

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

22 October 2019

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 Wednesday, 30th October, 2019 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

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| 1. | Apologies for absence | 5 - 6 |
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3. Minutes 9 - 12

To confirm as a correct record the Notes of the meeting of the Street Scene and Environment Services Advisory Board held on 3 September 2019

Matters for recommendation to the Cabinet

4. Waste Services Contract 13 - 22

The report provides an update on the new Waste Services Contract which started on 1 March 2019, with the new and improved recycling services introduced on 30 September 2019. The report also brings forward proposals for the Christmas collection arrangements.

5. Review of Car Parking Fees and Charges 23 - 50

The report brings forward recommendations for existing car parking fees and charges for implementation from 1 April 2020. The report also seeks approval for the introduction of charges in a number of the Council's smaller car parks, highlights a review of initiatives to improve digital access for customers, highlights the intention to introduce electric charging points and confirms concessionary parking arrangements for the Blood Transfusion Service and Breast Screening Unit in Tonbridge.

6. Provision of Public Conveniences 51 - 60

The report provides an update on the implementation of the approved way forward regarding the provision of the Council's existing public conveniences.

7. Review of Fees and Charges 61 - 70

The joint report sets out the proposed fees and charges for the provision of services in respect of household bulky refuse and fridge/freezer collections, "missed" refuse collections, stray dog redemption fees, pest control, food certificates, contaminated land monitoring and private water supplies from 1 April 2020.

8. Provision and Operation of Bus Shelters 71 - 74

The report brings forward a proposed new and improved Agreement for the provision and operation of bus shelters.

9. Urgent Items 75 - 76

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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10. Exclusion of Press and Public 77 - 78

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

PART 2 - PRIVATE

11. Urgent Items 79 - 80

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 Mrs S Bell (Vice-Chairman)

Cllr G C Bridge
Cllr D J Cooper
Cllr D A S Davis
Cllr S M Hammond
Cllr M A J Hood
Cllr F A Hoskins
Cllr A P J Keeley

Cllr D Keers
Cllr A Kennedy
Cllr Mrs C B Langridge
Cllr R V Roud
Cllr J L Sergison
Cllr T B Shaw
Cllr Miss G E Thomas

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, 3rd September, 2019

Present: Cllr M O Davis (Chairman), Cllr Mrs S Bell (Vice-Chairman), Cllr G C Bridge, Cllr D J Cooper, Cllr M A J Hood, Cllr F A Hoskins, Cllr A P J Keeley, Cllr Mrs C B Langridge, Cllr J L Sergison, Cllr T B Shaw and Cllr Miss G E Thomas

Mrs P A Bates, R P Betts, V M C Branson, A E Clark, N J Heslop, P M Hickmott, B J Luker and H S Rogers were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors D A S Davis, D Keers and R V Roud

PART 1 - PUBLIC

SSE 19/16 DECLARATIONS OF INTEREST

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

SSE 19/17 MINUTES

RESOLVED: That the notes of the meeting of the Street Scene and Environment Services Advisory Board held on 11 June 2019 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

SSE 19/18 CLIMATE CHANGE STRATEGY

Decision Notice D190061MEM

The report of the Management Team gave details of the motion on climate change approved by the Council on 9 July 2019 and set out an approach to addressing the issues involved and bringing forward a Draft Climate Change Strategy by May 2020.

Members were invited to contribute to the shaping of the strategy by sending initial thoughts and comments to the Scrutiny and Partnerships Manager. It was noted that, following approval of the draft by the Council, there would be a period of public consultation to inform the final strategy. In the meantime it was agreed that all reports should include a section on assessment of climate change impact.

RECOMMENDED: That the timescale for delivery of the Draft Climate Change Strategy, as set out in the report, be endorsed.

SSE 19/19 WASTE SERVICES CONTRACT

Decision Notice D190062MEM

The report of the Director of Street Scene, Leisure and Technical Services provided an update on the new Waste Services Contract which started on 1 March, including the improved recycling services due to commence on 30 September 2019. Details were given of key contractor performance indicators, the uptake of the opt-in garden waste service and arrangements for marketing and communication with residents on the new service. Reference was also made to the proposed timeframe for the implementation of the revised bring bank sites and arrangements for communal bins. Members' assistance was sought in disseminating information to their residents.

RECOMMENDED: That

- (1) progress made in the implementation of the new waste contract be noted;
- (2) a further update on the mobilisation of the new service arrangements be presented at the next meeting of the Advisory Board on 30 October 2019;
- (3) the proposed approach to the roll-out of communal bins be approved; and
- (4) the proposed timeframe for the implementation of the revised bring bank site arrangements be approved.

MATTERS SUBMITTED FOR INFORMATION

SSE 19/20 FORMER JOCO PIT - LANDFILL GAS INVESTIGATION

The report of the Director of Planning, Housing and Environmental Health provided an update on the outcomes of the detailed landfill gas investigation at the former Joco Pits site in Borough Green. Since the gas risk for the majority of the site had been confirmed as "very low" to "low", it was concluded that it did not need to be classed as a "special site" under Part 2A of the Environmental Protection Act 1990 although monitoring would be maintained on a quarterly basis. The report highlighted lessons that would be applied to future investigations on other sites. It was confirmed that the relevant pages on the Council's website would be updated accordingly.

SSE 19/21 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.35 pm

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

30 October 2019

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 new Waste Services Contract which started on 1st March 2019, with the new and improved recycling services introduced on 30th September 2019. The report also brings forward proposals for the Christmas collection arrangements.

1.1 Background

1.1.1 The Council's Waste Services Contract was tendered in partnership with Tunbridge Wells Borough Council. Urbaser was appointed as the successful contractor by Cabinet on the advice of this Board, and commenced the delivery of the new contract on 1st March 2019.

In summary:-

- the contract covers the collection of household refuse and the cleansing of streets across the boroughs of Tonbridge & Malling and Tunbridge Wells [in Tonbridge and Malling this involves circa 54,500 households];
- between 1st March – 29th September 2019 the contract matched the service delivery arrangements in the previous contract;
- on the 30th September 2019 the new improved household recycling collection service was introduced, including weekly food waste, plastic bottles, trays, pots and tubs, glass, bottles and jars, paper and card/cardboard, tins and cans, household batteries, small electrical appliances and textiles;
- the new Service includes the change to an opt-in Garden Waste Service for which there is a separate annual charge.

1.1.2 A separate Member Group has been established by this Council to help oversee the implementation of the new contract, and at the June meeting of this

Board Member representation on the Group was agreed. The Group met in August and its next meeting will focus on an assessment of the new Service arrangements, the revised bring bank site arrangements and future marketing and communication to residents.

1.2 Contractor Performance

- 1.2.1 The new Service arrangements were implemented on 30th September 2019 in accordance with the phased approach previously agreed by this Board.
- 1.2.2 At the time of writing this report the new Service has just entered its second full cycle of collections, with one cycle taking two full weeks. Liaison is being undertaken on a daily basis with our contractor Urbaser to assess current performance, identify issues and implement actions to resolve them.
- 1.2.3 The first two weeks of operation have clearly been challenging. Whilst this was to be expected, following the first cycle of collections it is clear that the roll-out has been successful for the vast majority of residents and this has been noted in a number of tweets, emails and feedback from local Members and Parish/Town Councils. It is also clear that given initial informal feedback on tonnages, residents are fully engaging with the new opportunities to recycle their waste kerbside.
- 1.2.4 It should be noted, however, that for some residents the roll-out has not delivered the services expected, particularly around issues with non-completion of rounds and missed collections. A number of factors have contributed to these issues including crew familiarisation with new rounds, increased waste tonnages and longer than normal tipping times at the disposal sites. In response to these issues Urbaser has deployed additional crews and vehicles to progress non-completed rounds the following day, and 'mop up' crews are in place to complete other missed collections. This has also included additional weekend working. The Council has been working with Urbaser to address the root cause of any issue.
- 1.2.5 With regard to crew familiarisation this will improve with time, and 'hot spot' areas have been drawn up and are being monitored by staff from both Urbaser and the Borough Council. This should reduce the opportunity for repeated missed collections. Increased tonnages of recyclate is also being reported by Urbaser and, whilst this is positive in regard to residents engaging with the new services, it is leading to the requirement for increased tips; particularly in regard to food waste. Whilst there is the potential for the level of recyclate to reduce following the early weeks, liaison is being undertaken with Kent County Council, Urbaser and the operators of Allington and Blaise Farm waste facilities to improve turnaround times and operations.
- 1.2.6 A Senior Manager from Urbaser will be in attendance at the meeting to answer Members questions direct.

1.3 New Service Provision

- 1.3.1 With regard to the opt-in garden waste service the 'Early Bird Scheme' went live on Tuesday 7th May and closed on Friday 2nd August 2019. The Early Bird scheme offered residents a reduced price of £35 p.a. for the service (guaranteed for the first 2 years). For those that signed up to the Early Bird, deliveries were programmed prior to the 30th September (Phase 1 and Phase 2). To date deliveries have been made and any missed deliveries are actioned when the Council receives a report from the resident.
- 1.3.2 For all those applying for the garden waste service after 2nd August 2019 the full charge for the service is being applied (£40 p.a.), and the resident is being added to a waiting list with their new bin being delivered as soon as is practicable. For the majority of people subscribing after 2nd August 2019 their garden waste bin will be delivered by 1st November 2019 (Phase 3). For those later sign-ups delivery will be made prior to the 1st December (Phase 4). Currently Phase 3 Brown Bins are being delivered and are expected to be complete by the 1st November.
- 1.3.3 At the time of writing I am pleased to report that residents have engaged very positively with the new garden waste service, with 24,589 households subscribing and 26,653 garden waste bins ordered in total (households can have up to 3 bins). 73.9% of subscriptions have been self-service direct through the Council's website. 46% of households in the borough have now signed up to the new scheme and this represents by far the highest take-up of opt-in garden waste services in Kent. The original estimate for the take-up rate was 30% based on rates achieved by similar local authorities.
- 1.3.4 Food waste container delivery commenced on 12th August to every property, (apart from those with communal bins) with the vast majority being completed by the start of the service on 30th September. Some problems were experienced with the sub-contractor employed to undertake this work with residual deliveries having subsequently been made. The Council is continuing to respond to any missed deliveries as these are reported by residents.
- 1.3.5 Members will be aware that although it is the Borough Council's responsibility for the collection of household waste, it is Kent County Council's responsibility for disposal. The relationship with KCC Officers has been excellent and there has been significant partnership work to ensure the new operational arrangements at the disposal sites has worked successfully. Performance data on tonnages of material will be provided, which will enable the authority in the future to analyse recycling rates against previous performance. Members will recall that one of the original objectives of the new Service arrangements was to improve the Borough's recycling rate up to a 50% target.
- 1.3.6 I am sure Members will appreciate that a change in service delivery arrangements to 54,500 households has been a major challenge both in terms

of logistics and communications. Officers have worked closely with staff from Urbaser to enable the changeover to proceed as smoothly as possible, and in overview it is felt the roll out of the new service has been successful. It is also clear that the new arrangements have significantly increased the profile of the benefits of recycling amongst residents, which is a key priority for this authority. The introduction of the new round schedules did involve a significant number of residents having their collection day changed, and understandably this is taking some residents time to get used to. To support residents, every household received a detailed Recycling Service Guide, posted direct to their home prior to 30th September. Residents are also being kept informed via the website and social media posts. Apologies have been given to those residents affected by late/missed collections, and advice has been given to residents to leave any missed bins out until collection, and to manage expectations for response times. A review has also been undertaken of those properties currently on weekly refuse collections as, with the introduction of weekly food waste collection and the other improved services, this does allow consideration of residual waste to be collected every two weeks from suitable properties.

1.4 Communal Bins

- 1.4.1 There are approximately 450 communal bin stores across the borough that support the disposal of waste from flats and other communal buildings. Residents of the flats will receive the same new opportunities for recycling as other borough residents, though this may be restricted by individual circumstances including the physical space available within each bin store.
- 1.4.2 A site review has been undertaken of each bin store to assess opportunities available, and subsequently new bins have been ordered to support the new service arrangements. The roll-out of the new bins is being phased given the scale of the task. As agreed at the last meeting of this Board this commenced in October 2019, and will be completed by the end of the calendar year. Residents are being kept informed during the roll-out.

1.5 Bring Bank Service

- 1.5.1 Members will have noted from sub-section 1.3.1 that following the introduction of the new service arrangements, the number of bring bank sites will be reduced to 10, located strategically across the Borough. The strategic bring bank sites, previously agreed by this Board, are as follows:-

- Tesco Car Park – Larkfield
- Station Approach – Borough Green
- Rocford Road Car Park – Snodland
- Sovereign Way Car Park – Tonbridge
- Asda Car Park – Kings Hill
- Morrisons Car Park – Larkfield
- Bailey Bridge Car Park – Aylesford

- Hadlow College – Hadlow
- High Street Car Park – West Malling
- Village Hall Car Park – Burham

[N.B. The large bring bank site at Sainsburys in Aylesford is run independently by the supermarket retailer and will remain available to the general public].

- 1.5.2 The strategic bring bank sites will be serviced by Urbaser, and the cost of this is already included in the Company's tender. The banks will collect the same material mix that is being collected from the kerbside. In order to enable Urbaser to initially focus fully on the new kerbside service arrangements it was agreed at the last meeting of this Board to re-programme the implementation of the new bring site arrangements to mid-January 2020. This will also allow continuity of service to those residents served by communal bins (see 1.4 above).
- 1.5.3 Urbaser will install new banks into the 10 strategic locations and the other sites will have the banks removed. The removal of the banks will be undertaken by a local company, which has been assisting with the delivery of the new garden waste bins, with the banks being dismantled locally so that the plastic and metal parts can be recycled.

1.6 Marketing/Communications

- 1.6.1 A key to the success of the new Service arrangements has been good communication, and Council Members, together with local Parish/Town Councils, have played an important role in this. Social media has also greatly assisted in getting messages to residents and received feedback from the public. It is recognised that in the first 2 weeks it has been challenging to deal with the volume of calls and emails being received. A number of changes have subsequently been made to our reporting forms, website and social media posts. At the time of writing this report we are already noticing a reduction in phone calls, emails and online report forms.
- 1.6.2 At the February 2019 meeting of this Board Members approved an Operational Marketing Plan developed in liaison with the Member Group. The Plan was developed to ensure information reached as many residents as possible, was cost effective and utilised both traditional and modern marketing techniques.
- 1.6.3 I have attached at **Annex 1** a copy of the Plan, including an update on each of the activities. Members will note that the majority of actions have been completed, with a few actions carrying on to the end of the financial year.
- 1.6.4 In order to maintain momentum it is important that the existing Marketing Plan is now updated and extended for a further year. It is essential to continue to increase recycling rates across the Borough, and keep recycling at the forefront of residents' minds. Key issues over the next 12 months which will require marketing support include the new bring site arrangements, spring promotions

for garden waste, encouraging residents to pay by direct debit, introducing food waste to flats, targeting poor performing areas, school visits and new resident packs. It is suggested that a revised Marketing Plan be produced by the end of the calendar year in liaison with the Member Group, and an allocation of £40,000 be made in the 2020/21 revenue budget.

- 1.6.5 The standalone waste and recycling website (www.tmbc.gov.uk/recycleforall) continues to be popular since its launch on 7th May 2019. The website includes a promotional video, frequently asked questions, pictures of the new containers and a whole host of helpful information.

1.7 Christmas and New Year Collections 2019/20

- 1.7.1 Liaison is currently being undertaken with both Kent County Council, as the Waste Disposal Authority, and Urbaser on the detailed arrangements for Christmas collections.
- 1.7.2 It will be the intention to retain full collections throughout the festival period with no suspensions of services. There will inevitably be the requirement for alterations to collections days and these will be relayed to residents via social media, bin hangers, the Council website and through our telephone message system. At the current time the proposed arrangements are shown below, subject to final confirmation by KCC and Urbaser.

<u>Normal Collection Day</u>	<u>Proposed Collection Day in Christmas and New Year Weeks</u>
Tuesday 24 th December	Tuesday 24 th December
Wednesday 25 th December	Friday 27 th December
Thursday 26 th December	Saturday 28 th December
Friday 27 th December	Monday 30 th December
Monday 30 th December	Tuesday 31 st December
Tuesday 31 st December	Thursday 2 nd January
Wednesday 1 st January	Friday 3 rd January
Thursday 2 nd January	Saturday 4 th January
Friday 3 rd January	Sunday 5 th January
Monday 6 th January	Monday 6 th January

- 1.7.3 To enable the collection of waste from all properties over the Christmas and New Year period work is proposed for Saturday 28th December, Saturday 4th and Sunday 5th January. This means that the refuse collection vehicles and crews will not be available to provide the normal Saturday bulky household waste and WEEE in early January.

1.8 Legal Implications

- 1.8.1 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.
- 1.8.2 The introduction of the new service arrangements will 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.

1.9 Financial and Value for Money Considerations

- 1.9.1 At the November 2018 meeting of this Board Members received a detailed financial appraisal of the new Waste Services Contract, and the financial implications have been reflected in the 2019/20 revenue budget. The total estimated contract sum for the year 2019/20 is £4.1m.
- 1.9.2 The annual gross level of income for the opt-in garden waste service in year one was forecast to be £550,000, which was based on a take up rate of 30%. To date, income of £936,500 has been achieved. For medium term financial planning purposes as mentioned in the report to the Finance, Innovation and Property Advisory Board on 9 January 2019, it is assumed the inflationary increase in the contract sum over and above CPI is negated by a gradual increase in both the charge and the take-up of the garden waste service and will in due course represent budget growth.
- 1.9.3 The Council's Capital Plan incorporates £600,000 to reflect the need to purchase new garden waste bins and internal and external food caddies. Due to the high take-up of the garden waste service, the capital budget will be exceeded, with the budget updated later in the year at revised estimate time. There will also be an additional one-off revenue cost for the extra deliveries of the extra garden waste bins over and above the original estimate. A revenue budget of £100,000 was approved by Council to fulfil the Operational Marketing Plan, funded in full from the Invest to Save earmarked Reserve. Provision of a suitable budget for 2020/21 will be brought forward as part of revised estimates.

1.10 Risk Assessment

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

The Steering Group is being managed in accordance with a formal Joint Working Agreement agreed by each of the Partners.

1.10.2 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.

1.10.3 Weekly meetings have also taken place with Urbaser to ensure good levels of communication are maintained, and the Operational Marketing Plan will ensure residents continue to be kept fully informed.

1.11 Equality Impact Assessment

1.11.1 A full Equality Impact Assessment (EQIA) has previously been reported to this Board and its recommendations have been implemented.

1.12 Policy Considerations

1.12.1 Communications

1.12.2 Community

1.12.3 Customer Contact

1.12.4 Procurement

1.13 Recommendations

1.13.1 It is RECOMMENDED TO CABINET that:-

- i) progress made with the mobilisation of the new service arrangements be noted;
- ii) the existing Marketing Plan be updated by the end of the calendar year in liaison with the Waste Contract Member Group, and an allocation of £40,000 be made in the 2020/21 revenue budget; and
- iii) the proposed Christmas collection arrangements outlined in the report be noted.

The 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

Waste & Recycling Contract

Detailed Marketing/ Communications Plan - Update

As at 16/08/19

Service changes
Activity
Schedule

	Nov 18	Dec 18	Jan 19	Feb 19	Mar 19	April 19	May 19	June 19	July 19	Aug 19	Sept 19	Oct 19	Nov 19	Dec 19	Jan 2020	Feb 2020	Mar 2020
	5 12 19 26	3 10 17 24 31	7 14 21 28	4 11 18 25	4 11 18 25	1 8 15 22 29	6 13 20 27	3 10 17 24	1 8 15 22 19	5 12 19 26	2 9 16 23 30	7 14 21 28	4 11 18 25	2 9 16 23 30			
1 Urbaser Introduction leaflet mailed to all residents						COMPLETED											
2 New Service flyer mailed out with Council Tax bills						COMPLETED											
3 New Service Website Live						COMPLETED											
4 Joint press release on new contract start						COMPLETED											
5 New service pull up banners displayed						PROGRESSED/ONGOING											
6 T&M New contract starts with 'AS' IS Service						COMPLETED											
7 Garden Waste Early Bird sign up period						COMPLETED											
8 Social Media Posts - Garden Waste Sign up						COMPLETED											
9 Facebook Ads - Garden Waste sign up						COMPLETED											
10 Posters Displayed - Garden Waste sign Up						COMPLETED											
11 Local Newspaper Advertising - Garden Waste sign up						COMPLETED											
12 Digital Marketing Campaign Garden Waste Sign Up						COMPLETED											
13 Interim Vehicle Livery - New Service						COMPLETED											
14 New Recycling Service Guide design/print										COMPLETED							
15 Garden Waste bins delivered-Early Bird subscriptions										COMPLETED							
16 Food Bins/Caddies delivered										COMPLETED							
17 Bin hangers -Garden waste & change of use						COMPLETED											
18 Social Media Posts -New Recycling Service										PROGRESSED/ONGOING							
19 Parish Council Visits						COMPLETED											
20 Stickers attached to bins-what goes in which bin														COMPLETED			
21 Communication to 'Sack Collection' Residents														COMPLETED			
22 Communication to Flats/Communal residents														COMPLETED			
23 New service video clips on website & social media										PROGRESSED/ONGOING							
24 Start New Recycling & Garden Waste collections														COMPLETED			
25 School Recycling Visits & Competition																	
26 Customer Services/Gateway staff Training						COMPLETED								COMPLETED			
27 Roadshows/events promoting new service						COMPLETED											
28 Permanent Vehicle Livery																	
29 Urbaser collection App available for download														COMPLETED			
30 New Collections Start - Press Release														COMPLETED			
31 Posters Displayed - New Service										COMPLETED							
32 Presentation/talk requests - various groups						COMPLETED											
33 Parish Partnership Panel Meetings						COMPLETED											
34 Tonbridge Forum Meetings						COMPLETED											
35																	

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

30 October 2019

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 existing car parking fees and charges for implementation from 1st April 2020. The report also seeks approval for the introduction of charges in a number of the Council's smaller car parks, highlights a review of initiatives to improve digital access for customers, highlights the intention to introduce electric charging points, and confirms concessionary parking arrangements for the Blood Transfusion Service and Breast Screening Unit in Tonbridge.

1.1 Introduction

1.1.1 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.

1.1.2 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.

1.1.3 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 with no increase to the 30 minute tariff.
- Residential preferential parking permits to increase from £40 to £45 across the whole borough, with the introduction of a rising scale of charges based on the number of cars per household. New applicants to continue to receive 10 visitor permits free of charge.
- Visitor permits be retained at £12 for 10 permits.
- Country parks – an increase from £1.20 to £1.40 for the first 4 hours. Season tickets for regular users to increase from £40 to £50.
- Long stay parking in Tonbridge to increase by 10p per hour.
- Blue Bell Hill car park – revised charges to reflect the quality and convenience of facilities provided.
- West Malling – an increase in short stay parking charges by 10p per hour with no increase to the 30 minute tariff. An increase in Season ticket charges in Ryarsh Lane from £175 to £255.
- Borough Green – charges in the Western Road car park to increase by 10p with no increase to the 30 minute tariff.
- Introduction of on-street short stay pay & display parking in existing parking bays in the northern end of Tonbridge High Street and Lyons Crescent.
- Sunday and Bank Holiday charging – to continue to be free of charge.

- Peak and Off-Peak Season tickets – increases to reflect market conditions/demand.
- Introduction of parking charges to Aylesford, Martin Square and Snodland car parks, to help address operational issues and offset the costs of running the car parks.
- Business permits/dispensations for on-street – increases applied with the exception of permits for carers. Carers permits reduced.
- Confirmation of concessionary parking for the Blood Transfusion Service and Breast Screening Unit in the Angel East car park, Tonbridge.
- Upgrade of Parking Administration back office system to simplify the way in which motorists are able to apply for and purchase their parking permits.
- Consideration of parking demand in Tonbridge as part of a wider review of the Council's assets in Tonbridge Town Centre.
- A report be presented to the next meeting of this Board on the installation of electric charging points.
- A report be presented to a future meeting of this Board on further changes to the Parking Service to support the Council's Digital and Climate Change Strategies.

1.1.4 It is important for Members to note that the annual review of car parking charges in 2018 did not recommend any increases or other changes. **Consequently there has been no increase in any category of parking charges in the Borough for the last 2 years and for some tariffs such as Residential Preferential Permits no increase for the last 4 years.** It is also worthy of note that a number of the proposals within the report do not involve any increase in the existing charge. This includes no increase in the 30 minute tariff in all short stay car parks, no increase in visitor permits for parking in residential roads, a reduction in charges for carers parking on-street, and most significantly charges on Sundays remaining free of charge.

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 this Board in November 2018, 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 £60k has been invested since April 2018 on a range of on- street parking measures across the Borough.
- Improvement works to the value of £55k have been carried out at a number of car parks including the Lower Castle Fields patching, Lamberts Yard island and boundary, West Malling patching, Aylesford bay widening and edge improvements, Tonbridge Pool access lighting and Sovereign Way Mid motor cycle parking.
- The improvement work is underpinned by a continuing and consistent programme of maintenance work to keep the car parks safe, clean, well presented 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 £292,000. Business Rates are around £264,000 each year and to round off this section on maintenance and safety, CCTV provision amounts to £194,000 each year to keep the car parks safe and secure.
- The enforcement service, includes 11 full time CEO's. Staff are patrolling until 8pm at locations across the whole Borough, and the 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. In addition, an external contractor is employed to empty the ticket machines at an annual cost of £50,000.
- 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. At sub-section 1.18 later in this report Members will note that a number of customer facing and back office digital improvements are being considered in line with the Council's recently adopted Digital Strategy. 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. Whilst this is integrated with other parking related work, the average annual cost is iro. £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. Further investment may also be required in the future to meet initiatives brought forward in the context of the Council's Digital and Climate Change Strategies.

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 businesses in Tonbridge (Sainsburys, Waitrose, Iceland and TM Active) are critical in such considerations. Ticket refunds from the aforementioned businesses in Tonbridge amount to £518,000 per annum. Comparative charges do, however, 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 on Sundays or Bank Holidays. 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, and it is anticipated that most other Council's will be bringing forward their own increases in advance of the next financial year.

1.4 Current Income Levels

1.4.1 Income from the Council's car parks is monitored by the Council's Management Team on a monthly basis. This enables any variances against profile to be identified and if necessary action to be taken. Current levels of income have been carefully considered in bringing forward the proposals in this report.

- 1.4.2 After the first 6 months of the current financial year, income is generally in line with profile. Income for short stay parking is marginally below profile, but is balanced by an above profile performance for long stay parking and season tickets.
- 1.4.3 Parking income for the two country parks is monitored separately. Income after the first 6 months is above profile, with a year-end forecast of £105,000 against an original estimate of £85,000.

1.5 Tonbridge Car Parking Review

- 1.5.1 To assist with the review of Off-Street Parking charges in Tonbridge car parks, a review was undertaken on the Council's behalf by specialist consultants, Alpha Parking. Copies of the full Review Report can be made available to Members on request, with the key findings summarised below:-

- Occupancy and Customer Surveys of all the Council's car parks in Tonbridge were undertaken on a Wednesday and Saturday in February/March 2019;
- Car parks as a whole are operating within capacity, peaking at 75% capacity. There are no significant differences between capacities on weekdays and Saturday;
- Short stay demand rises to its highest level between 10am and 1pm and exceeds the capacity of the short stay car parks;
- At peak times several individual car parks are at full capacity, most notably around the Castle Fields area;
- Demand for town centre car parks in Tonbridge is predicted to increase by approximately 10% between 2019 and 2031;
- A comparison of short stay charges with other West Kent Councils shows Tonbridge to be average for a 1 hour stay but below average for a 4 hour stay;
- A comparison of long stay charges with other West Kent Councils shows Tonbridge to be average;
- In terms of purpose of visit, business and commuting is most popular on a weekday, with shopping most popular on a Saturday. Food and drink and use of community facilities feature highly at all times;
- In terms of catchment, half of people parking are from Tonbridge/Hildenborough, with others coming mainly from Tunbridge Wells, Paddock Wood and Sevenoaks.
- There is a very high awareness (92%) and take-up (82%) of the customer refunds provided by the supermarkets in relation to the Angel and Botany car park charges.

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

1.6.1 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	£0.70	£0.70
1 hour	£1.30	£1.40
2 hours	£2.30	£2.50
3 hours	£3.10	£3.40
4 hours	£3.80	£4.20
Long Stay		
1 hour	£1.30	£1.40
2 hours	£2.30	£2.50
3 hours	£3.10	£3.40
6 hours	£4.70	£5.30
All day	£5.90	£6.70

1.6.2 With the exception of parking for 30 minutes, where no change is proposed (to support local businesses), the proposals represent an uplift in charges by a minimum of 10p, with a 10p per hour increase on each tariff. Members are reminded that the current charges have remained unchanged for the last 2 years. The level of increase proposed recognises the balance between the costs of provision and management of the Council's primary parking stock, and assists in the desire to support the economic sustainability of the town centre.

1.6.3 The proposed all-day tariff (£6.70) does not exceed the current all-day rate of £7.10 in the privately operated Tonbridge railway station car park.

1.6.4 In addition, the Gateway Manager at Tonbridge Castle has suggested that the free of charge spaces available to Gateway users be removed and become staff parking only. This would enable staff coming and going to be able to park close to the offices. The suggestion is based on the constant abuse of the free spaces, time subsequently taken in considering disputed Penalty Charge Notices, and that no other Gateway in Kent offers free parking. An alternative approach, supported by the Parking Team, would be to include all spaces in the Castle Grounds as pay and display to maximise use, and for staff parking to be extended to include Lower Castle Fields car park (staff are already able to park in the Castle grounds and Upper Castle Fields car parks. Existing signage will

require change, and advance notice to the public will need to be given. The Parking Manager has advised that an additional ticket machine will be required.

1.7 Season Tickets, Tonbridge

- 1.7.1 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. Season tickets are available on a monthly, quarterly, half-yearly and yearly basis.
- 1.7.2 The annual take-up of Season Tickets is good, and there are currently 177 issued. By far the most popular way of paying is annually, with a relatively small number sold monthly. There is no notable demand for half yearly or quarterly tickets and it is therefore suggested these options be removed.
- 1.7.3 The proposed Season Ticket charges at Table 2 takes into consideration the charges applied at the Railway Station car park which has the advantage for commuters of being located immediately next to the Station. The current price of a Tonbridge Station season ticket is £1276.00.

TABLE 2

Season Tickets, Tonbridge		
	Current Charge	Proposed Charge
Monthly	£110	£120
Quarterly	£300	N/A
Half-yearly	£550	N/A
Annual	£950	£1020

1.8 Off-Peak Season Ticket, Tonbridge

- 1.8.1 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 £270 per year in any of the Council’s car parks. The off peak availability of parking is of particular use to residents living in flats with limited parking in central Tonbridge. There are currently 14 off peak annual season tickets. Members will note from Table 3 below that it is the intention to increase the charge by £20 to £290 per year. Excluding Sundays and Bank Holidays this equates to just £0.95p per day.

TABLE 3

Off Peak Season Ticket, Tonbridge		
	Current Annual Charge	Proposed Annual Charge
Off-peak season ticket (4pm-9am & Saturdays)	£270	£290

1.9 Off Street Parking in West Malling – Season Tickets and Short Stay Charges

1.9.1 The current Season Ticket for the Ryarsh Lane car park is set at £175 per year, which Members will note from Table 4 equates to 69 pence a day. The car park is primarily used by businesses and retailers in the week for their staff. The car park is also free of charge after 3pm on weekdays to enable parents to collect their children from the local primary school and is free of charge on Saturdays.

1.9.2 Privately managed, alternate long-stay parking is available at West Malling railway 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)	£5.10	£4.60	£2.60	£907.90 (£3.60 per day)
Kenden (West Malling Station)	£5.00	£5.00	£1.50	£725 (£2.88 per day)
Ryarsh Lane car park	Not available	Not available	Free	£175 (69p per day)

1.9.3 Demand for season tickets in Ryarsh Lane continues to significantly exceed supply and there still remains a tendency for season ticket holders to retain their tickets even when not always required. The car park has 114 spaces and the allocation of tickets is limited to 150. The low cost of the season ticket seems to make this practice worthwhile and prevents spaces being 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 by £80 to £255. Whilst

this increase may be seen as significant in percentage terms, it still offers exceptional value for money for town centre parking at just £1 per day.

- 1.9.4 Detailed in Table 5 below are the current and proposed charges for daily short stay car parking charges in West Malling High Street car park. The proposed increases in each tariff mirrors the approach for short stay parking in Tonbridge detailed earlier in these papers, including no increase for parking for 30 minutes.

TABLE 5

West Malling Short Stay		
Period	Current Charge	Proposed Charge
30 minutes	£0.40	£0.40
1 hour	£0.70	£0.80
2 hours	£1.40	£1.60
3 hours	£2.10	£2.40
4 hours	£2.80	£3.20

1.10 Blue Bell Hill Car Park

- 1.10.1 Blue Bell Hill 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.

- 1.10.2 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 in addressing this the Council has introduced on-street parking controls to deter this.

- 1.10.3 The proposed charges are shown in Table 6 below.

TABLE 6

Blue Bell Hill Car Park		
	Current Charge	Proposed charge
Daily	£2.50	£2.70
Weekly	£10	£12
Monthly	£35	£40
Quarterly	£100	N/A
6 Monthly	£180	N/A
Annual	£300	£420

1.10.4 Members will note the proposal to remove the quarterly and 6 monthly tariffs as there is no demand. There are currently 41 annual season tickets. Whilst the proposed increase in the annual ticket might appear significant, in percentage terms the proposal equates to all day parking for just £1.67 per day. This is over £1 cheaper than the proposed daily rate, and illustrates that the season ticket has in the view of Officers, been under-priced to date.

1.11 Borough Green Western Road Car Park

1.11.1 The proposed charges for the Western Road car park are detailed below in Table 7 and represent a 10p increase on each tariff with the exception of the 30 minute charge. Charges in this car park are applied to discourage rail commuter parking in support of the local businesses and residents.

1.11.2 Season tickets are also available for the car park but these are restricted to local residents. There are currently just 5 annual season tickets issued.

TABLE 7

Borough Green Western Road Car Park		
	Current Charge	Proposed charge
Up to 30 minutes	£0.20	£0.20
30 minutes to 1 hour	£0.30	£0.40

1 to 2 hours	£0.50	£0.60
2 to 4 hours	£1.00	£1.10
4 to 6 hours	£1.50	£1.60
6 to 9 hours	£2.10	£2.20
All day	£5.20	£5.30
Residents Season Ticket	£290	£320

1.12 Preferential Permit Parking Scheme

1.12.1 Residents permits across the Borough are currently set at £40 per year and have remained unchanged since 2016.

1.12.2 Having compared our existing charge to a number of other local authorities it is apparent that our existing charge is slightly below the average, with Tunbridge Wells Borough Council charging between £60 - £80 dependent on the road. Other Council's such as Sevenoaks District Council apply a rising scale of charges with those who park more cars on the road, paying more for their permits. The rising scale is designed to help manage road space demand where parking is at a premium. In essence, it seeks to discourage people from parking more cars in the road, unless absolutely necessary. Taking this into account the following annual charging structure is proposed:-

	Current Annual Charge	Proposed Annual Charge
1 st car	£40	£45
2 nd car	£40	£45
3 rd car	£40	£90
4 th car	£40	£135

1.12.3 It is also worthy of note, in the context of Climate Change considerations, that other local authorities including Sevenoaks District Council, apply discounts for permits relating to electric/hybrid cars. It is suggested that this is something Members may wish to consider within the future development of the Council's Climate Change Strategy. Any consideration would clearly need to take into account financial implications, with the popularity of electric/hybrid cars continuing to grow.

1.12.4 The Council offers Business and Carers Permits and Dispensations shown below in Table 8.

TABLE 8

Business/Carers Permits		
Permit type	Current charge per annum	Proposed charge per annum
Business permit (for businesses located within a permit scheme)	£160	£175
Carers permit	£50	£25
Dispensations		
Property Maintenance	£160	£175
Tonbridge High Street (Banking)	£160	£175
On-street dispensation (for building works etc.)	£10 per day £30 per week	£10 per day £40 per week

1.12.5 Members will note that it is the intention to increase the cost of the permits/dispensations with the exception of the Carers Permit. The Carers Permit has been reduced by £25 to recognise the service Carers provide to vulnerable members of the community.

1.13 Visitor Permits

1.13.1 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 a one-day parking permit.

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

1.13.3 It is proposed that the charge for Visitor Permits remains unchanged.

1.14 Leybourne and Haysden Country Park Car Parks

1.14.1 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 2018 with charges rising from £1.00 to £1.20 for up to four hours and no change to the charge for over four hours (£4.00). This increase had no impact on the number of visitors to the Park, with usage levels growing year on year. At Haysden

County Park additional parking spaces have recently been built to meet demand.

1.14.2 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 just £25 and is still excellent value for money at £40 per annum. There are currently 508 season tickets.

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

- £1.30 to £2.00 (park dependent) flat rate Monday to Friday
- £2.00 to £3.00 (park dependent) flat rate weekend and Bank Holidays
- £50 season ticket (covers nine sites across Kent)

1.14.4 The existing charges, together with the proposed charges, are detailed below in Table 9. The proposals take into account the charges at the KCC Country Parks, the value of the season ticket for regular users (under £1 a week) and current demand.

TABLE 9

Haysden/Leybourne Lakes Country Parks		
Period	Current Tariff	Proposed Tariff
0-4 Hours	1.20	1.40
4+ Hours	4.00	4.00
Annual Season Ticket	40.00	50.00

1.14.5 The higher parking rates charged by KCC are for its largest sites, which are comparable in size to Haysden and Leybourne Lakes Country Parks. 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.

1.15 Tonbridge On-Street Pay and Display

1.15.1 The Council currently operates some 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 short stay parking that is convenient to customers of local businesses, with a regular turn-over of spaces.

1.15.2 The proposed on-street pay and display parking charges are shown in Table 10 below, and are identical to the proposed short stay parking charges in Tonbridge reported earlier in these papers at sub-section 1.5.1.

TABLE 10

On-Street Pay & Display		
	Current Charge	Proposed charge
Up to 30 minutes	£0.70	£0.70
Up to 1 hour	£1.30	£1.40
Up to 2 hours	£2.30	£2.50
Up to 3 hours	£3.10	£3.40

1.15.3 It is also proposed to introduce the above charges to a total of 18 existing parking bays in the northern end of Tonbridge High Street and Lyons Crescent, to encourage more regular turnover of the current spaces. Maps showing the location of the proposals are shown at **Annex 1**. The proposal, if confirmed by Cabinet, will be considered by the Joint Transportation Board as part of Phase 11 of the Parking Plan. The introduction of these charges will also require the purchase of new ticket machines and signage, which will be brought forward as part of the Capital Plan review. The Capital Plan evaluation will confirm any ongoing revenue costs and annual capital renewals provision.

1.16 Charging Period

1.16.1 With the exception of the two Country Parks, the current charging times within the Council's car parks do not extend beyond 6pm and do not include Sundays or Bank Holidays. It is not the intention to amend this approach at the present time.

1.17 Existing Free for Use Car Parks

1.17.1 At its meeting in February 2016 Cabinet agreed the introduction of car parking charges in West Malling and noted that a future review of other smaller Council owned car parks would be progressed. The introduction of charges in West Malling was supported in order to improve the availability of parking to the public.

1.17.2 The introduction of car parking charges in West Malling generated significant public and media interest, with concerns expressed by residents and shop owners over the potential impact on the economic viability of the town, and the possibility of cars parking in residential streets nearby rather than paying to park.

These concerns have not materialised and the charges have allowed more flexibility in the management of the car park, focussing on encouraging short stay and relatively quick turnover of spaces to optimise availability. The income generated has also helped address the cost of running the car parks.

1.17.3 Taking the above into account it is now felt appropriate to extend this approach to other car parks and specifically to introduce car parking charges to the Council owned car parks in Martin Square, Larkfield, Snodland and Aylesford. Each of the car parks have particular operational issues which the introduction of charges will help address.

1.17.4 Detailed below is a brief summary of each car park, the operational issues and the proposed charges.

i) Martin Square, Larkfield	
Location	ME20 6QL
Number of spaces	94
Operational issues	The car park is free to park all days with a maximum stay of 23 hours. The car park serves the local shops in the Square, together with community facilities including the Library and Health Centre. With no charge in place the car park is often full due to people parking for long periods. This restricts the opportunity for people using the shops and the other facilities to find a space and deters people from visiting the Square. The introduction of modest charges will result in improved turnover of the parking spaces.
Proposed charges	The proposed charges are based on those proposed for the Borough Green Western Road car park. The charges will apply Mon-Sat with free parking on Sundays and Bank Holidays Up to 30 minutes – 20p 30 minutes to 1 hour – 40p 1-2 hours – 60p 2-4 hours – £1.10 4-6 hours – £1.60 6-9 hours – £2.20 All day - £5.30
ii) Snodland	
Location	Rocfort Road, ME6 5NQ

Number of spaces	73
Operational issues	This town centre car park is currently used by residents, businesses, commuters and visitors. The free use of the spaces does not currently encourage/generate turnover. The introduction of car parking charges will help address this, but needs to be timed to take into account the planned Parking Review for the town, approved by the Joint Transportation Board. It is essential that a 'joined up' approach to parking in the town is considered.
Proposed charges	The proposed charges are based on those proposed for the Borough Green Western Road car park:- Up to 30 minutes – 20p 30 minutes to 1 hour – 40p 1-2 hours – 60p 2-4 hours – £1.10 4-6 hours – £1.60 6-9 hours – £2.20 All day - £5.30 The charges will apply Mon-Sat with free parking on Sundays and Bank Holidays
iii) Aylesford	
Location	Bailey Bridge West & East ME20 7AU
Number of spaces	Bailey Bridge West – 75 Bailey Bridge East - 51
Operational issues	The car park is used by a variety of users including residents, businesses and visitors to the village. Resident use is high as the car parks currently provide free parking for homeowners who do not have enough parking with their properties. The Bailey Bridge East car park is also growing in popularity at weekends with people using the new cycle route for Aylesford through to Maidstone.
Proposed charges	The proposed charges based on those proposed for the Borough Green Western Road car park:- Up to 30 minutes – 20p 30 minutes to 1 hour – 40p 1-2 hours – 60p 2-4 hours – £1.10 4-6 hours – £1.60

	<p>6-9 hours – £2.20 All day - £5.30 The charges will apply Mon-Sat with free parking on Sundays and Bank Holidays In addition, it is proposed to offer Season tickets as follows:- Residents Season tickets £100 per annum Business Season tickets £200 per annum Season tickets allow parking at all times in either car park.</p>
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- 1.17.5 If Members are minded to support the introduction of the above charges, an Amendment Order to the Council's On and Off-Street Parking Traffic Regulation Orders will be required. The procedures set out in the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996 will be used to progress this, including at least a statutory 21 day period of consultation. This formal consultation period will enable residents, businesses, Parish/Town Councils and local Borough Council Members to express their views to the Council. Parish/Town Councils will be alerted on the consultation timescale as soon as it has been set. The outcome of the consultation relating to off-street charges will be reported to a future meeting of this Board, and the outcome relating to on-street charges to the Joint Transportation Board (as such matters are considered in that forum).
- 1.17.6 If the charges are approved by Cabinet, capital investment in the car parks will be required primarily relating to the purchase of ticket machines, new signage and subject to the outcome of Overview & Scrutiny Committee, the provision of CCTV. Consideration also needs to be given to the Bailey Bridge East car park as a proportion of the parking area is not currently tarmacked or formally marked out. It is therefore the intention to bring forward a capital plan evaluation to the Finance, Innovation & Property Advisory Board. The capital works need to be completed in advance of the new charges being formally applied so a 'fast track' evaluation will be required. The evaluation will take into account any associated revenue costs.
- 1.17.7 The Council's Estates Manager has advised that there is no existing provision for parking within the leases for tenants at Martin Square.
- 1.17.8 Taking into account the extent of work associated with the introduction of the charges, it is not envisaged that the new charges for the current free for use car parks will be introduced until Autumn 2020.

1.18 Digital Agenda

- 1.18.1 Cabinet recently approved a new Digital Strategy for the Council with a Vision “To become an authority where the communities and businesses we serve are able to engage and transact with us responsively and seamlessly, irrespective of the services they access.”
- 1.18.2 One of the Digital Strategic Priorities is to become a ‘Smart Borough’. With the assistance of external consultants and the Council’s IT Manager, work has begun within the Parking Service to review current business processes and the technologies that are being used to underpin them. In accordance with the Digital Strategy this process is due to be completed by March 2020, which will then be followed by a process of reengineering, solution development and testing.
- 1.18.3 Parking has been identified as a priority service to be reviewed and solutions delivered, and liaison is also being undertaken with the Digital Team at Canterbury City Council, which has won a number of awards for its digital approach to Parking Services. A number of areas being considered include convenient payment methods such as contactless, applications to enable users to monitor availability in car parks, low cost sensors and the potential to move to a cashless payment service.
- 1.18.4 A report will be presented to a future meeting of this Board on proposals to move towards a ‘Smart Parking Service.
- 1.18.5 In the immediate short term there is a need to upgrade the existing back office software. With regard to both enforcement and the issuing of permits. The upgrade is required to ensure the system remains fully supported by the supplier (Imperial) and offers improvements to users by simplifying the process. Following liaison with the supplier, IT Services and Canterbury County Council, the system will be upgraded to ‘Permit Smarti’ at no additional annual revenue cost.

1.19 Climate Change

- 1.19.1 At the meeting of Council on 9th July 2019 Members approved a Motion in regard to Climate Change and a commitment to a sustainable low-carbon future. Included in the Motion was specific reference to a review of the provision of electric charging points across the Borough, “so that it becomes one of the most welcoming places in the country for driving electric and hybrid vehicles”.

1.19.2 Council recently agreed that Officers would progress a Climate Change Strategy and Action Plan by May 2020, which will be reported to this Advisory Board. There is no doubt that the provision of electric car charging points will be a key feature of the new Strategy together with other appropriate initiatives. The Alpha study of car parks in Tonbridge supported the installation of electric car charging points. It is therefore proposed that a report be considered at a future meeting of this Board on the installation of electric charging points in the Council's car parks.

1.20 Blood Transfusion Service/Breast Screening Unit

1.20.1 Members may recall media coverage back in March 2019 regarding parking arrangements for NHS staff and members of the public using the Angel Centre for Blood Donation.

1.20.2 Following investigation it is apparent that an informal arrangement has been in place for a number of years whereby staff and users of the service display a paper sign, issued by the Blood Transfusion Service, in their car windscreen advising they are exempt from car parking charges.

1.20.3 In order to avoid any future misunderstandings and mis-use of the concession, it is felt that the arrangement should now be formalised. The Regional Manager of NHS Blood & Transplant has requested staff exemptions for a lorry, minibus and approximately 2 cars, together with exemptions for donors. The service is provided once a month at the Angel Centre.

1.20.4 If Members are minded to approve the request brought forward and offer free use of the car park to staff and donors, the Car Parking Manager will make the appropriate arrangements and issue formal permits.

1.20.5 In addition to the above, Members may be aware that the NHS also locate a Breast Screening Unit in the Angel East car park every couple of years. The Unit takes approximately 8 parking bays and permits are issued to the NHS staff delivering the service. The Unit can be in place for 9-12 months at a time. Once again it is felt appropriate to formalise this arrangement. A separate electrical supply is provided for the Unit so this cost is met directly by the NHS.

1.21 Castle Fields/Sovereign Way East Car Parks, Tonbridge

1.21.1 Alpha Parking in its study identified a strong demand for parking in the Castle Fields car parks owing to their proximity to Tonbridge Castle, Tonbridge Pool, Tonbridge Juddians RFC and the Racecourse Sportsground. Surveys undertaken by Alpha Parking showed peak occupancy levels close to or above 100% on both weekdays and Saturdays. Alpha also identified relatively low capacity in parts of the Sovereign Way car parks.

1.21.2 It is therefore suggested that the demand for car parking in Tonbridge is something Members may wish to consider further in the future within the context of a wider review of the Council's assets in Tonbridge Town Centre.

1.22 Timescale

1.22.1 With the exception of the charges for the existing free for use car parks (see sub-section 1.17), all other off-street charges will be introduced from 1st April 2020. Immediately following this Board there will be an Extraordinary meeting of Cabinet to consider the recommendations. Following the 'Call in Period' an 'Intends Advert' will be placed giving notice of a 21 day period of consultation. The outcome of the consultation will be reported to the next meeting of this Board in February, with a recommendation to Cabinet to make a Legal Order.

1.22.2 With regards to the on-street parking proposals these will be reported through the Joint Transportation Boards in November 2019 and March 2020, with a final decision taken by Cabinet at its meeting in March 2020. Subject to Kent County Council progressing the sealing of the Order after Cabinet, the on-street charges will also be introduced from 1st April 2020.

Legal Implications

1.22.1 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.

1.22.2 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.

1.22.3 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.

1.23 Financial and Value for Money Considerations

1.23.1 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 estimated gross income of £336,000 net of VAT and refunds in a full year. 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. Some of the proposals will incur additional ongoing revenue costs which will be identified through the forthcoming budget cycle. Such costs will need to be taken into account to determine net income associated with one or more of the proposals.

1.23.2 Within the Council's Medium Term Financial Strategy additional income from parking charges of £140,000 is budgeted every two years. As outlined in the report capital investment will be required in the Council's car parks in Snodland, Martin Square, Aylesford, Tonbridge Castle grounds, Tonbridge High Street and Lyons Crescent if the introduction of car parking charges is approved. At this stage it is anticipated that a capital cost of between £200,000 to £250,000 will be required.

1.24 Asset Management

1.24.1 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. The Sovereign Way East car park has been identified as an asset that should be reviewed in the future due to current low occupancy rates.

1.25 Risk Assessment

1.25.1 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.

1.25.2 It is important that the Parking Service develops in line with customer needs and expectations, particularly with regard to the digital agenda and growth in electric/hybrid vehicles.

1.26 Equality Impact Assessment

1.26.1 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.

1.26.2 Blue Badge holders can park free of charge in the Council's car parks for up to 23 hours. For Blue Badge holders living in a parking permit area, a Resident Parking Permit is not required as long as the valid Blue Badge and clock is correctly displayed. The Blue Badge scheme has recently been extended by Central Government to include people with "hidden disabilities". This includes people with learning disabilities, autism and mental health conditions.

1.27 Policy Considerations

1.27.1 Asset Management

1.27.2 Community

1.27.3 Customer Contact

1.27.4 Climate Change

1.28 Recommendations

1.28.1 It is **RECOMMENDED TO CABINET** that it **APPROVE** the following proposals with effect from 1st April 2020;

- 1) Introduce the schedule of charges for short and long stay parking in Tonbridge shown in Table 1;
- 2) Revise the parking arrangements at Tonbridge Castle to maximise public use whilst still retaining appropriate parking arrangements for staff;
- 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 £255;
- 5) Introduce the schedules of charges for short stay parking in West Malling shown in Table 5;
- 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) Increase Residents Permits to £45 per year, and introduce a rising scale of charges for those parking more than 2 car in the road;
- 9) Introduce the schedule of charges for Business Permits and dispensations shown in Table 8;

- 10) Visitor permits be retained at £12 for a book of 10 permits, with the current offer of 10 free permits to new applicants retained;
- 12) Introduce the schedule of charges for Haysden and Leybourne Lakes Country Parks shown in Table 9;
- 13) Introduce the schedule of charges for on-street pay & display parking in Tonbridge shown in Table 10, and incorporate the existing parking bays in the northern end of the High Street and Lyons Crescent; and
- 14) Parking charges on Sundays and Bank Holidays remain free of charge.

1.28.2 It is further RECOMMENDED TO CABINET that:-

- 1) Car parking charges be introduced to the Council's existing car parks in Aylesford, Martin Square Larkfield and Snodland as outlined in the report, and a period of formal consultation be undertaken in accordance with the requirements of Statutory Regulations;
- 2) A Capital Plan evaluation be undertaken for consideration at the Finance, Innovation and Property Advisory Board for the provision of new parking machines, CCTV (subject to the outcome of Overview & Scrutiny Committee), signage and improvements in Aylesford, Martin Square Larkfield and Snodland car parks, Tonbridge Castle Grounds and on street parking bays in Tonbridge High Street and Lyons Crescent;
- 3) A report be presented to a future meeting of the Board on initiatives to support the priorities outlined in the Council's Digital Strategy;
- 4) The Parking Service back office administration system be upgraded with the existing suppliers;
- 5) Parking initiatives to support the Council's commitment to a sustainable low-carbon future be incorporated in the emerging Climate Change Strategy, with a report on the introduction of electric car charging points across the Council's car parks being considered at a future meeting of this Board;
- 6) The parking concessions for the Blood Transfusion Services and Breast Screening Unit outlined in the report be approved;
- 7) The possibility of additional parking provision in the Castle Fields area of Tonbridge be investigated; and
- 8) The long term future of the Sovereign Way East car park be reviewed as part of a future review of assets in Tonbridge Town Centre to determine the best use of the site.

Background papers:

Nil

contact: Andy Edwards
Andy Bracey
Neil Lawley

Robert Styles
Director of Street Scene, Leisure & Technical Services

Sharon Shelton
Director of Finance & Transformation

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

30 October 2019

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

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 PROVISION OF PUBLIC CONVENIENCES

Summary

This report updates Members on the implementation of the approved way forward regarding the provision of the Council's existing public conveniences.

1.1 Background

1.1.1 At Cabinet on 14th February 2019 the following recommendations were agreed:-

- subject to agreement with the existing contractor, the existing public convenience cleansing contract be extended for 12 months in accordance with current contract conditions;
- meetings in liaison with the Estates Services Manager be undertaken with individual Parish/Town Councils to agree the leasehold or freehold transfer of ownership of the Council's public conveniences currently located in their area;
- the existing provision of public conveniences at Leybourne Lakes Country Park, Haysden Country Park, Tonbridge Racecourse Sportsground and Tonbridge Cemetery be retained;
- the existing Priory Road and Castle Grounds public conveniences in Tonbridge be retained;
- the existing Angel Centre public toilets be closed with the public redirected to existing alternative provision;
- further investigation be undertaken into the suitability of alternative toilets in the vicinity of Tonbridge Castle to determine the future provision of Castle Grounds toilets;
- the Building & Estates Manager be requested to bring forward, if required, an improvement programme for those facilities to be retained/transferred;

- future reports be submitted to the Street Scene & Environment Services Advisory Board on the outcome of the review, accompanied by an Equality Impact Assessment and financial appraisal.

1.1.2 It is worthy of note that the estimated annual operating cost of the public conveniences across the Borough in 2019/20 was £153,000 (excludes business rates, management and administration expenses and non-current asset depreciation). 8 of the existing public conveniences are in Parish/Town Centres, 3 in Tonbridge Town Centre and 4 in Open Spaces owned and managed by the Borough Council. A location plan of the existing facilities is shown at **Annex 1**.

1.2 Update

1.2.1 Following Cabinet on 14th February 2019 a number of immediate actions were taken:-

- the cleansing contract with the existing contractor (SHS Ltd) was extended by a further 12 months until 28th February 2020, in accordance with current contract conditions;
- Parish/Town Councils were updated on the outcome of the Council's review at the February meeting of the Parish Partnership Panel. Letters were sent to those Parish/Town Councils directly affected, to arrange individual meetings regarding the future. The outcome of the meetings is outlined later in this report at sub-section 1.3;
- the Angel Centre public toilets were closed to the public and, in liaison with the Council's Estates Manager, the area is being transferred to the Leisure Trust under a lease agreement;
- an Equality Impact Assessment was completed and approved by this Board and Cabinet.

1.2.2 In addition to the above, the Building and Estates Manager has been requested to develop an improvement programme for the facilities being retained/transferred. This is being assisted by the outcome of inspections of each public convenience and feedback from Parish/Town Councils. An appropriate allowance to progress the improvements will be made in the Building Repairs Reserve Expenditure Plan as part of the forthcoming budget setting process. The allowance focusses particularly on the renewal of the hand wash facilities, as a number of these are now obsolete and replacement parts not available. This is estimated to be iro. £15,000 in 2019/20 and £50,000 in 2020/21.

1.2.3 To ensure a fair and equitable approach to funding across the Borough, it was agreed by Cabinet that with the exception of 'strategic sites' (Leybourne Lakes and Haysden Country Parks and Tonbridge Cemetery), the future cost of the local public convenience function is met by taxpayers in that particular local area. The future cost of the public conveniences transferring to Parish/Town Council' will

therefore be met by the taxpayers of the relevant Parish/Town Councils. It is proposed thereafter that the cost of 'non-strategic sites' being retained in Tonbridge will be included within the Special Expenses Policy (subject to consultation) as a concurrent function, and would therefore be classed as a Special Expense for the purposes of levying Council Tax. An update to the Special Expenses Policy will need to be publicly consulted upon in due course.

1.3 Parish/Town Councils

1.3.1 Meetings have taken place with all of the 8 Parish/Town Councils which have a public convenience in their Parish/Town area. The opportunity at each meeting was taken to fully explain the outcome of the review, provide relevant information (including operating costs and contract specifications), and to receive any feedback from the Parish/Town Council. The basis of the transfer to the Parish/Town Council is a freehold disposal for a consideration of £1. A restriction on title will be applied, with the land to only be used as a public convenience, and no other use or development permitted. Each party would bear its own costs with respect to legal costs in connection with the disposal. The proposal recognises that the Borough Council is obliged to seek an open market value when disposing of assets. By placing a restriction on the title that the premises can only be used as a public convenience, with no other use or development permitted, enables the valuation to be £1.

1.3.2 The meetings have generally been very positive, with a number of the Parish/Town Councils basing their decision on public consultation with their residents. Subject to formal approval by their Parish/Town Council Members, the following Parish/Town Councils have agreed to the transfer in principle:-

- East Peckham Parish Council (see sub-section 1.3.3)
- Borough Green Parish Council
- West Malling Parish Council (see sub-section 1.3.4)
- Aylesford Parish Council (see sub-section 1.3.5)
- East Malling & Larkfield Parish Council
- Snodland Town Council

1.3.3 East Peckham Parish Council has already confirmed that its Parish Council Members have formally agreed to the transfer of the service. The Parish Council has advised that this is subject to three conditions:-

- TMBC and the Parish Council meet on site to agree any building works prior to the transfer;
- TMBC meets the Parish Council's legal costs;

- The Parish Council receives 50% transitional funding for the first 5 years.
- 1.3.4 Whilst West Malling Parish Council has agreed to the transfer in principle, it wishes to discuss with the Council whether the toilets could be relocated from its current location to the Short Stay car park.
- 1.3.5 Aylesford Parish Council has already confirmed that its Parish Council Members have formally agreed to the transfer of the Service. Similar to East Peckham Parish Council, Aylesford Parish Council has stated that this is subject to certain conditions. These are as follows:-
- Payment of the Parish Council's legal costs in respect of the transfer;
 - TMBC to pay the Parish Council 2 full year's transitional costs plus 50% transitional cost in Year 3.

In addition it should be noted that the facility at Aylesford is leasehold, in that the Borough Council was granted a lease of the land in 1972, to construct a public convenience on, and manage and maintain as such. The lease expires in May 2021 and there is no requirement within the lease to reinstate (remove the building). As it stands, the Borough Council can serve notice on the Parish Council that as of May 2021, it is not our intention to renew the lease and therefore we would have no further involvement with the facility or obligation to make any future contribution towards. Our discussions with Aylesford Parish Council gave indication that they would continue to maintain the facility.

- 1.3.6 Hadlow Parish Council indicated that whilst it supported the retention of the public convenience in the village for local residents, it did not wish to add to its portfolio of buildings, nor did it wish to take on any additional financial costs. The Parish Council has therefore declined the transfer, and understands the facility, subject to Borough Council approval, will therefore be closed and alternative uses of the site considered by the Borough Council. It is not felt appropriate for the Borough Council to retain responsibility for the public convenience in Hadlow, for the reasons identified in the original Overview & Scrutiny Committee review. It is also considered that this would be unfair on the other Parish/Town Councils willing to take on and fund these local facilities.
- 1.3.5 With regard to Wrotham, the position is slightly different as the Parish Council already own the current public convenience, and the Borough Council maintain and operate it under a licence agreement. Under the terms of the licence responsibility for the building will now be returned to the Parish Council, once improvements to the building have been progressed to bring it up to good order. This is currently being progressed in liaison with our insurers following a fire earlier in the year. In accordance with the licence either party can determine the licence given not less than twelve months' notice. The Parish Council has yet to determine the longer term use of the building.

- 1.3.6 Each of the Parish/Town Councils were advised that an update report would be considered by this Board, formal transfer arrangements would need to be reported to the Finance, Innovation & Property Advisory Board, and the new arrangements would commence as soon as is practicable. In order to enable all the legal arrangements to be progressed, building improvement work to be completed and for each Parish/Town Council to put operational and financial arrangements in place, it is suggested that the new arrangements formally commence on 1st April 2021. This will require a further extension of the existing cleansing contract, which the current contractor has agreed in principle is acceptable.
- 1.3.7 During the discussions two key issues were raised by a number of the Parish/Town Councils. The first related to the proposal to share the cost of the legal fees associated with the transfer. The Parish/Town Councils suggested this should be met in full by the Borough Council. This is considered to be a fair point bearing in mind the financial benefits of the proposal to the Borough Council, and it is suggested that the Borough Council cover the Parishes/Towns' legal fees up to a maximum of £1,000. The second issue raised was whether the Borough Council would be willing to provide financial support to the Parish/Town Council for a specific period after the transfer. East Peckham Parish Council and Aylesford Parish Council have made this a condition of the transfer. The average annual cost of each public convenience is in the region of £8,000.
- 1.3.8 The Director of Finance & Transformation has considered the possibility of transitional payments and is of the view that this should not be accommodated for practical and budgetary reasons, and also the implications for special expenses. **However**, as an alternative, she has suggested that an option of providing a one-off support payment could be considered as an appropriate way forward, which would also include the payment of legal fees. Each Parish Council taking on responsibility for the continued provision of public conveniences could be provided with a one-off support payment of up to say £9,000 covering the average annual cost and a contribution towards legal costs (see paragraph 1.3.7). **Member's views on this suggestion are sought.**
- 1.3.9 In practical terms, subject to Members supporting the above, an outline timetable might be as follows:
- 1) During the next 12 months legal agreements are drawn up and concluded with those parish councils wishing to take on responsibility
 - 2) During the next 12 months works to upgrade relevant sites agreed and funded by the Borough Council.
 - 3) Parish/town councils take on responsibility from 1 April 2021, with support payments made on or around 1 April 2021.
 - 4) As the delivery of public conveniences within the Borough would then be a concurrent function, during the course of 2021/22 the Borough Council

consult on an update to Special Expenses Policy with a view to bringing in a change to the policy from April 2022.

1.4 Legal Implications

- 1.4.1 There is no statutory requirement for the Council to provide public conveniences. The current public convenience cleansing contract has been extended until 28th February 2020 and will require a further extension in accordance with the conditions of contract. The current contract conditions allows for a 12 month extension, and an exception from contract procedure rules will be required for the additional month.
- 1.4.2 The Provisions relating to “special expenses” are contained in the Local Government Finance Act 1992 at sections 34 and 35. These sections allow different amounts of council tax to be calculated for different parts of the district, depending on what if any “special items” relate to those parts. The Special Expenses policy adopted by Full Council in November 2016 would need to be updated and approved at the appropriate time if changes as outlined in the report went ahead.

1.5 Financial and Value for Money Considerations

- 1.5.1 On the assumption public conveniences are either transferred or closed as detailed in the report the estimated cost saving in a full year is circa £65,000. Of this sum building repairs and maintenance costs in the order of £12,000 funded from the Building Repairs Reserve will help lessen the ongoing budgetary pressure on the annual contribution to the Reserve.
- 1.5.2 The above excludes any funding for improvement works to be carried out prior to transfer which will be funded separately from the Building Repairs Reserve.
- 1.5.3 If Members are minded to offer a one-off support payment to the relevant Parish/Town Councils as set out in paragraph 1.3.8 during the financial year 2021/22, , the anticipated savings would not actually accrue in the Borough Council’s budget until April 2022. However, this is felt to be a reasonable compromise.
- 1.5.4 If Hadlow Parish Council remains unwilling to accept the transfer of the public convenience, the facility will be closed and alternative options for the site will be considered, including the sale of the site at auction. This could provide a capital receipt to the Council.

1.6 Risk Assessment

- 1.6.1 The review of public conveniences was undertaken to ensure that existing services are being provided in accordance with need, there is no duplication of

alternative provision and the services are being delivered as cost effectively as possible.

1.7 Equality Impact Assessment

1.7.1 An Equality Impact Assessment has been completed and was reported to the February 2019 meeting of this Board. The Assessment followed the agreed corporate template, looking at each of the protected characteristics included in the Public Sector Equality Duty.

1.8 Policy Considerations

1.8.1 Asset Management

1.8.2 Communications

1.8.3 Community

1.8.4 Procurement

1.9 Recommendations

1.9.1 It is RECOMMENDED to CABINET that:-

- 1) the Estates Services Manager progress the transfer of the public conveniences to the relevant Parish/Town Council, in liaison with the Finance & Property Advisory Board;
- 2) Hadlow Parish Council be advised that if it remains unwilling to accept the transfer of the public convenience in the village, the facility will be closed and the Estates Services Manager will be requested to bring forward proposals for the future use/disposal of the site;
- 3) the Corporate Support Manager implement a programme of improvements to the public conveniences that are to be retained or transferred;
- 4) the transfer arrangements with Parish/Town Councils commence on 1st April 2021, and the current cleansing contract be extended for a period of 13 months;
- 5) at the appropriate time during 2021/22, a consultation be undertaken with a view to updating the Special expenses policy to reflect the new arrangements for the provision of public conveniences as a concurrent function;
- 6) the Parish/Town Councils, legal fees associated with the transfer be met by the Borough Council and alongside this Members consider the principle of supporting the Parish/Town Council's financially with a one-off payment;

the Council seeks quotations for cleansing those public conveniences being retained in Tonbridge and at 'strategic sites'; and

- 7) the anticipated cost saving from the new arrangements be reflected in the Council's revenue estimates from April 2022.

Background papers:

Nil

contact: Simon Collard
Katie Iggleden

Robert Styles
Director of Street Scene, Leisure & Technical Services

Map of Public Conveniences in Tonbridge & Mailing



- 01 - Priory Road, Tonbridge
- 02 - Angel Centre Tonbridge
- 03 - Haysden Country Park
- 04 - Racecourse Sportsground
- 05 - Castle Street Tonbridge
- 06 - Tonbridge Cemetary
- 07 - High Street Wrotham

- 08 - Hadlow
- 09 - West Malling
- 10 - Leybourne Lakes Country Park
- 11 - Larkfield, Martin Square
- 12 - Snodland
- 13 - East Peckham
- 14 - Aylesford
- 15 - Borough Green

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

30 October 2019

Report of the Director of Street Scene, Leisure & Technical Services,
Director of Planning, Housing & 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 1st April 2020.

1.1 Introduction

1.1.1 In bringing forward the charging proposals for 2020/21 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 2020/21 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. The review generated £40,000 of savings as part of the Savings & Transformation Strategy, from a combination of increased income and reduced service costs.
- 1.2.2 While Councils are not able to make a profit from the collection of a “prescribed” household waste (such as a bulky collection service), the legislation does allow Council’s to recover the associated collection costs together with reasonable administration costs.
- 1.2.3 The current fee structure of our neighbouring authorities (2019/20) 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 - £30 3 to 4 items - £40 5 to 10 items £52 White goods - £18 each Large American style fridge freezers - £42 each	£46.20 for two “medium” items, or one “large” item.
No Concessions	No Concessions	1 free collection per month for residents receiving Benefits.

1.2.4 It is proposed to increase the existing full and concessionary prices generally in line with inflation.

Service	Current Full Charge	Proposed Full Charge 2020/21	Current Concession Charge	Proposed Concession Charge 2020/21	Est. Income 2020/21
Household Bulky Refuse Collection (up to six items)	£54.00	£55.00	£15.00	£15.50	£89,500
Household Fridge/ Freezer Collection (up to two items)	£32.00	£33.00	£15.00	£15.50	

1.3 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 has 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 £20.00 in April 2020.

Service	Current Charge	Proposed Charge 2020/21	Income Full Year 2019/20
Refuse Collection Charge	£19.00	£20.00	£650

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 the Council charges 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 £65. The total fee charged by the Council is therefore £90. It is proposed that the contract & administration fee be increased to £70 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 2020/21	Income Full Year 2020/21 (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	£90 (including statutory fee, but not including daily kennelling costs).	£95 (including statutory fee, but not including daily kennelling costs).	£7,000

1.4.3 The proposed total charge of £95 is within the range of neighbouring Councils.

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. No change is proposed to this charge.

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 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.
- 1.5.3 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 an alternative 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 the current arrangement.

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.
- 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. However this could increase dependent on EU exit decision and any impact from this.

Service	Current Charge	Proposed Charge 2020/21	Income Full Year 2020/21
For each Condemned Food Certificate issued	£150 for first hour plus £150 for each additional hour plus VAT	£155 for first hour plus £15 for each additional hour plus VAT	£155

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, 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.

- 1.7.2 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: Dover charge £65 and Ashford £60 while Tunbridge Wells and Maidstone charge £120.
- 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	Proposed Charge 2020/21	Income Full Year 2020/21
For each Exported Food Certificate issued	£60 plus VAT per certificate	£65 plus VAT per certificate.	£1150

1.8 Food Hygiene Requests for Re-visits

- 1.8.1 Food business operators that have made improvement to hygiene standards following their inspection can request a re-visit with a view to giving them a new and higher food hygiene rating. There is currently a charge of £160 for this service. Neighbouring authorities are charging as follows: Mid Kent Environmental Health Partnership £160, Sevenoaks/Dartford Environmental Health Partnership £200, Gravesham £164 and Dover £126. The proposal is to increase this fee to £165 for 2020/21.

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 £65 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 £69 per hour while Maidstone and Tunbridge Wells currently charge £25 per hour. Some Authorities such as Folkestone & Hythe charge flat rates of £150. 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 2020/21	Income Full Year 2020/21
Responding to requests for information relating to contaminated land	£65.00 per hour (1 hour minimum charge)	£68.00 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 £63 per hour, plus the cost of sample analysis.
- 1.10.4 The fee has been derived based upon comparison with other Kent local authorities. 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 2020/21	Income Full Year 2020/21
Carrying out sampling and risk assessment of private water supplies	£60.00 per hour (1 hour minimum charge) plus VAT	£63.00 per hour (1 hour minimum charge) plus VAT	£750

1.11 Legal Implications

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

1.12 Financial and Value for Money Considerations

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

1.13 Risk Assessment

1.13.1 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

1.14 Equality Impact Assessment

1.14.1 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.

1.15 Recommendations

1.15.1 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) the above charges be implemented from 1st April 2020.

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

Eleanor Hoyle
Director of Planning, Housing & Environmental Health

Sharon Shelton
Director of Finance & Transformation

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

30 October 2019

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

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 PROVISION AND OPERATION OF BUS SHELTERS

Summary

This report brings forward a proposed new and improved Agreement for the provision and operation of bus shelters.

1.1 Introduction

1.1.1 There are currently 110 bus shelters located across the Borough, providing protection to the public from inclement weather. Whilst 13 of the shelters are provided and maintained directly by the Council, the other 97 are provided and maintained on the Council's behalf by a third party operator, Clear Channel UK Limited. A 5 year agreement is in place between the Council and Clear Channel which expires at the end of this calendar year.

1.2 Current Agreement

1.2.1 The current Agreement requires Clear Channel to provide and operate 97 bus shelters, in return for exclusive advertising rights on the bus shelters. At the present time Clear Channel advertise on 65 of the 97 bus shelters using posters in illuminated advertising panels.

1.2.2 Clear Channel clean and repair the shelters and abide by advertising user restrictions determined by the Council. For example, no advertising with a political or religious content is allowed.

1.2.3 The Agreement is cost neutral to the Council, and therefore offers excellent value for money. Clear Channel are one of only two main operators in the market, both of whom work under the same financial arrangement. In addition to the Council, Clear Channel currently operate in 6 other local authorities in Kent.

1.2.4 Over the last 5 years Clear Channel has provided a good level of service and it is not considered there would be any benefit in changing operator. A waiver from Contract Procedure Rule 13 has therefore been approved by the Council's Statutory Officers.

1.3 New Proposal

1.3.1 Clear Channel has presented a new proposal to the Council. It has identified that the main change in the advertising market is the move away from paper advertising to a digital approach. Not only is this more cost effective, but also enables a greater range of sales options as the adverts can be changed instantly and remotely. In overview, the new proposal includes the following:-

- a 5 year Agreement at no cost to the Council, based on the existing Agreement;
- an ability for Clear Channel to upgrade to digital. This initially will involve up to 10 sites located close to town centres or main link roads;
- with regard to the 13 bus shelters not included in the Agreement, Clear Channel will agree to supply 10 new 2 bay shelters into the contract;
- all shelters will over the term of the contract be upgraded to LED lighting.

1.3.2 The new digital platform offers a number of benefits to this Council. It provides greater opportunity for advertising to local businesses, the Council will be offered free access to voidage (unsold space) and the screens will be available for emergency messaging. The new digital shelters will also have mobile phone connectivity, and will be beacon enabled. This will provide the potential for the Council to benefit from a marketing mobile platform in the future.

1.4 Legal Implications

1.4.1 The formal agreement is currently being finalised with Clear Channel, and will be subject to review by Legal Services. A waiver has been sought from Contract Procedure Rules with regards to the procurement process.

1.5 Financial and Value for Money Considerations

1.5.1 There are no financial implications as the Agreement is cost neutral. Taking this into account the proposal offers excellent value for money to this authority.

1.6 Risk Assessment

1.6.1 Clear Channel are changing its focus away from paper to digital advertising in line with industry trends.

1.7 Equality Impact Assessment

1.7.1 No issues identified.

1.8 Policy Considerations

1.8.1 Asset Management

1.8.2 Community

1.8.3 Digital

1.8.4 Climate Change

1.9 Recommendations

1.9.1 It is **RECOMMENDED to CABINET** that the Council enters into an improved 5 year Agreement with Clear Channel UK Ltd for the provision and operation of Bus Shelters across the Borough.

Background papers:

contact: Andrew Young

Nil

Robert Styles

Director of Street Scene, Leisure & Technical Services

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Agenda Item 9

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

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Agenda Item 10

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

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

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Agenda Item 11

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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