claiming to be the owner of a dog seized as a stray by the Council shall not be entitled to the return of the dog unless all the expenses incurred by reason of its detention, and such further amount as is for the time being prescribed, are met. The

Environmental Protection (Stray Dogs) Regulations 1992 set down a prescribed redemption fee of £25 and provides for local authorities to recover its other reasonable expenses, in addition to any other expenses incurred, such as kennelling costs.

- 1.4.2 Where a dog is taken to kennels we charge the owner for the other reasonable expenses, associated with the costs of providing our Dog Warden contract and admin costs. This is presently set at £60. The total fee charged by the Council is therefore £85. We recommend that the contract & administration fee be increased this year to £63 with no formal waiver or discount, but we will continue to exercise discretion to allow payment by instalments. Daily kennelling costs are paid direct to the kennels by the owner when collecting their dog.

Service	Current Charge	Proposed Charge 2018/19	Income Full Year 2018/19 (assuming number of claimed /returned)
Stray Dog Redemption Fee - Return Direct to owner	£25 (Statutory fee)	£25 (Statutory fee)	£100
Stray Dog Redemption Fee - Kenneling required	£85 (including statutory fee, but not including daily kennelling costs).	£88 (including statutory fee, but not including daily kennelling costs).	£8,700

- 1.4.3 The proposed total charge of £88 is still within the range of those of neighbouring councils as below (2017/18 prices for illustration):

Maidstone B.C.	Sevenoaks D.C.	Tun. Wells B.C.
£52 within office hours £80 out of office hours (including statutory fee, but not including kennelling costs)	£87 (including statutory fee, but not including kennelling costs)	£90 within office hours £125 out of office hours (including statutory fee, but not including kennelling costs)
No return direct to owner - all dogs taken to kennels	£25 return direct	No return direct to owner – all dogs taken to kennels

- 1.4.4 At present, where the Dog Warden returns a stray dog to the owner without the need for kennelling, a charge is made at the prescribed fee of £25. This rate was introduced, after agreement by this Board, in July 2009 and we do not recommended changing this set fee.

1.5 Pest Control

- 1.5.1 The Council has a statutory duty to inspect the borough for the incidence of rats and mice and to take action where an infestation is found. This function is supported by statutory powers to serve notice on owners of land to take action to destroy rats and mice and/or prevent conditions likely to provide harbourage for pests.
- 1.5.2 The pest control service was reviewed and retendered in 2012 as a joint contract with Tunbridge Wells Borough Council. The current service provides a free treatment of rats, mice, cockroaches and bedbugs to those on Council Tax support only.
- 1.5.3 In all other cases, customers may be referred to Monitor Environmental Services to carry out a charged treatment. Alternatively, customers may arrange treatment direct with their own pest control company.
- 1.5.4 Numbers of service requests from those on Council Tax support are very small, with an estimated overall cost to the Council of £2,000 per annum. In the interests of public health and with very small numbers of service requests, it is not considered appropriate to change this arrangement. The current contract is due to end in November 2018 and a review of the contract will take place in the Spring to consider the available option of extending for a further 12 months.

1.6 Condemned Food Certificates

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

Service	Current Charge	Proposed Charge 2018/19	Income Full Year 2017/18
For each Condemned Food Certificate issued	£140 for first hour plus £140 for each additional hour plus VAT	£145 for first hour plus £145 for each additional hour plus VAT	£145

1.7 Exported Food Certificates

- 1.7.1 This is a service provided by the Council for food exporters who export food outside the European Union. In this instance, authorising officers of the Borough Council certify that the food products being exported have been manufactured and

held under hygienic conditions in accordance with the requirements of Regulation (EC) 852/2004 and The Food Safety & Hygiene (England) Regulations 2013. The premises are subject to regular inspection by Food and Safety Officers.

- 1.7.2 The level of demand for Exported Food Certificates has remained low and steady over the last few years with an average of 30 per year.
- 1.7.3 There is some variance across the County in fees charged for this service, we are most closely in line with Dartford and Sevenoaks who charge £65, Dover £50 and Ashford £55 while Tunbridge Wells and Maidstone charge £82.
- 1.7.4 We propose to apply a small increase to the current charge to reflect costs in responding to these certificate requests.

Service	Current Charge	Recommended Charge	Income Full Year 2017/18
For each Exported Food Certificate issued	£50 plus VAT per certificate	£55 plus VAT per certificate.	£1000

1.8 Contaminated Land

- 1.8.1 The Environmental Protection Act 1990 Part 2A requires local authorities to implement a system for the identification and remediation of land where contamination is causing a risk to human health or the wider environment because of historic or current uses.
- 1.8.2 The Environmental Protection Team provides a contaminated land information service or assessment of risk for which it currently makes a charge of £55 per hour in responding to these requests for information.
- 1.8.3 Guidance from the Information Commissioner advises that local authorities can make a reasonable charge. We have assumed that a reasonable charge includes the hourly rate of the Officer responsible for providing information, on-costs and an administration charge.
- 1.8.4 The fee has been derived based upon comparison with other Kent local authorities. Dartford £105, Sevenoaks charge £50 while Maidstone and Tunbridge wells currently charge £25 per hour. There is no maximum fee under the legislation.
- 1.8.5 We propose to apply a small increase to the current charge to reflect costs in responding to these requests for information.

Service	Current Charge	Proposed Charge 2018/19	Income Full Year 2018/19
Responding to requests for information relating to contaminated land	£55.00 per hour (1 hour minimum charge)	£60.00 per hour (1 hour minimum charge)	£2,000

1.9 Private Water Supplies

- 1.9.1 The Private Water Supplies Regulations 2009 introduced a statutory and more onerous regime for the risk assessment and sampling of private water supplies.
- 1.9.2 In a report to this Board on 28 February, 2011 it was agreed to introduce a charge to recover the cost of Officer's time. In addition, owners of private water supplies and private distribution networks will be charged for the cost of sample analysis.
- 1.9.3 We have reviewed the cost of providing this service and propose to apply a small increase to £55 per hour, plus the cost of sample analysis.
- 1.9.4 The fee has been derived based upon comparison with other Kent local authorities. Tunbridge Wells BC, Sevenoaks DC (£35), Medway, Dartford and Gravesham BC currently charge between £35 and £60 per hour. These charges are subject to a maximum limit which is set out under the Private Water Supplies (PWS) Regulations 2009.
- 1.9.5 As each private water supply is very different, the Officer time for each visit/ risk assessment is difficult to quantify. We have seen a decline in this service over recent years which is reflected in the estimated full year income.

Service	Current Charge	Proposed Charge 2018/19	Income Full Year 2018/19
Carrying out sampling and risk assessment of private water supplies	£50.00 per hour (1 hour minimum charge) plus VAT	£55.00 per hour (1 hour minimum charge) plus VAT	£750

1.10 Legal Implications

- 1.10.1 The Council has lawful authority to set fees which allow recovery of its reasonable costs.

1.11 Financial and Value for Money Considerations

1.11.1 The increase in fees proposed is intended to ensure that the income derived covers the costs to the Council in providing a service.

1.12 Risk Assessment

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

1.13 Equality Impact Assessment

1.13.1 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.

1.14 Recommendations

1.14.1 Cabinet is **RECOMMENDED to APPROVE** the scale of charges for household bulky refuse & fridge/freezer collections, “Missed” refuse collections, stray dog redemption fees, pest control, food certificates, contaminated land monitoring and private water supplies from April 2018 as detailed in the report.

The Directors confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

2

Background papers:

contact: Darren Lanes
Jane Heeley

Nil

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

06 November 2017

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 AIR QUALITY UPDATE

Summary

Nitrogen Dioxide (NO₂) pollution arises primarily from the combustion of fossil fuels particularly in fuel for motors vehicles. As a result many roads in urban areas exceed statutory NO₂ objective limits. The *UK plan for tackling roadside nitrogen dioxide concentrations* was published by the Government on the 26th July 2017, this paper briefly summarises the published plan and provides an overview of TMBC's 2017 Annual Status report in respect of the Boroughs 7 Air Quality Management Areas (AQMAs).

1.1 Background

- 1.1.1 The Air Quality (Standards) Regulations 2010 transpose into English Law the requirements of European Directives on ambient air quality, and thereby set the current air quality standards to be met. EU countries were required to meet these limits by 1 January 2010: the UK was granted a limited time extension up to 2015. However, in 2015, 37 of the 43 zones which the country is divided into for air quality purposes continued to exceed the annual mean concentration levels of NO₂ (40µg/m³).
- 1.1.2 The EU directives and consequent UK Regulations exist to protect human health, and evidence from the Committee on the Medical Effects of Air Pollutants (COMEAP) has identified that NO₂ exposure can be attributed to an estimated 23,500 premature deaths annually in the UK. In addition to health implications air pollution also damages the wider environment.
- 1.1.3 Following a number of legal challenges to the Government about the adequacy of their initial plans, brought by the environmental charity Client Earth, the *UK plan for tackling roadside nitrogen dioxide concentrations* was published on the 26 July 2017, in response to a Supreme Court ruling which ordered the Government to produce plans to reduce NO₂ pollution to legal levels as quickly as possible.

1.2 UK Plan for tackling roadside nitrogen dioxide concentrations ‘the Plan’

- 1.2.1 The content of the plan is broadly the same as the May 2017 consultation draft, which was shared with Members at Board in June, but it does contain some additional new initiatives. In particular, the announcement of the Government’s intention to produce a new Clean Air Strategy in 2018, addressing not just NO₂ pollution but also other oxides of nitrogen (NO_x) particulate matter and sulphur dioxide amongst others.
- 1.2.2 The Plan acknowledges that the introduction of increasingly strict vehicle emission regulations (Euro Standards) has not delivered the expected reductions in emissions of Nitrogen Oxides (NO_x) which includes NO₂ from light passenger and commercial diesel vehicles in real world use. Therefore, despite the latest Euro Standards for heavy duty vehicles giving vast improvements over their predecessors, road transport is still the largest contributor to NO₂ pollution in local areas where the UK is exceeding limit values. Addressing road transport is therefore the most pressing area for action to tackle this exceedance problem.
- 1.2.3 In the longer term the Plan announces the Government’s intention to ban the sale of all new petrol and diesel vehicles from 2040. However there is recognition that road transport is key to almost everything we do either as individuals or businesses with social and economic impacts much wider than air quality. There is a clear move therefore, to the setting of new policies and incentives to promote new technology and innovation to speed up the move to cleaner vehicles.
- 1.2.4 Additional actions across the UK cited in the Plan include but are not limited to.
- more stringent laboratory testing requirements for type approval of new Light Duty Vehicles;
 - new real driving emissions requirements for light passenger and commercial vehicles;
 - support for low emission freight;
 - lorry emission technology checks at roadside;
 - additional funding to accelerate the uptake of low emission buses;
 - additional funding for retrofitting older buses supported by a new accreditation scheme;
 - additional funding to accelerate the uptake of hydrogen vehicles and infrastructure; and
 - the introduction of an Automated and Electric Vehicles Bill.

- 1.2.5 Separate to the funding streams for actions mentioned above, the Government intends to establish a Clean Air Fund to allow local authorities to bid for additional money to support the implementation of measures to improve air quality. Further details of this fund will be announced shortly.
- 1.2.6 One of the most significant new actions within the Plan is to require certain local authorities who are forecast to have the greatest exceedance problems over the next 3-4 years to produce local action plans containing measures to achieve statutory NO₂ limits in their area as quickly as possible; draft plans must be produced by March 2018, with final plans requiring Government (DEFRA) approval by December 2018. 29 local authorities are cited as requiring this course of action. **Neither Tonbridge and Malling Council nor any other authority in Kent and Medway are cited.**
- 1.2.7 Notwithstanding para 1.2.6 Officers in the EP Team are taking this opportunity to update the TMBC Air Quality Action Plan in line with the DEFRA target, and progress will be reported to Board in the New Year.
- 1.2.8 Members should note that in selecting the 29 Local Authorities cited in the Plan, DEFRA used the 'coarse grained pollution climate mapping' (PCM) model, which the accompanying technical report suggests is not highly accurate. This will have led to a high level of uncertainty. In addition the approach does not take into account the significant number of Air Quality Management Areas declared across numerous English Authorities including the 7 declared within Tonbridge and Malling, and the Plan says little about how these areas will be addressed.
- 1.2.9 Whilst TMBC is not directly targeted in the Plan, members may wish to note that the UK Government has identified Clean Air Zones (CAZs) which include charging as the measure it is able to model nationally which will achieve statutory NO₂ limit values in the shortest possible time. However the Government has acknowledged that this would impact on individuals and businesses and so has indicated that if other measures at least as effective at reducing NO₂ within the same timeframe can be found, those measures should be preferred.
- 1.2.10 The Plan also indicates that any local authority can implement a CAZ to address a local air quality issue; further details are outlined in the Clean Air Zone Framework in England published in May 2017. However, within TMBC those areas declared as Air Quality Management Areas are located on roads which, generally, take traffic through rather than into an area. In those circumstances the Plan acknowledges CAZs may not be appropriate, however there is an indication that government funding may be available to find local solutions for these circumstances and the feasibility of alternatives along with possible funding will be explored in more detail during the Action Planning process.
- 1.2.11 The latest update is that Client Earth have written a 'letter before action' to the Government this last week (18.10.17) following review of the July 'Plan' meaning it is possible a further judicial review will be launched shortly. The basis of their

complaint is that 45 local authorities are not being required to take any immediate action (and we are one of those) as a result of the Plan, although in breach of targets, and that national solutions are essential (including potential diesel scrappage).

1.2.12 A full copy of the Plan and associated documents can be found online at <https://www.gov.uk/government/publications/air-quality-plan-for-nitrogen-dioxide-no2-in-uk-2017>

1.3 Tonbridge and Malling Borough Council Annual Status report 2017

1.3.1 As reported to Board in May 2014 and March 2015 DEFRA instigated a review of the Local Air Quality Management (LAQM) regime as part of the governments 'Red Tape Challenge'. Arising from that, the Council is now required to submit a single 'Annual Status' report to DEFRA in place of numerous reports previously required.

1.3.2 The 2017 Annual Status Report on air quality was recently submitted to DEFRA has been appraised and is currently awaiting final sign off. This report provides an overview of air quality in Tonbridge and Malling during 2016, and fulfils the requirements of LAQM as set out in Part IV of the Environment Act 1995 and relevant Policy and Technical guidance documents. The data shows that there are improvements in NO₂ levels at a number of our AQMA's.

1.3.3 Members will recall the Council currently has 7 declared Air Quality Management Areas (AQMAs) declared for the exceedance of the annual mean of NO₂ (40µg/m³). These AQMAs are located at;

- M20: from the point it passes New Hythe Lane to the point it passes Hall Road,
- Wateringbury: Centred around the crossroads,
- Tonbridge High Street: From High Street/Vale Road roundabout to the Botany,
- Ditton: Centred around the A20 London Rd/Station Rd crossroads,
- Larkfield: Encompassing the junction with New Hythe Lane and East along the A20 towards Ditton,
- Aylesford: Encompassing the A20 from the junction with Halls Road and Mills Road towards Hermitage Lane,
- Borough Green: Including parts of A25 Sevenoaks Road, Western Road and High Street.

The M20 AQMA is also declared for Particulate Matter (PM₁₀). Detailed maps of all these AQMA locations can be seen in Annex 1.

1.3.4 Each AQMA was declared when monitoring in that area highlighted annual average NO₂ of around 40µg/m³ or above. The first AQMAs including the M20 and Ditton were declared in 2005, the most recent in Borough Green was declared in 2013. Each is dealt with in more detail in the following paragraphs.

1.3.5 In reviewing the AQ conditions and the most appropriate way forward in terms of AQMA boundaries and monitoring, careful regard must be taken of other work in hand by the Borough Council and the Highway Authorities that could have a future bearing on our approach. For example work towards a new local plan, the parallel work to model traffic levels on the A20 and the proposals to come forward by Highways England on the M20. So, in that respect our ongoing assessment should proceed with due caution, care and awareness of those factors.

1.3.6 M20 AQMA update

The table in 1.3.8 below summarises the NO₂ diffusion tube results from those tubes located in or close to the M20 AQMA, and gives an indication of the current status. All amber results indicate the result is within 10% of the statutory limit. As can be seen there have been no exceedances for around 5 years, however some tube results in new locations in 2016 show results within 10% of the objective.

1.3.7 Members will be aware that Highways England (HE) will from March 2018 be upgrading the M20 between junctions 3-5 to a 'Smart Motorway'. HE are soon to produce an Environmental Report which will include the effects of this upgrade on Air Quality. Officers are in liaison with HE to establish how this might affect the AQMA for both NO₂ and PM₁₀ levels. Therefore it is recommended that the M20 AQMA remain in force without changes, at least until the final impact of the forthcoming works are known.

1.3.8 Annual Mean (bias adjusted) of tubes located in or close to M20 AQMA

	2010	2011	2012	2013	2014	2015	2016
131 Hall Road, Aylesford	53.7	43.3	39.3	34.8	37.1	35.5	34.5
202 New Hythe Lane							38.0
Hall Rd (lampost)							38.1
218 Station Rd, Aylesford			38.4	35.6	38.8	35.1	34.4
108A Station Road	43.6	27.9	27.9	31.8	24.9	25.4	28.0
99 Teapot Lane, Aylesford	54.8	36.3	31.4	35.4	28.3	29.3	29.7
Rowan Close		33.1	31.2				

1.3.9 Wateringbury AQMA update

The table in 1.3.12 summarises the NO₂ diffusion tube results from those tubes located in or close to the Wateringbury AQMA, and gives an indication of the current status. As can be seen, most sites continuously exceed the statutory annual limit, some to the extent that it is possible the hourly mean of 200µg/m³ may also be being exceeded (legislation allows up to 18 exceedances of the hourly mean in any calendar year). However, without the presence of a continuous analyser it is not possible to state for certain that there have been any exceedances of the hourly mean. On the basis of diffusion tube results, Wateringbury crossroads remains the worst location for NO₂ levels within the Borough due to queuing traffic and the 'canyon' nature of the road at that point reducing the ability of pollutants to disperse.

1.3.10 The Council has access to one continuous analyser which can monitor hourly levels of NO₂. This is currently located in McDonalds within the Tonbridge High Street AQMA. However with McDonalds due to close shortly for an extensive refit officers are in discussion with Wateringbury Parish Council to move the analyser to the Village Hall located within the Wateringbury AQMA to establish hourly concentrations of NO₂. If this goes ahead which is looking positive at the time of writing, officers envisage leaving the analyser at Wateringbury for up to one year to establish an Annual Mean level of NO₂.

1.3.11 Officers are also aware that KCC highways have been able to secure some LEP funding to assess the crossroads junction and look at what changes (if any) could be made to help ease congestion and in turn AQ. Officers will seek to assist in any way we can in the work KCC do in this respect. It is hoped more detailed monitoring with a continuous analyser will also assist with this assessment, as well as provide developers of local sites with more accurate NO₂ data when assessing the impact of their developments on Air Quality within the Wateringbury AQMA.

1.3.12 Annual Mean (bias adjusted) of tubes located in or close to Wateringbury AQMA

	2010	2011	2012	2013	2014	2015	2016
Tonbridge Road, Wateringbury (Red Hill Corner)	73.0	54.3	56.4	61.1	52.7	51.9	56.4
Tonbridge Road, Wateringbury (Opposite Garage)(triplicate average)	82.9	60.9	62.8	67.2	64.8	63.5	64.9
Tonbridge Road, Wateringbury (Red Hill)	51.0	39.8	40.1	39.9	38.2	38.2	39.1
181 Tonbridge Rd, Wateringbury							23.0
Springfields, 3 Ton Rd, Wateringbury							16.7

1.3.13 Tonbridge High Street AQMA Update

The table in 1.3.15 summarises the NO₂ diffusion tube results from those tubes located in or close to the Tonbridge High Street AQMA, as well as the continuous analyser (ZT5) located in McDonalds which can also monitor hourly levels. Sites on the High Street continue to exceed statutory annual limits, and no changes to the AQMA boundaries are proposed. Ratified data from the ZT5 also showed 2 exceedances of the 200µg/m³ hourly mean during 2016.

1.3.14 Works to update the High Street were completed in around May 2016. To date monitoring has not shown significant AQ change generally, although the location around No 35 High Street (WH Smith) has shown a significant improvement over the past two years, possibly be linked to the removal of the pedestrian crossing and the queuing traffic it created. No changes to monitoring locations other than the removal of the ZT5 are proposed so this apparent decrease can be studied further.

1.3.15 Annual Mean (bias adjusted) of tubes and continuous monitor (ZT5) located in or close to Tonbridge High Street AQMA

	2010	2011	2012	2013	2014	2015	2016
ZT5 (McDonalds)			46.5	48.5	46.6	45.8	46.8
High Street, Tonbridge (no 35, WH Smith)	53.7	40.3	40.3	43.3	43.2	36.7	34.6
High Street, Tonbridge (no 46a)	55.8	41.4	43.3	43.3	42.0	40.1	40.5
High Street, (Tonbridge (no 10) (triplicate average)	56.3	44.9	44.7	44.9	42.7	41.6	40.4
88 High Street, Tonbridge							30.1

1.3.16 Ditton AQMA Update

The table in 1.3.18 summarises the NO₂ diffusion tube results from those tubes located in or close to the Ditton AQMA. As can be seen all results have fallen below the 40µg/m³ limit for at least the last 5 years.

1.3.17 On the basis of these results it can be argued that the Ditton AQMA is suitable for revocation and this course of action was supported by DEFRA when suggested in the Annual Status report. However in retrospect officers feel it is appropriate to maintain the status of the AQMA at this time, although some monitoring diffusion tubes may be moved to other sites. The reason for this is that whilst improvements in this area are positive, the A20 remains a heavily trafficked route which may be affected by a general increase in traffic in the area. The future impact of that factor is being closely considered through our local plan work. In addition, with the M20 between junctions 3-5 about to undergo a major works to

upgrade to a smart motorway, the implication is that more traffic will use the A20 at least in the short term. For these reasons officers believe the Ditton AQMA should remain in force at least in the short term.

1.3.18 Annual Mean (bias adjusted) of tubes located in or close to Ditton AQMA

	2010	2011	2012	2013	2014	2015	2016
London Road, Ditton (nos 516)	28.8	20.2	20.4	21.4	19.1	18.8	19.6
London Road, Ditton (nos 527/529) (triplicate average)	43.0	34.2	34.4	31.6	32.5	31.7	30.9
7 Station Road, Ditton							25.8
London Road (no559), Ditton Bus stop (W-bound) (triplicate average)				33.7	33.8	33.1	33.0

1.3.19 Larkfield AQMA Update

The table in 1.3.20 summarises the NO₂ diffusion tube results from those tubes located in or close to the Larkfield AQMA. As can be seen there are a mixture of results, however those at the eastern end are consistently below the annual mean objective and for that reason it is proposed that officers will begin to reassess the boundaries of this AQMA. The approach will, however, have regard to the work currently in hand to assess likely future traffic levels on the A 20 through this area.

1.3.20 Annual Mean (bias adjusted) of tubes located in or close to the Larkfield AQMA

	2010	2011	2012	2013	2014	2015	2016
London Road, Larkfield (no 743) (triplicate average)	49.5	35.7	36.7	37.0	36.5	34.0	33.7
London Road, Larkfield (no 606)	41.8	31.3	32.5	32.2	30.6	29.0	31.0
794 London Rd, Larkfield							43.9
London Road (by Wealden Hall), Larkfield Bus stop (W bound) (triplicate average)				36.4	36.5	35.2	41.8

1.3.21 Aylesford AQMA Update

The table in 1.3.22 summarises the NO₂ diffusion tube results from those tubes located in or close to the Aylesford AQMA. As can be seen there are a mixture of results, however with most still reading above the statutory limit Aylesford AQMA should remain unchanged.

1.3.22 Annual Mean (bias adjusted) of tubes located in or close to Aylesford AQMA

	2010	2011	2012	2013	2014	2015	2016
London Road, Aylesford (no 290) (triplicate average)	59.9	46.9	46.1	45.4	45.3	44.1	44.8
7 Hall Road, Aylesford	41.6	32.8	33.0	32.4	31.9	30.8	30.8
158 London Rd (E of mouth of Hermitage Lane)							37.3
Aylesford (Hall Road) junction Bus stop (E-bound) (triplicate average)				43.0	45.1	42.6	43.9

1.3.23 Borough Green AQMA Update

The table in 1.3.24 summarises the NO₂ diffusion tube results from those tubes located in or close to the Borough Green AQMA. As can be seen, failures are restricted to sites on Sevenoaks Road; it is therefore proposed that officers will begin to reassess the boundaries of this AQMA. In so doing the process will take care to consider the effect of any potential future development in the locality and the impact of that on AQ.

1.3.24 Annual Mean (bias adjusted) of tubes located in or close to the Borough Green AQMA

	2010	2011	2012	2013	2014	2015	2016
42, Sevenoaks Road, Borough Green							33.6
Corner Rock Road/ Sevenoaks Road, Borough Green	40.0	30.7	33.4	31.4	29.3	29.0	31.2
55, Sevenoaks Road, Borough Green	57.8	46.7	46.0	42.9	42.2	42.1	45.7
55, Sevenoaks Road, Borough Green	58.4						
55, Sevenoaks Road, Borough Green	56.2						
2 Maidstone Road, Borough Green	42.1		22.7	28.2	21.4	20.7	22.3
Flat 21 High Street, Borough Green			27.2	27.3	24.6	22.6	25.0
1 Western Road			27.5	27.3	24.9	23.8	26.8
54 Western Road			29.8	25.4	24.2	22.2	25.7
74 Sevenoaks Road			20.7	19.6	18.4	16.5	18.6
16 Sevenoaks Road			43.1	38.8	34.8	34.0	39.8
44 Maidstone Road, Borough Green	42.5	30.9	31.5	33.0	29.3	29.6	

1.3.25 All exceedances of the annual air quality objectives are listed above, and fall within an AQMA boundary. No other monitoring sites across the borough fail the objective or come within 10% of the objective limit.

1.4 Legal Implications

1.4.1 The Council has a statutory duty to implement the provisions of the Environment Act 1995 concerning air quality and to report progress and results to DEFRA on an annual basis.

1.5 Financial and Value for Money Considerations

1.5.1 All current activity will be carried out within allocated budgets, however, there may be opportunities to bid for further funding for specific initiatives to improve air quality.

1.6 Risk Assessment

1.6.1 Air quality work utilises the principles of risk assessment to determine the nature and extent of monitoring, action planning and reporting. This will be reflected in more detail in our Air Quality Action Plan, which will be presented to Members early next year.

1.7 Recommendations

1.7.1 Cabinet is **RECOMMENDED** to endorse the retention of all current AQMA's and bring forward a review of the boundaries of the Larkfield and Borough Green AQMA's.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

Nil

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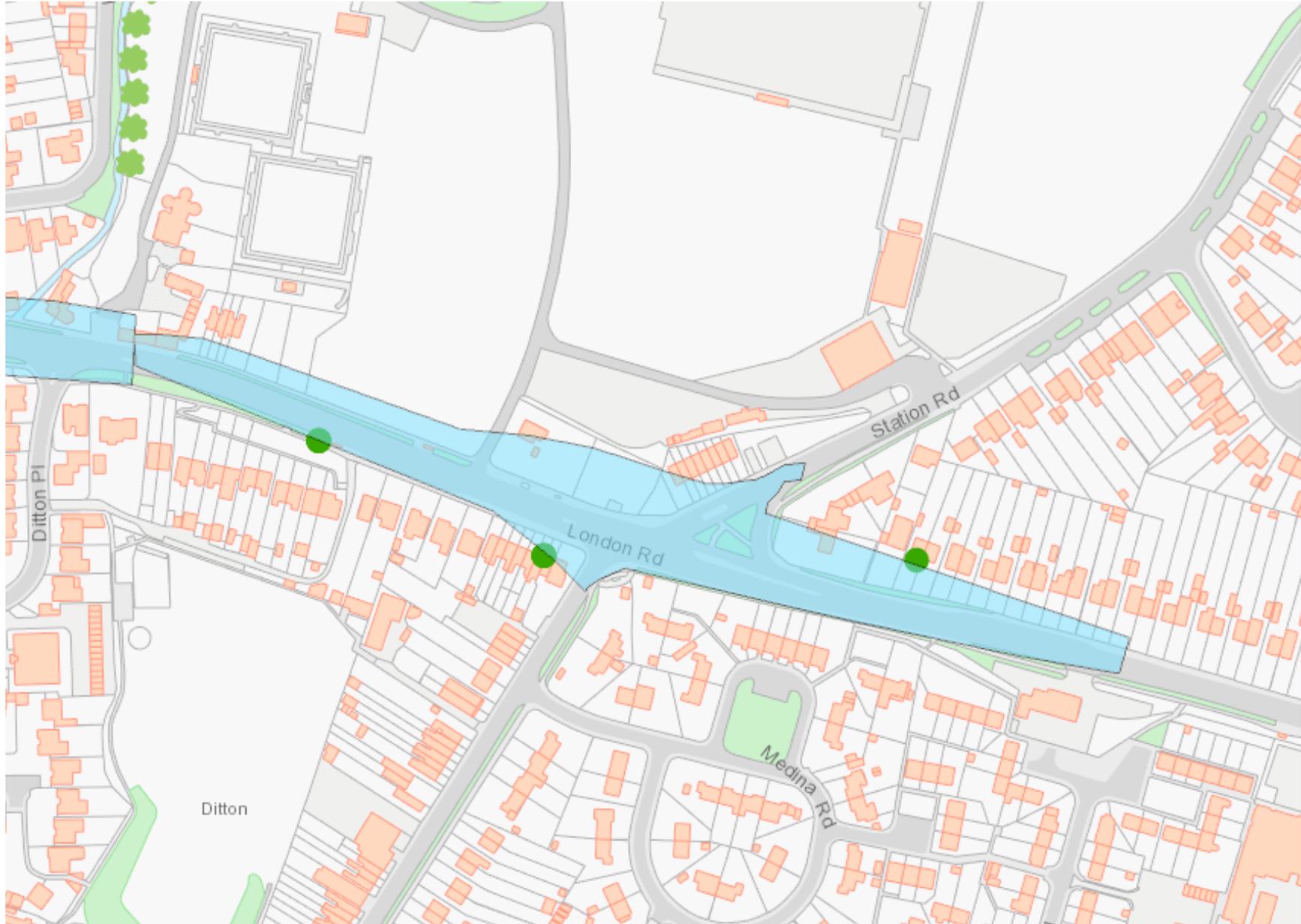
Director of Planning Housing and Environmental Health

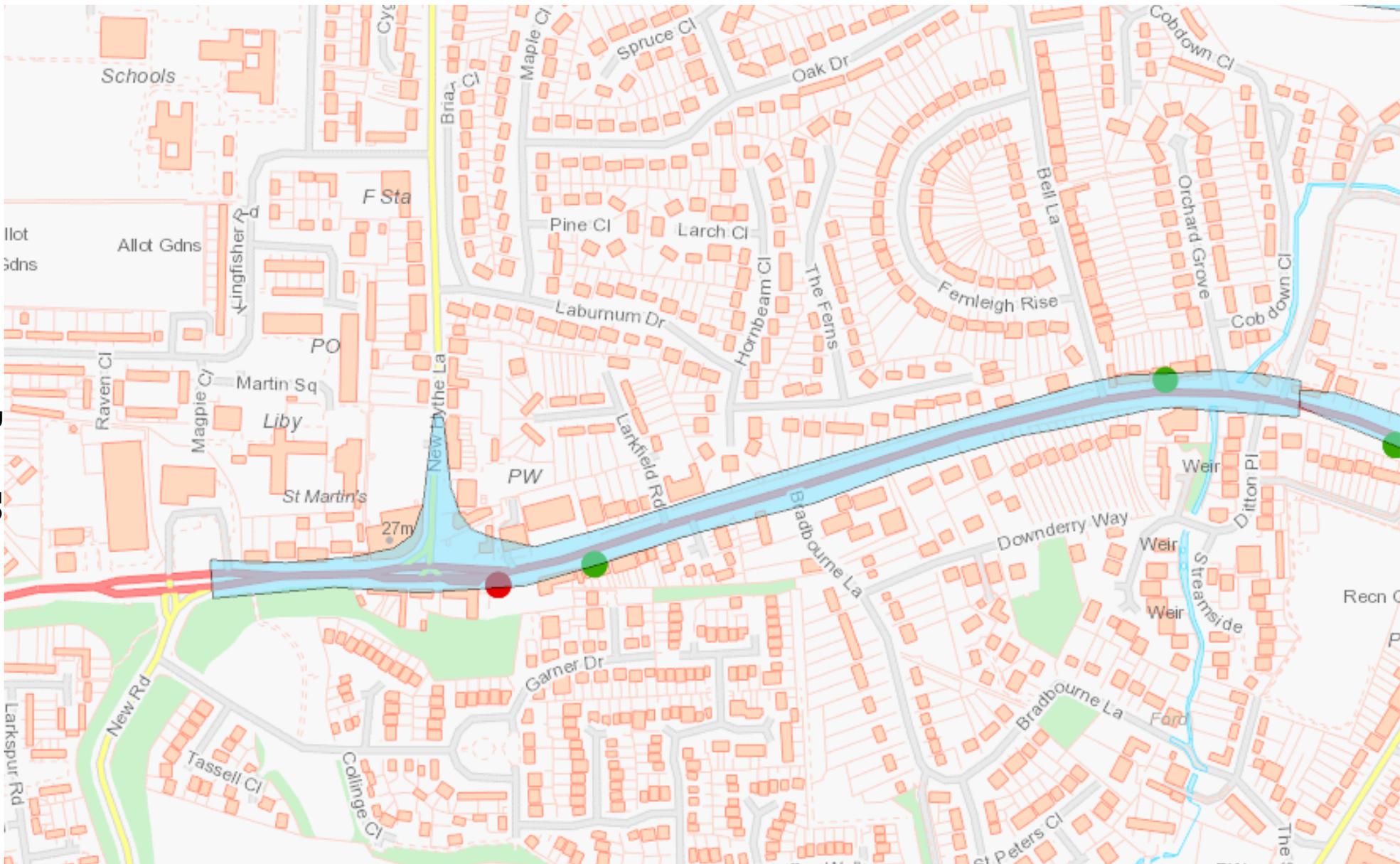
Annex 1 AQMA's

M20 AQMA

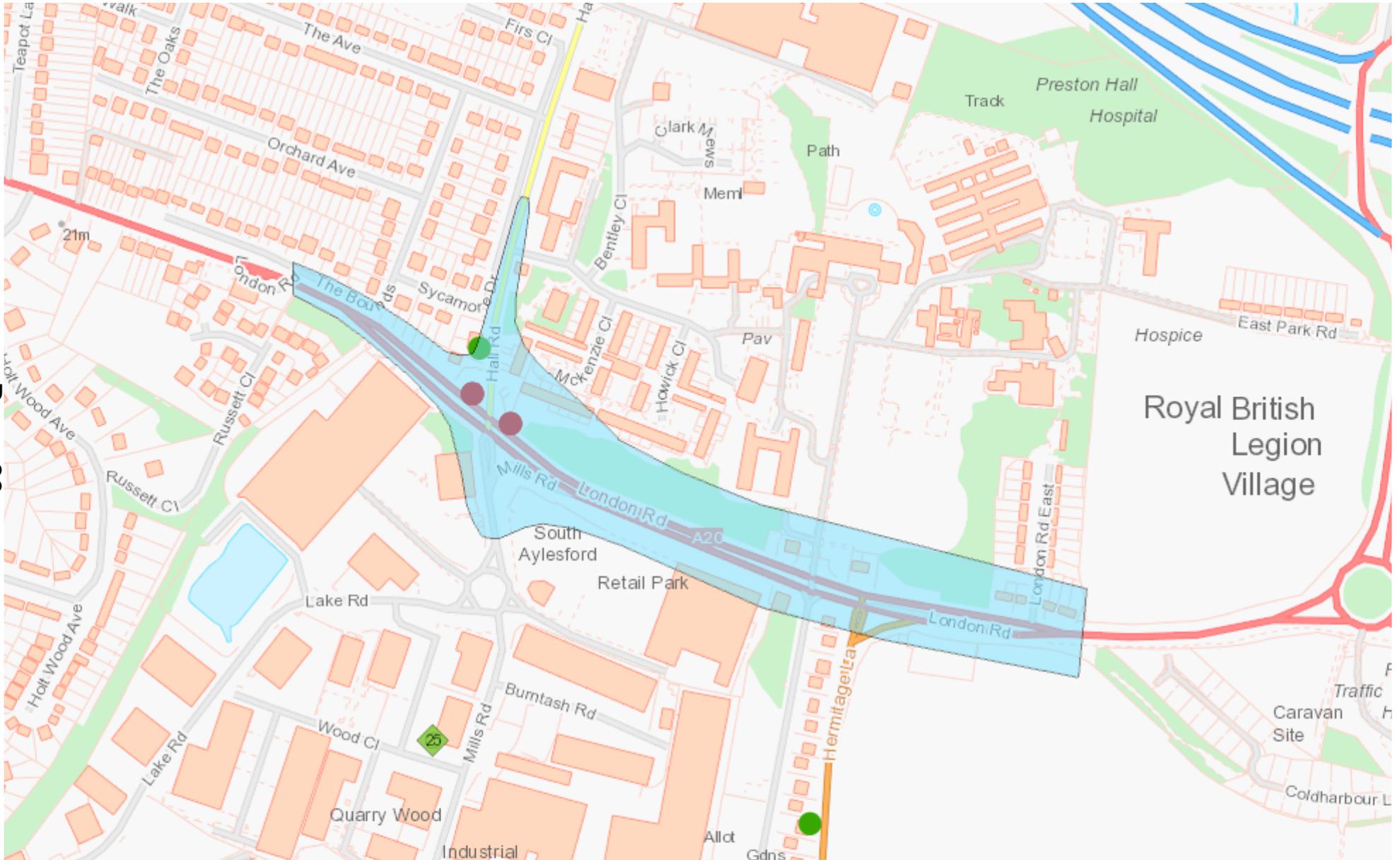








Aylesford AQMA



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Agenda Item 8

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

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Agenda Item 9

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

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

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Agenda Item 10

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

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