

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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

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

26 October 2018

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, 5th November, 2018 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

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To confirm as a correct record the Notes of the meeting of the Street Scene and Environment Services Advisory Board held on 4 September 2018

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5. Cherry Orchard/Brampton Field, Ditton 29 - 38

The report recommends the removal of a row of conifer trees on Council owned land between Cherry Orchard and the houses in Brampton Field, Ditton.

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The report sets out the proposed fees and charges in respect of household bulky refuse and fridge/freezer collections, "missed" refuse collections, stray dog redemption fees, pest control, food certificates, contaminated land monitoring, private water supplies and the Council's car parks from 1 April 2019.

Matters submitted for Information

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The report brings forward a Post Implementation Review for Phases 6 and 7 of the Car Park Enhancement Programme.

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PART 2 - PRIVATE

10. Urgent Items

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

MEMBERSHIP

Cllr M O Davis (Chairman)
Cllr O C Baldock (Vice-Chairman)

Cllr Mrs J A Anderson
Cllr M A C Balfour
Cllr S M Hammond
Cllr D Keeley
Cllr D Keers
Cllr D Markham
Cllr Mrs A S Oakley

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

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

Tuesday, 4th September, 2018

Present: Cllr M O Davis (Chairman), Cllr O C Baldock (Vice-Chairman), Cllr Mrs J A Anderson, Cllr M A C Balfour, Cllr S M Hammond, Cllr D Keeley, Cllr D Keers, Cllr Mrs A S Oakley, Cllr S C Perry, Cllr M R Rhodes, Cllr T B Shaw and Cllr Miss G E Thomas

Councillors P F Bolt, C P Smith, Mrs S Bell, Mrs M F Heslop, N J Heslop, D Lettington, R V Roud, Mrs P A Bates, R P Betts, M A Coffin, B J Luker, P J Montague, M Parry-Waller, H S Rogers and A K Sullivan were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors L J O'Toole, Ms S V Spence and T C Walker

PART 1 - PUBLIC

SSE 18/9 DECLARATIONS OF INTEREST

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

SSE 18/10 MINUTES

RESOLVED: That the notes of the meeting of the Street Scene and Environment Services Advisory Board held on 13 February 2018 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

SSE 18/11 WASTE SERVICES CONTRACT RETENDER

Following consideration of the outcome of the tendering exercise for a new Waste Services Contract, set out in the Part 2 report on this agenda (Minute Number SSE 18/16, the report of the Borough Council's Management Team set out a number of proposals related to the introduction of a garden waste charge, the capital funding for the purchase of new containers and the creation of a marketing/communications budget.

The report made reference to a Joint Working Agreement (JWA) which was being developed between the Borough Council, Tunbridge Wells Borough Council and Kent County Council. The JWA would supplement

the Inter Authority Agreement by establishing the joint working arrangements and would make provision for the allocation of costs and liabilities on a fair basis between all parties.

Members welcomed the enhanced service options arising from the new waste services contract, particularly the introduction of kerbside collection of plastics and glass, as it offered a much improved service to residents. It was also recognised that the proposal to charge for garden waste collection, for those households who wished to opt-in, was necessary to support these service enhancements. In addition, the introduction of charges for garden waste collection represented a fairer system of charging as residents who did not use the service would not be subsidising those who did. It was noted that the proposed charge of £40 per year represented good value for money, whilst supporting the enhancement of recycling and, as a result of the kerbside collections, provided a service for everyone.

There was no evidence of increased statutory nuisance regarding bonfires or increased fly tipping of garden waste on the introduction of charges reported elsewhere in the county, although this would be monitored by the Borough Council.

The importance of effective communication with residents over the changes being made to the waste service was reiterated and details of a marketing strategy were outlined in the report.

RECOMMENDED: That

- (1) the details and style of joint branding to be used by the successful contractor be considered in liaison with the established Member Group and Tunbridge Wells Borough Council;
- (2) delegated authority be given to the Director of Street Scene, Leisure and Technical Services, in liaison with the Cabinet Member for Street Scene and Environment Services, to approve the final form of the Joint Working Agreement to be entered into (paragraph 1.3.4 of the report refers);
- (3) the role of Partnership Manager be undertaken in the first year of the new contract by Tonbridge and Malling Borough Council (paragraph 1.3.3 of the report refers);
- (4) the current Capital Plan provision for the replacement of existing containers and purchase of containers for new households be reviewed and adjusted as part of the Capital Plan review (paragraph 1.5 of the report refers);

- (5) the procurement of the new containers for the Waste Services Contract be progressed through an appropriate Purchasing Framework (paragraph 1.5 of the report refers);
- (6) the Strategic Communications Overview, included at Annex 2, and approach to the development of a detailed Operational Marketing Plan included within the report (as outlined in paragraph 1.7) be approved;
- (7) the actions to address the impacts identified in the Equality Impact Assessment, as outlined in the report at paragraph 1.11, be noted.

***Referred to Cabinet**

FOR COUNCIL DECISION:

- (8) the new opt-in garden waste charge at the standard rate of £40 per year, as outlined in the report at paragraph 1.4.3, be agreed and further detail on a reduced introductory charge be considered in accordance with the proposals set out at 1.4.3 at a future meeting of this Advisory Board;
- (9) the provision of new containers for the Waste Services Contract be added to the Capital Plan and funded from the earmarked reserve, as set out in Annex 1 to the report;
- (10) a marketing/communication budget be established to publicise and promote the new enhanced service in the sum of £100,000 funded from the Invest to Save reserve (paragraph 1.7 refers).

***Referred to Cabinet**

SSE 18/12 ENVIRONMENTAL HEALTH PERFORMANCE 2017-18

Decision Notice D180049MEM

The operational activities of the Borough Council, in relation to its statutory Environmental Health functions, undertaken by the Environmental Protection and Food and Safety Teams for 2017/18 were summarised in the report of the Director of Planning, Housing and Environmental Health.

Service improvements related to the approach to air quality management and team procedures were also proposed for 2018/19 and these were set out in paragraph 1.4.1 of the report.

Members noted a minor correction to the recommendation set out at paragraph 1.8.1 as the dates referred to should read 2017/18 and 2018/19 respectively.

RECOMMENDED: That

- (1) the performance information related to activities associated with the food and safety and environmental protection functions in 2017/18 be noted; and
- (2) the service improvements for 2018/19, as detailed in paragraph 1.4.1 of the report, be endorsed.

MATTERS SUBMITTED FOR INFORMATION

SSE 18/13 WASTE AND STREET SCENE SERVICES UPDATE

The report of the Director of Street Scene, Leisure and Technical Services provided an update on the Christmas and New Year collection arrangements for 2018/19, which were noted by Members.

Advance notification to residents would be included in the recycling calendars, news releases and on bin hangers in the lead up to the Christmas period. Details would also be publicised on the Borough Council's website, social media and via the telephone message system.

SSE 18/14 CAPITAL PROGRAMME - POST IMPLEMENTATION REVIEWS

The report of the Director of Street Scene, Leisure and Technical Services brought forward Post Implementation Reviews for a number of completed capital schemes.

Full details of reviews related to East Peckham Flood Alleviation; Tonbridge Castle East Curtain Wall Footpath; Car Park Enhancement Programme – Phases 2-5 and Tonbridge Town Lock were set out in Annexes 1 – 4. Members noted that the projects were relatively historic.

SSE 18/15 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

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

PART 2 - PRIVATE

MATTERS FOR RECOMMENDATION TO THE CABINET

SSE 18/16 WASTE SERVICES CONTRACT RETENDER

(LGA 1972 – Sch. 12A Paragraphs 3 and 5 – Financial or business affairs of any particular person; and Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

The report of the Borough Council's Management Team presented the outcome of the tendering exercise for a new Waste Services Contract for refuse, recycling and street cleansing and recommended to Cabinet the award of the contract to the successful contractor. Members were reminded that the current Waste Services Contract expired at the end of February 2019 and was being retendered on a partnership basis with Tunbridge Wells Borough Council.

In addition, the report set out a number of service options and sought endorsement of the Inter Authority Agreement with Kent County Council.

After careful consideration of the options detailed in the report, Members recognised that the procurement of the new contract had been a major piece of work involving Officers from both Tonbridge and Malling and Tunbridge Wells Borough Councils. It was also recognised that the new contract offered opportunities for service improvements which had been requested by residents over a number of years. The introduction of the kerbside collection of plastics and glass would help improve the Borough Council's recycling rate. Members noted that a considerable amount of work was now required to ensure the successful mobilisation and implementation of the new arrangements. In addition, the significant contribution of officers in Financial, Legal and Waste Services was recognised and Members asked that their appreciation be recorded.

RECOMMENDED: That

- (1) the procurement process undertaken by Officers, as set out in the report, be endorsed;
- (2) the South West Kent Waste Partnership – Waste Services Contract 2019 be awarded to the successful contractor, as detailed in sub-section 1.5.20 of the report;
- (3) the future provision of bring sites include the ten locations outlined in the report (at paragraph 1.6.1 (ii)), with a review of bring sites to be reported to a future meeting of the Street Scene and Environment Services Advisory Board;

- (4) the existing service arrangements for the Saturday Bulky Household Waste and WEEE collections be retained (excluding garden waste), with a review of the arrangements to be reported to a future meeting of the Street Scene and Environment Services Advisory Board;
- (5) the high speed roads within the Borough continue to be cleansed 12 times a year with a review after 12 months of operation;
- (6) the proposed draft Inter Authority Agreement (included at Annex 6 to the report) be approved and authority delegated to the Directors of Street Scene, Leisure and Technical Services and Finance and Transformation to make any final amendments, in liaison with the Cabinet Members for Street Scene and Environment Services and Finance, Innovation and Property; and
- (7) regular updates on the arrangements for the contract be reported to future meetings of the Street Scene and Environment Services Advisory Board.

***Referred to Cabinet**

The meeting ended at 8.50 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

05 November 2018

Report of the Director of Street Scene, Leisure & Technical Services

Part 1- Public

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

1 WASTE SERVICES CONTRACT

Summary

This report updates Members on the implementation of the new Waste Services Contract. It seeks approval of detailed proposals relating to the new opt-in garden waste charge, and the mobilisation of the new improved services.

1.1 Background

1.1.1 At the last meeting of this Board Members considered two reports on the new Waste Services Contract and made a number of recommendations to both Cabinet and Council. The notable decisions taken at the meeting, which were subsequently endorsed by Cabinet/Council, can be summarised as follows:-

- the new Waste Services Contract for Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council be awarded to Urbaser Ltd from 1st March 2019;
- 10 existing strategically located bring sites be retained;
- the existing Saturday Bulky Household Waste & WEEE collections be retained (excluding garden waste);
- high speed roads continue to be cleansed 12 times a year;
- the proposed Inter Authority and Joint Working Agreements be approved with delegated authority granted to the Director of Street Scene, Leisure & Technical Services and Director of Finance & Transformation to make any final amendments in liaison with the appropriate Cabinet Members;
- the procurement of new containers be progressed, funded through the Capital Plan; and

- a marketing/communication budget be established, funded from the Invest to Save reserve.

1.1.2 In addition to the above, Members also approved a standard fee of £40 p.a. for the new opt-in garden waste charge with further details, including an 'early bird discount', reported to this meeting.

1.2 General Update

1.2.1 Following the last meeting of this Board, all of the tenderers were advised of the outcome of the procurement exercise with details shared on the evaluation scores for each tenderer. This, as is normal practice, resulted in a number of more detailed questions being asked by the unsuccessful tenderers, all of which were responded to as appropriate. No challenge to the award of contract was received during the standstill period, which is a set time within which the authority is not entitled by law to enter into the Contract to allow a potential challenge to be made. Arrangements are now underway to progress the formal award and signing of the contract with Urbaser.

1.2.2 Weekly meetings are taking place between Urbaser and the Officer teams from both local authorities to discuss the implementation of the contract, and separate meetings are also taking place with the contractor to focus on Information Technology and Communications. The meetings are very productive with good progress being made.

1.2.3 At the last meeting of this Board Members approved a draft Inter Authority Agreement. A number of minor changes were made to the Agreement by Officers from this Council and KCC, and the document has been finalised. The final copy of the document has been approved by the Cabinet Members for Street Scene & Environment and Finance, Innovation & Property and has been will be forwarded to KCC for signature.

1.2.4 At the last meeting of this Board Members agreed that the role of Contract Partnership Manager be undertaken in the first year of the new contract by this authority. I am pleased to advise Members that the role will be undertaken by the Street Scene Manager, who will be responsible for the administration of the contract and the production of an annual Service Plan on behalf of the two local authorities. The first annual Service Plan will be reported to a future meeting of this Board, with progress monitored on a regular basis by Members. The Partnership Manager will have additional responsibilities relating to the mobilisation of the new contract leading up to the contract start date on 1st March 2019.

1.3 Garden Waste Charges

1.3.1 At its meeting on 18th September 2018, Council agreed the new opt-in garden waste charge at the standard rate of £40 per year, with further detail on a reduced introductory charge considered at a future meeting of this Advisory Board.

1.3.2 I have attached at **Annex 1** a copy of the proposed terms and conditions for the chargeable garden waste collection service. Key aspects can be noted as follows:-

- garden waste will only be collected from properties subscribed to the service;
- subscribers will receive a brown 240 litre wheeled bin. The use of bins with different coloured lids was carefully considered but was not felt to be feasible due to the different range and style of bins already being used, and the limitations this approach would place on procurement options in the future. Smaller 140 litre bins can be requested for the same subscription fee;
- the subscription is due for renewal on the anniversary of the first collection and is payable annually in advance. Refunds will not be given once the annual subscription has been paid;
- additional garden waste bins can be ordered subject to a further subscription charge, with a maximum of three garden waste bins per property. The restriction to three bins as a maximum has been suggested by Urbaser based on previous experience. Where no limit is placed on the number of bins, commercial gardeners have taken advantage of this by trying to avoid their waste carrying duties by using the resident's bins. Urbaser has identified a particular local authority that recently experienced problems with landscapers ordering bins on behalf of residents so they could offer competitive rates as they did not have to factor in the disposal cost;
- those properties assessed as unsuitable for wheeled bin collections can subscribe for three 90 litre re-usable hessian bags for the same subscription rate;
- an assisted collected service is available to residents who meet the Council's assisted collection criteria;
- no additional garden side waste will be collected;
- residents will be able to share a bin with a neighbour, so long as one of them takes out a subscription; and
- no concessionary charge will be applied. This reflects that the charge is not mandatory, alternative options exist including home composting and the comparatively low level of full charge. No other local authority in Kent offer a concessionary charge and it is important to note that the Council needs to be able to cover the cost of the service levied by the contractor and the associated administration costs.

1.3.3 With regard to the introductory charge it is proposed that there will be an introductory offer for residents who sign up early, of only £35. The introductory offer will be made available over a three month period in advance of the start of

the new arrangements and for those who sign up during that period, this price will be held for the first two years. It is hoped this will encourage a good take up of the service. The exact timing of the introductory offer is currently being discussed with Urbaser and Members will be updated at the meeting.

1.3.4 A query was raised by the Member Group regarding whether a resident can put out green hessian bags in addition to their garden bin. Except in the case of properties deemed unsuitable for wheeled bins referred to above this will not be permitted under the new arrangements due primarily to the health and safety of the contractor's operatives and the inefficiencies of such an approach in operational terms. This is in line with the recommendations of the Health and Safety Executive (HSE) in relation to manual handling in refuse collection as follows:

- Wherever possible, refuse collection should be carried out using wheeled bins of appropriate sizes rather than bags or small dustbins.
- As Government policy is to increase the amount of waste recycled, schemes which encourage householders to separate recyclable waste will become more common. Where recycling collections are made by local authorities or their contractors, separate wheeled bins should be provided wherever possible.

1.3.5 In May 2012, the HSE undertook an inspection of waste collection including green waste, in Tonbridge and Malling. It was recognised that it could be difficult to remove the green waste from the bags and as a result of this a recommendation was made by the HSE to consider supplying an additional green waste wheeled bin to ease the problems associated with emptying bags. The HSE has also recommended that all reasonably practicable methods should be used to prevent the breathing of dusts and bio aerosols by adopting systems of work that minimise the amount of dust becoming airborne and working practices that minimise dust and bio aerosols being breathed in. Avoiding working methods which involve double tipping (decanting from bag to bin) are recommended.

1.3.6 Residents with larger gardens will therefore need to subscribe for an additional bin(s) and Members of the Board may wish to consider whether a discounted rate of say £25 p.a. for each additional bin would be appropriate. The option of a larger 360 litre garden bin has been explored but this will not be feasible due to the weight of the bins causing manual handling issues for the operatives and the likelihood that these bins would be damaged or snap off the bin lift mechanism on the vehicles. Crews manoeuvring these bins over uneven surfaces and down kerbs to the freighter would be at higher risk of injury. No other authorities in the UK offering 360 litre bins for garden waste have been identified.

1.4 Mobilisation Arrangements

1.4.1 Members will be aware from previous reports that the new contract will commence on 1st March 2019, with initial existing service arrangements remaining

unchanged. Within the Contract Conditions Urbaser are required to introduce the new service arrangements between July – November 2019.

- 1.4.2 Urbaser has brought forward a detailed implementation plan of the new recycling services which will commence from 30th September 2019 and will include the introduction of the opt-in garden waste service, the mixed dry recycling collections and the new food waste arrangements. The timing of this is linked to the peak demand for garden waste ending, freeing up vehicles and staff, and also enables sufficient time for the provision of testing of the new vehicles by Urbaser.
- 1.4.3 The new brown garden waste bins will be delivered to subscribers before the service starts on 30th September. The green lidded bins will have a sticker placed on the lid following the last collection of garden waste, to inform the residents that this receptacle is now to be used for recycling.
- 1.4.4 As previously reported to Members Urbaser has confirmed that it will also introduce kerbside collections of small items of WEEE and textiles, with communication on the new service arrangements and timescale closely co-ordinated with the Council.

1.5 Marketing/Communications

- 1.5.1 At the last meeting of this Board Members considered and endorsed a Strategic Communications Overview, which will provide a framework for a more detailed Operational Marketing Plan. The Marketing Plan is currently being developed in liaison with Urbaser's marketing consultant and will be shared with the Member Group prior to being reported to the next meeting of this Board for approval.
- 1.5.2 In the meantime a detailed set of Frequently Asked Questions has been developed in liaison with the Member Group and displayed on the Council's website. These will be updated on an ongoing basis. Presentations have been made to both Tonbridge Forum and the Parish Partnership Panel and a full programme of presentations to interested parties will be incorporated within the Marketing Plan. A joint press release with Tunbridge Wells Borough Council has been issued announcing the award of the contract. Urbaser will also be developing its own Communications Plan which will include vehicle livery, staff uniform, media releases, delivery of leaflets and the use of its website & social media outlets. Close liaison with Urbaser on all marketing initiatives will be maintained to ensure consistent messaging and to maximise the benefit from budgets.

1.6 Information Technology

- 1.6.1 A crucial element to the success of the new contract arrangements will be the use of new technology, both in regard to the flow of information between the contractor and the client authorities, and with residents, particularly regarding the subscription arrangements for the garden waste service.

- 1.6.2 Urbaser will be introducing a new single system, Whitespace Work Software, to streamline the services involved in the management of the contract. The software provides the contractor's Supervisors with the ability to manage their teams more efficiently, with crews able to access and update their workload through mobile devices. The software enables the allocation of work to the appropriate team, simplifies ad-hoc requests, provides real time communication, automatically generates round sheets and helps record and manage complaints. Officers from both the local authorities have attended an initial meeting with Urbaser and Whitespace, with ongoing meetings programmed for the future.
- 1.6.3 Over the next few months the IT arrangements will be developed and in particular the proposals for the garden waste subscription service will be determined. Options exist for this to be progressed by Urbaser on behalf of the local authorities, a joint approach with Tunbridge Wells Borough Council, or a standalone system for this Council. These arrangements will be reported in further detail to the February 2019 meeting of this Board.

1.7 Legal Implications

- 1.7.1 The Council has a legal duty to provide waste and street cleansing services. The new Waste Services Contract was undertaken in compliance with all current legislation, including Public Contract Regulations.
- 1.7.2 The introduction of the new service arrangements is considered to assist the Council in meeting its requirements under the Waste (England & Wales) Regulations 2011, which are to provide separate collections where necessary to achieve high quality recycling.
- 1.7.3 As part of their tender submission Urbaser stated that they intend to use the Council's existing Vale Rise depot (shown at **Annex 2**) in order to facilitate the service. This will require the granting of a new lease on the following terms:
- Term – 16 years (in line with the contract), with a Landlord's break option at 8 years
 - Rent - £1 p.a.
 - The lease will be 'Contracted Out' of the Landlord and Tenant Act 1954 to ensure the Tenant does not obtain security of tenure at the end of the term
 - The Tenant to be responsible for repair and maintenance of the premises

1.8 Financial and Value for Money Considerations

- 1.8.1 At the last meeting of this Board Members received a detailed financial appraisal of the new Waste Services Contract, and the financial implications will be reflected in the revenue budgets reported to the Finance, Innovation & Property Advisory Board later this financial year.

1.8.2 The annual gross level of income for the opt-in garden waste service is forecast to be £550,000, which is based on a take up rate of 30%. The Council's Capital Plan will incorporate £600,000 to reflect the need to purchase new garden waste bins and internal and external food caddies. A revenue budget of £100,000 has been approved by Council to fulfil the Operational Marketing Plan, funded in full from the Invest to Save earmarked Reserve. Furthermore a one off payment will be required for IT systems in order to incorporate payment facilities for garden waste charges. This is still under investigation with the Councils IT suppliers and will be reported at the meeting.

1.9 Risk Assessment

1.9.1 A Project Steering Group has been established by this Council, Tunbridge Wells Borough Council and Kent County Council to oversee the implementation and ongoing management of the Waste Services Contract.

1.9.2 This authority is represented on the Group by the Head of Street Scene & Leisure. The Contract Partnership Manager reports regularly to the Steering Group on progress and any key issues are addressed.

1.9.3 Weekly meetings are being undertaken with Urbaser to ensure good levels of communication are maintained, and the Operational Marketing Plan will ensure residents are kept fully informed and encouraged to embrace the new service arrangements.

1.9.4 A significant amount of information will be shared between the Council and contractor. It is essential that all requirements of the General Data Protection Regulations are met and these are fully outlined in the Contract Conditions. In addition, and in line with good practice, a Data Protection Impact Assessment will be undertaken to screen for areas of risk, with appropriate measures actioned to address any concerns raised.

1.10 Equality Impact Assessment

1.10.1 A full Equality Impact Assessment (EQIA) was reported to the last meeting of this Board.

1.11 Policy Considerations

1.11.1 Communications

1.11.2 Community

1.11.3 Customer Contact

1.11.4 Procurement

1.12 Recommendations

1.12.1 It is **RECOMMENDED to CABINET** that:-

- i) the actions taken by the Directors of Street Scene Leisure & Technical Services and Finance & Transformation in liaison with the Cabinet Members for Street Scene & Environment and Finance, Innovation & Property to approve the final Inter Authority Agreement be noted;
- ii) the detailed terms and conditions and early bird discount proposed for the garden waste charges be approved, as outlined in the report;
- iii) a discounted subscription rate of £25 per annum for each additional garden waste bin be approved;
- iv) the mobilisation arrangements for the new service arrangements as outlined in the report be agreed;
- v) an Operational Marketing Plan be reported to the next meeting of this Board following initial consideration by the Waste Contract Member Group; and
- vi) a Data Protection Impact Assessment be undertaken with any resultant actions implemented;
- vii) a lease of the Vale Rise depot to be granted as per the terms outlined in the report.

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: Darren Lanes

Nil

Robert Styles

Director of Street Scene, Leisure & Technical Services

Tonbridge & Malling Borough Council Chargeable Garden Waste Collection Service: Terms & Conditions

1. Garden waste will be collected once each fortnight on the allocated collection day. The service covers 12 months' collections. The service may be suspended over the Christmas and New Year period (we now collect on all other bank holidays) and in exceptional circumstances such as bad weather. Prior notification will be provided where circumstances permit.

2. We will only collect garden waste from properties subscribed to the service and from containers issued by Tonbridge & Malling Borough Council (TMBC), and subscription payments must be up to date.

3. Subscribers to the service will receive a brown 240 litre wheeled bin for the collection of garden waste. Wheeled bins remain the property of the Council. The resident is responsible for maintaining the condition of the bin. If the bin becomes faulty it is the responsibility of the resident to report the fault to the Council promptly.

4. The subscription is due for renewal on the anniversary of the first collection.

5. Up to three additional garden waste bins can be ordered for at a discounted rate.

6. The Council reserves the right to assess applications to determine whether or not premises and properties are suitable for the service. If a property has wheeled bins for residual and recycling collections it will be deemed suitable for a wheeled bin for garden waste unless:

- there is no space to put the additional wheeled bin, for example, there is a place at the front of the property but it will cause an unacceptable obstruction to access or egress from the premises to the highway
- there is suitable storage at the rear of the property but there is no way of wheeling the bin to the point for collection, for example, the only access is through the house; or
- there is no access and/or there will be an unacceptable obstruction on the highway

7. Those properties assessed as unsuitable for wheeled bin collections and receive 'sack' collections, can subscribe to the service and receive three green 90 litre re-usable hessian sacks for the storage and presentation of garden waste. This gives a capacity of up to 270L per collection. The garden sack collection will be charged at the same rate as a wheeled bin subscription.

8. A 140L garden waste bin will be available, however it will be charged at the same subscription charge as a 240L. This will only be offered where the resident

has a very small garden (and/or already have 140L bins for refuse & recycling). The resident must be aware they cannot present additional garden side waste and once the 140L bin is delivered we cannot swap it for a larger bin within the subscription year.

9. A charge for the service is payable annually in advance. The Council reserves the right to vary the collection charge, usually on an annual basis. Non-payment will result in suspension of the service. Containers will be reclaimed from any customers who fail to pay for the service. If the container is not recoverable for any reason, customers will be invoiced for the cost of the container plus an administration fee.

10. All garden waste bins or bags must be presented at the boundary of the resident's property, nearest to where the collection vehicles pass, by 7.00am on the morning of collection. Missed collections must be reported within one working day of when the collection was due, and we shall return and collect it.

11. If the container/s are not presented when the crew arrive for collection, they will not return until your next collection is due. No refunds will be issued in these circumstances.

12. An assisted collection service is available to residents who meet the Councils' assisted collection criteria.

13. Only compostable garden waste must be placed in the bin/sacks (grass cuttings, prunings, flowers, plants and weeds). All material must be placed loose in the container/s and should not be compacted in any way. Garden waste does not include soil, stones or rubble, noxious weeds such as Japanese knotweed, ragwort or giant hogweed, plastic flower pots trays or bags, wood that has been treated or painted, vacuum dust, fire cinders or sawdust, food or kitchen waste including peelings, cat or dog faeces, pet litter or bedding, or cardboard. No plastic of any kind may be put in the bin/sacks. Any such items will be treated as contamination.

14. Contaminated containers will not be emptied. They will not be emptied until the next collection is due and only if the contamination has been removed. It is the responsibility of the resident to sort the contents of the bin/ bags and remove contamination. No refunds will be issued in these circumstances.

15. Bins or bags that are considered to be too heavy for safe handling and emptying will not be emptied. They will not be emptied until the next collection is due providing the weight of the bin/bags is reduced. It is the responsibility of the resident to sort the contents of the bin/bags and reduce weight. No refunds will be issued in these circumstances.

16. No additional garden side waste will be collected, we will only empty the subscribed containers. We will not empty or clear any additional green waste placed in unauthorised containers. If you subscribe to the bin service, you will not be able to present for collection any hessian sacks (that you may have used before the start of the subscription service) in addition to the bin. The bin lid should be closed for safety reasons as raised lids may become caught in the collection vehicle's lifting

mechanism. If you have subscribed for a re-usable bag collection, you can only present up to the three subscribed Council bags per collection per subscription

17. Residents participating in the scheme may transfer the service to a new address within the borough should they move property, provided the recycling and waste team at the Council is notified of the change of address. If you move out of the borough you must notify the recycling and waste team and ensure that the garden bin is accessible for removal. Refunds are not available for withdrawing from the scheme part way through the subscription year.

18. Residents wishing to share a bin must register the bin to one property, from which the collection will be made, and pay for one subscription.

19. We will replace any bin that is damaged whilst being emptied, except where damage is a result of prohibited waste being placed in the container by the resident.

20. Any bins that become faulty through fair wear and tear will be repaired or replaced free of charge.

21. Residents will be responsible for the cost of replacing any bins that are damaged as a result of their actions.

22. We will replace the first bin reported as lost or stolen free of charge, (we may require a police reference number), but may make a charge for the replacement of a further lost or stolen bin. Lost re-usable garden bags must be reported and the Council will replace them free of charge. If multiple reports of lost bags are linked to one particular address the Council reserves the right to charge for replacements.

23. This service is available for residents of domestic properties only. Housing Associations and private management companies, where they maintain communal gardens, must make their own arrangements for the collection and disposal of garden waste, as this would be classed as commercial waste. The only exception to this would be where the residents as a group manage their own buildings/grounds.

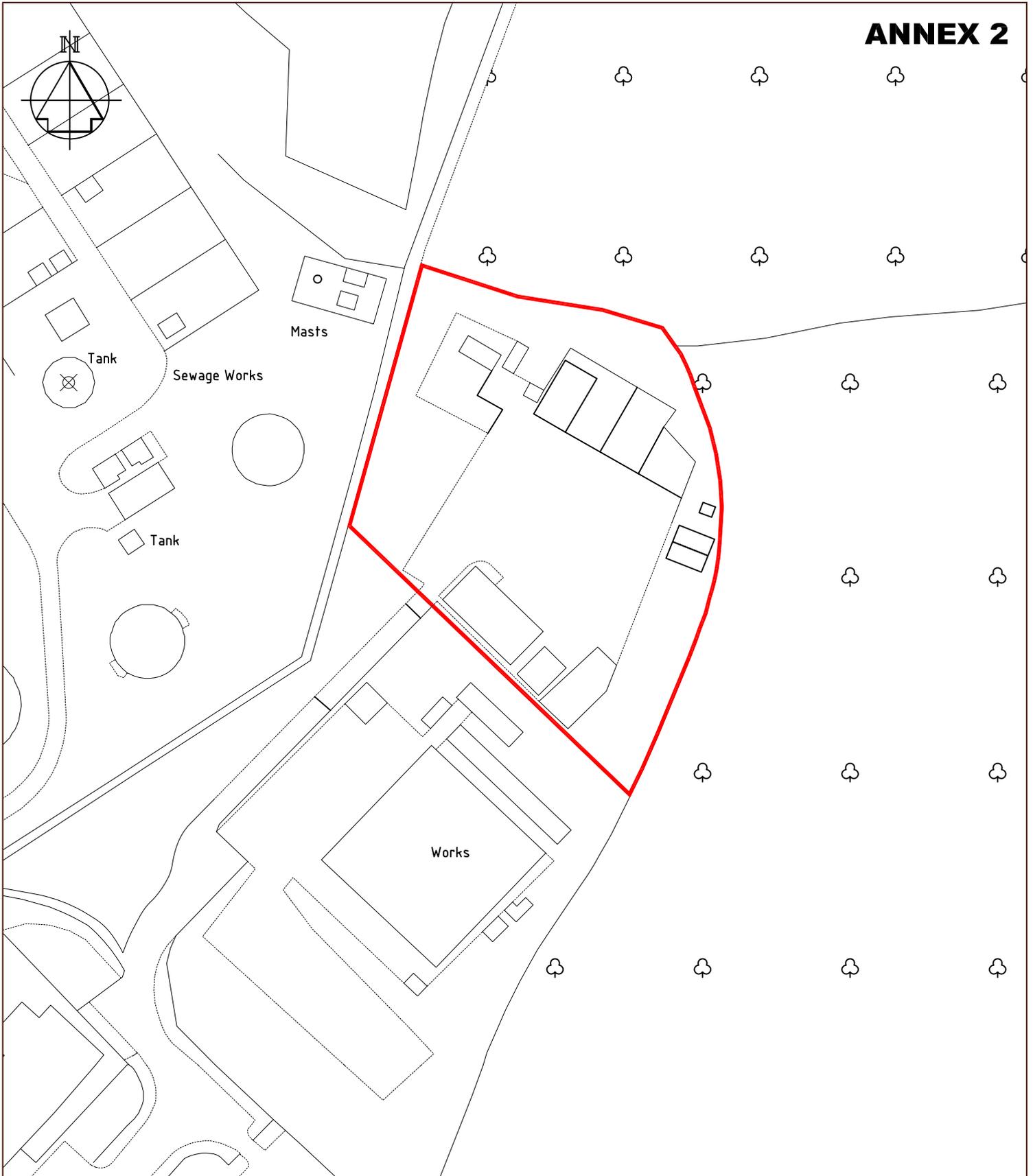
24. Prices will be reviewed annually in line with the Councils Fees & Charges Report.

25. We reserve the right to vary the service by giving customers advanced notice in writing.

26. Nothing herein contained is intended to affect, nor will it affect, a customer's statutory rights.

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ANNEX 2



PROPERTY SERVICES

ANNEX 2

Lease Plan
Vale Rise Depot
Tonbridge
Page 27

REVISIONS

Rev	Date	Description

Date OCT2018

Scale NTS

Drawing No. PR/2637/1	Rev
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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

05 November 2018

Report of the Director of Street Scene, Leisure & Technical Services

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 CHERRY ORCHARD/BRAMPTON FIELD, DITTON

Summary

This report recommends the removal of a row of conifer trees on Council owned land between Cherry Orchard and the houses in Brampton Field, Ditton.

1.1 Introduction

1.1.1 The Council has recently received a letter from a resident of Brampton Field raising concerns over the row of conifers located to the rear of their property. The resident highlights a number of issues including branches hitting their property, concern the trees may fail and fall, falling debris blocking gutters, falling dead branches, pollen from the trees and lack of light due to their excess height. The resident requested that the trees be trimmed and topped. The resident has also sought guidance from the Government website in relation to the High Hedges legislation highlighting that the trees conform to all the requirements for action as shown below:

- Two or more mostly trees or shrubs.
- Over two meters tall
- Affecting your enjoyment of your home or garden because it's too tall

1.1.2 It has been confirmed that the trees are located on a public open space between Cherry Orchard Road and Brampton Field, Ditton in the Council's ownership and responsibility for the trees is therefore this Council's. A location map is attached at **Annex 1**.

1.2 Outcome of Investigations

1.2.1 The trees have been viewed by Council Officers and photographs of the trees are attached at **Annex 2**. The trees exceed the height of the adjacent houses and run along the boundaries of 10 properties in Brampton Fields. On average the trunks of the trees are located 6/7 metres away from the houses, and one resident's

property is within 3/4 metres of the trunk of the trees. The trees are immediately adjacent to all property boundaries.

- 1.2.2 The Council has sought the views of an external specialist tree contractor on both the current condition and future management options for the trees. The contractor has advised that the maximum growth that could be cut from the top of the trees is 3 metres, due to the species and current condition. An estimated cost of £5,600 has been given for this work. The contractor has, however, advised that a reduction of this height is highly unlikely to solve the complaints issue from the houses to the rear of the trees, neither will it address the dead and dying material within the hedge or the potential for failure. The trees are still growing fast, are beginning to fall apart and have dieback (*Serotinia* fungus). Dieback will result in the continual decline of the line of trees, leading to dead branches and branch/stem failure. Severe weather (heavy snow or rain and winds) will increasingly bring the potential for failure as the tree height continues to increase. The option to fell and stump grind the trees is estimated at around £17,000.
- 1.2.3 In assessing the best way forward consideration also needs to be given to the High Hedges legislation. The Head of Planning has assessed the trees against this legislation and offered the following comments.... *“Having reviewed this matter it seems likely that in the event of a High Hedges application the Council would be serving a notice to require the hedge to be reduced to a height of around 3m. In that case, what you would really be left with given the condition of the hedge are the stumps meaning that from a visual amenity perspective the removal would be the preferred option (although such a notice wouldn’t require wholesale removal as it wouldn’t take appearance into account).”*

1.3 Proposed Way Forward

- 1.3.1 Taking all factors into consideration, it is proposed that the trees be felled and stumps ground out. Whilst the estimated cost of the works is £17,000, it is also suggested that some replacement trees are planted on the public open space. These replacement trees will be of a more suitable species, be fewer in number and be located further from the boundary of the fence. The replacement trees would be of a more mature nature (standards or heavy standards) with an estimated cost for purchase and planting of £3,000. An overall budget of £20,000 is therefore required for all the works to be completed.

1.4 Local Views

- 1.4.1 It is worthy of note that this issue has been raised with the Council previously and at that time generated significant local interest. In particular, residents of Cherry Orchard were against any potential removal of the trees as these currently provide a visual screen between Cherry Orchard and the houses in Brampton Field.
- 1.4.2 The local Members have been consulted and a response has been received from Councillor Cannon. A summary of the response is as follows:-

"I am very glad to hear that these trees are being removed and are to be replaced with more suitable trees that are more sensibly spaced. I am aware that there has been differing views with some residents wanting them to remain and others removed, but these trees are seriously impacting the quality of life of residents in Brampton and also present a danger if not dealt with. I support this recommendation and I feel it will greatly enhance the area and the quality of life of local residents, improving access to light and discouraging fly tipping".

- 1.4.3 Councillor Cannon also suggested that semi-mature trees be used as replacements so local residents do not have to wait too long for them to be established. This is accepted as a sensible approach and it is proposed that local Members be involved in the selection and positioning of the replacement trees.

1.5 Legal Implications

- 1.5.1 The row of conifers are on Council owned land and are therefore the responsibility of this authority. High Hedges legislation has been considered in identifying the most appropriate way forward.

1.6 Financial and Value for Money Considerations

- 1.6.1 The estimated cost of the proposed works is £20,000 and at present there is no identified budget to meet this expenditure. It is apparent from the views of the specialist tree contractor that the works need to be progressed in advance of the winter season and if Members are in agreement to the proposed way forward an order for the removal needs to be placed immediately after this meeting. Following liaison with the Director of Finance & Transformation, in order to secure the required budget it is necessary to invoke urgency proceedings in accordance with Financial Rules 15.1 and 15.2. If Members are minded to support this approach approval will be sought by the Chief Executive from the Leader and Chairman of Overview & Scrutiny Committee in liaison with the Director of Finance & Transformation. The Chief Executive will then report approval and the circumstances that made it necessary to the Executive and the Overview & Scrutiny Committee. The Executive will recommend approval to Full Council of a supplementary estimate.

1.7 Risk Assessment

- 1.7.1 If the works are not progressed as soon as is practicable there is a clear risk that damage could be caused to the houses in Brampton Walk and the quality of life for the residents will worsen. The evidence provided by the specialist tree contractor of dieback identifies the need for immediate action to be taken by this Council.

1.8 Equality Impact Assessment

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

1.9 Policy Considerations

1.9.1 Asset Management

1.9.2 Community

1.9.3 Customer Contact

1.9.4 Health and Safety

1.10 Recommendations

1.10.1 It is **RECOMMENDED to CABINET** that:-

- i) the existing row of conifers on Council owned land between Cherry Orchard and Brampton Field be removed as soon as is practicable;
- ii) suitable replacement trees be planted on the Council's open space, in liaison with the local Members; and
- iii) urgency proceedings be invoked to secure the required budget to progress the works, in accordance with Financial Rules 15.1 and 15.2, with reports from the Chief Executive submitted to future meetings of the Executive and the Overview & Scrutiny Committee.

Background papers:

contact: Darren Lanes

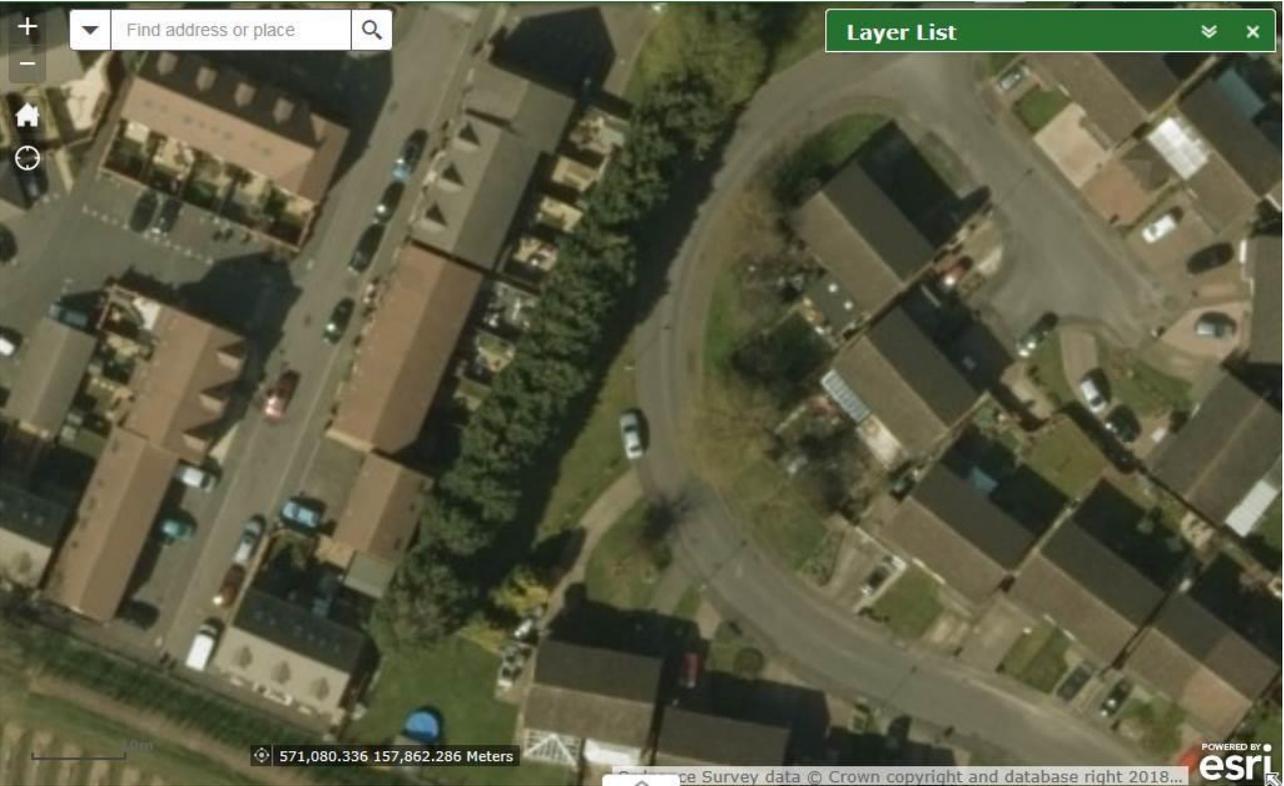
Nil

Robert Styles

Director of Street Scene, Leisure & Technical Services



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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

05 November 2018

Joint Report of the Director of Street Scene, Leisure & Technical Services,
Director of Central Services 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, private water supplies and the Council’s car parks from 1st April 2019.

1.1 Introduction

1.1.1 In bringing forward the charging proposals for 2019/20 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 2019/20 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 this 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 concessionary charge for those receiving Council Tax Support. This new arrangement has been successful 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.
- 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 Council’s to recover the associated collection costs together with reasonable administration costs.
- 1.2.4 The current fee structure of our neighbouring authorities (2018/19) is outlined below, with each authority having different arrangements in place.

Maidstone B.C.	Sevenoaks D.C.	Tun. Wells B.C.
5 - 8 items, £35 Fridge Freezer, £20	1 item - £18 2 items - £29 3 to 4 items - £39 5 to 10 items £51 White goods - £18 each	£38.40 for two “medium” Items
No Concessions	No Concessions	1 free collection per month.

1.2.5 It is proposed to increase the existing full and concessionary prices to take into account inflation and the costings included by the successful tenderer in the new Waste and Recycling contract. This includes an increase to £15 for those receiving Council Tax Reduction. This is the first increase since April 2016 and still reflects excellent value for money.

Service	Current Full Charge	Proposed Full Charge 2019/20	Current Concession Charge	Proposed Concession Charge 2019/20	Est. Income 2018/19
Household Bulky Refuse Collection (up to six items)	£52.00	£54.00	£10.00	£15.00	£86,700
Separate item Fridge/ Freezer Collection	£26.00	£32.00	£10.00	£15.00	

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. 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.

1.3.3 It is proposed to increase this charge to £19.00 in April 2019.

Service	Current Charge	Proposed Charge 2019/20	Income Full Year 2019/20
“Missed” Refuse Collection Charge	£18.00	£19.00	£600

1.4 Provision of waste containers for new housing department

- 1.4.1 During consideration of the new waste and recycling contract it has become apparent that a number of local authorities require developers and management agents to fund the provision of waste and recycling containers for new housing developments. This is currently the approach at both Maidstone and Tunbridge Wells Borough Councils.
- 1.4.2 Due to the workload associated with the implementation of the new contract it has not been possible to fully investigate this option in time for this meeting, but it is suggested that it is reported for Member consideration to a future meeting of this Board.

1.5 Stray Dog Redemption fee

- 1.5.1 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.
- 1.5.2 Where a dog is taken to kennels we charge the owner for the other reasonable expenses, associated with the costs of providing the Dog Warden contract and admin costs. This is presently set at £63. The total fee charged by the Council is therefore £88. It is proposed that the contract & administration fee be increased to £65 with no formal waiver or discount, but the Council 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 2019/20	Income Full Year 2019/20 (assuming consistent 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	£88 (including statutory fee, but not including daily kennelling costs).	£90 (including statutory fee, but not including daily kennelling costs).	£6,500
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1.5.3 The proposed total charge of £90 is still within the range of those of neighbouring Councils as shown below (2018/19 prices for illustration*):

Maidstone B.C.	Sevenoaks D.C. (*2017/18)	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

1.5.4 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 no charge is proposed.

1.6 Pest Control

1.6.1 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.

1.6.2 The pest control service is delivered 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.

1.6.3 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 an alternative pest control company.

1.6.4 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 the current arrangement. The existing contract is due to be extended for a further 12

months until November 2019.

1.7 Condemned Food Certificates

1.7.1 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.

1.7.2 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 2019/20	Income Full Year 2019/20
For each Condemned Food Certificate issued	£145 for first hour plus £145 for each additional hour plus VAT	£150 for first hour plus £150 for each additional hour plus VAT	£150

1.8 Exported Food Certificates

1.8.1 This is a service provided by the Council for food exporters who export food outside the European Union. In this instance, Authorised Officers from 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.

1.8.2 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.

1.8.3 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 £87.50.

1.8.4 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 2019/20
For each Exported Food Certificate issued	£55 plus VAT per certificate	£60 plus VAT per certificate.	£1150

1.9 Contaminated Land

- 1.9.1 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.
- 1.9.2 The Environmental Protection Team provides a contaminated land information service or assessment of risk for which it currently makes a charge of £60 per hour in responding to these requests for information.
- 1.9.3 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.
- 1.9.4 The fee has been derived based upon comparison with other Kent local authorities. For example Gravesham charge £67 per hour while Maidstone and Tunbridge wells currently charge £25 per hour. Some Authorities such as Folkestone & Hythe and Thanet charge flat rates of £150 and £80 respectively. There is no maximum fee under the legislation.
- 1.9.5 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 2019/20	Income Full Year 2019/20
Responding to requests for information relating to contaminated land	£60.00 per hour (1 hour minimum charge)	£65.00 per hour (1 hour minimum charge)	£2,000

1.10 Private Water Supplies

- 1.10.1 The Private Water Supplies Regulations 2009 introduced a statutory and more onerous regime for the risk assessment and sampling of private water supplies.
- 1.10.2 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.
- 1.10.3 We have reviewed the cost of providing this service and propose to apply a small increase to £60 per hour, plus the cost of sample analysis.

- 1.10.4 The fee has been derived based upon comparison with other Kent local authorities. Medway charge £50 per hour Folkestone and Hythe Charge £55. Dover charge a flat fee of £100 for sampling and £500 for a risk assessment, with sample analysis costs on top. These charges are no longer subject to a maximum limit by virtue of the Private Water Supplies (England) (Amendment) Regulations 2018. However there is an expectation that charges should only cover costs incurred.
- 1.10.5 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 2019/20	Income Full Year 2019/20
Carrying out sampling and risk assessment of private water supplies	£55.00 per hour (1 hour minimum charge) plus VAT	£60.00 per hour (1 hour minimum charge) plus VAT	£750

1.11 Car Parking

- 1.11.1 A comprehensive review of parking charges was undertaken at the start of 2018, which resulted in a number of changes and new charges coming into effect in April 2018. We have reviewed the level of our current charges against the prevailing picture in nearby areas and generally against the current economic climate and have come to the conclusion that no further charges are currently appropriate.
- 1.11.2 It is proposed that no changes are made to parking charges this year and that these should be reviewed again in 12 months' time.

1.12 Legal Implications

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

1.13 Financial and Value for Money Considerations

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

1.14 Risk Assessment

- 1.14.1 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

1.15 Equality Impact Assessment

1.15.1 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.

1.16 Recommendations

1.16.1 It is **RECOMMENDED to CABINET** that:-

- i) 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 as detailed in the report be approved;
- ii) no changes are made to the Council’s existing car parking charges;
- iii) the new charges be implemented from 1st April 2019;
- iv) the option for new waste and recycling bins/containers for new housing developments to be funded by developers be investigated further, with a report to a future meeting of this Board.

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

Background papers:

Nil

contact: Darren Lanes
Linda Hibbs

Robert Styles
Director of Street Scene, Leisure and Technical Services

Sharon Shelton
Director of Finance & Transformation

Adrian Stanfield
Director of Central Services

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

05 November 2018

Report of the Director of Street Scene, Leisure & Technical Services

Part 1- Public

Matters for Information

1 CAPITAL PROGRAMME: POST IMPLEMENTATION REVIEW

This report brings forward a Post Implementation Review for Phases 6 and 7 of the Car Park Enhancement Programme.

1.1 Background

1.1.1 The Council's Capital Strategy provides for the reporting of Post Implementation Reviews to demonstrate the effectiveness of capital expenditure. A system for monitoring Post Implementation Reviews has been long established with reports on Capital Projects being reported to the most appropriate Board.

1.2 Post Implementation Reviews

1.2.1 All Capital Plan Schemes are subject to Post Implementation Reviews after completion. These reviews provide the opportunity to assess the success of each project against identified targets. Post Implementation Reviews are submitted to this Board for approval, in accordance with the Capital Strategy and are presented in accordance with the template agreed by the Finance, Innovation and Property Advisory Board.

1.2.2 The Post Implementation Review that has been brought forward for approval is fully detailed at **Annex 1**.

1.3 Legal Implications

1.3.1 Considered within the development and implementation of each individual scheme.

1.4 Financial and Value for Money Considerations

1.4.1 As shown at **Annex 1**.

1.5 Risk Assessment

1.5.1 All risks identified within the evaluation procedure and any difficulties highlighted through the attached Post Implementation Review.

1.6 Policy Considerations

1.6.1 Asset Management

1.6.2 Business Continuity/Resilience

1.6.3 Community

1.6.4 Health and Safety

1.6.5 Procurement

Background papers:

contact: Andy Edwards

Nil

Robert Styles

Director of Street Scene, Leisure & Technical Services

ANNEX 1

Capital Plan Post Implementation Review	
Service:	Street Scene, Leisure and Technical Services
Scheme Title:	Car Park Enhancement Programme – Phase 6 & 7
Scheme Description:	Phased programme of car parking measures approved by the Joint Transportation Board to progress the Council's Parking Action Plan.
Evaluation:	Finance & Property Advisory Board 3 Jan 2007
Capital Plan Year(s)	2007/08
Approved budget	£50,000 (£25,000 for each phase)
National Priorities	None
Local Priorities	4b ~ Improve the safety, convenience and environmental impact of transportation in the Borough. 4c ~ Ensure parking is regulated to meet the needs of drivers, visitors and residents.
Targets for judging success:	Successful implementation of all actions identified in the Parking Action Plan – Phases 6 & 7.
Completion date (work completed):	Phase 6 – July 2016 Phase 7 – September 2016
Completion date (final payment):	Phase 6 – July 2016 Phase 7 – October 2016
Projected date for post implementation review:	12 months after final payment
Final cost:	£63,000
Performance against National and Local Priorities and Targets:	The works were completed in line with Local Priorities/Targets
Budget performance / Value for money:	Phase 6 budget was reviewed as part of the Capital Plan Review 2010/11 and was increased to £38k, resulting in a total revised budget of £63,000. The projects were completed within the revised budget.
Other performance / procurement issues:	None
Ongoing / Outstanding issues:	None

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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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