

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

Gibson Building
Gibson Drive
Kings Hill, West Malling
Kent ME19 4LZ
West Malling (01732) 844522

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: Democratic Services
committee.services@tmbc.gov.uk

26 May 2023

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

Dear Sir/Madam

Your attendance is requested at a meeting of the Cabinet to be held in the Council Chamber, Gibson Drive, Kings Hill on Tuesday, 6th June, 2023 commencing at 7.30 pm.

Members of the Cabinet are required to attend in person. Other Members may attend in person or participate online via MS Teams.

Information on how to observe the meeting will be published on the Council's website.

(NB: Background papers to items referred from Scrutiny Select Committees and Committees have been omitted from printed agenda packs.)

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

1. Guidance for the Conduct of Meetings

5 - 6

PART 1 - PUBLIC

- | | | |
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| 2. | Apologies for absence | 7 - 8 |
| 3. | Declarations of interest | 9 - 10 |

Members are reminded of their obligation under the Council's Code of Conduct to disclose any Disclosable Pecuniary Interests and Other Significant Interests in any matter(s) to be considered or being considered at the meeting. These are explained in the Code of Conduct on the Council's website at [Code of conduct for members – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk/code-of-conduct-for-members).

Members in any doubt about such declarations are advised to contact Legal or Democratic Services in advance of the meeting

- | | | |
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| 4. | Minutes | 11 - 16 |
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To confirm as a correct record the Minutes of the meeting of the Cabinet held on 4 April 2023

Decisions to be taken in accordance with Part 3 of the Constitution

Executive Key Decisions

- | | | |
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| 5. | Car Parking Fees and Charges - Haysden Country Park - Outcome of Public Consultation | 17 - 32 |
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This report considers the objections and comments received during the statutory consultation period relating to proposed off-street parking charge changes at Haysden Country Park in Tonbridge

Executive Non-Key Decisions

- | | | |
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| 6. | Revenue and Capital Outturn 2022/23 | 33 - 48 |
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In accordance with the Council's Financial Procedure Rules we present a report and accompanying information detailing actual Revenue and Capital Outturn for the year ended 31 March 2023 and subsequent adjustments made in light of the Outturn position.

Due to its size Annex 1 – Revenue and Capital Outturn 2022/23 Book – is attached as a supplement.

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| 7. | Risk Management | 49 - 70 |
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Recommendation AU 23/15 of the Audit Committee of 17 April 2023

Matters submitted for Information

8. Minutes of Panels, Boards and Other Groups 71 - 76

The minutes of meetings of Advisory Panels, Boards and Other Groups are attached. Any recommendations arising from these minutes are set out as individual items on this agenda.

9. Decisions taken by Cabinet Members 77 - 78

A record of the decisions taken by portfolio holders since the last meeting of Cabinet are attached.

10. 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.

Matters for consideration in Private

11. Exclusion of Press and Public 81 - 82

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

12. Urgent Items 83 - 84

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

MEMBERSHIP

Councillor M D Boughton, (Leader)
Councillor R P Betts, (Climate Change, Regeneration and Property)
Councillor M A Coffin, (Transformation and Infrastructure)
Councillor D Keers, (Community Services)
Councillor K B Tanner, (Finance and Housing)
Councillor M Taylor, (Planning)

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

GUIDANCE ON HOW MEETINGS WILL BE CONDUCTED

- (1) All meetings of the Borough Council will be livestreamed to YouTube here, unless there is exempt or confidential business be discussed:

<https://www.youtube.com/channel/UCPp-IJISNgoF-ugSzxjAPfw/featured>
- (2) There are no fire drills planned during the time a meeting is being held. For the benefit of those in the meeting room, the fire alarm is a long continuous bell and the exits are via the doors used to enter the room. An officer on site will lead any evacuation.
- (3) Should you need this agenda or any of the reports in a different format, or have any other queries concerning the meeting, please contact Democratic Services on committee.services@tmbc.gov.uk in the first instance.

Attendance:

- Members of the Committee/Advisory Board are required to attend in person and be present in the meeting room. Only these Members are able to move/ second or amend motions, and vote.
- Other Members of the Council can join via MS Teams and can take part in any discussion and ask questions, when invited to do so by the Chairman, but cannot move/ second or amend motions or vote on any matters. Members participating remotely are reminded that this does not count towards their formal committee attendance.
- Occasionally, Members of the Committee/Advisory Board are unable to attend in person and may join via MS Teams in the same way as other Members. However, they are unable to move/ second or amend motions or vote on any matters if they are not present in the meeting room. As with other Members joining via MS Teams, this does not count towards their formal committee attendance.
- Officers can participate in person or online.
- Members of the public addressing an Area Planning Committee can participate in person or online. Please contact committee.services@tmbc.gov.uk for further information.

Before formal proceedings start there will be a sound check of Members/Officers in the room. This is done as a roll call and confirms attendance of voting Members.

Ground Rules:

The meeting will operate under the following ground rules:

- Members in the Chamber should indicate to speak in the usual way and use the fixed microphones in front of them. These need to be switched on when speaking or comments will not be heard by those participating online. Please switch off microphones when not speaking.
- If there any technical issues the meeting will be adjourned to try and rectify them. If this is not possible there are a number of options that can be taken to enable the meeting to continue. These will be explained if it becomes necessary.

For those Members participating online:

- please request to speak using the 'chat or hand raised function';
- please turn off cameras and microphones when not speaking;
- please do not use the 'chat function' for other matters as comments can be seen by all;
- Members may wish to blur the background on their camera using the facility on Microsoft teams.
- Please avoid distractions and general chat if not addressing the meeting
- Please remember to turn off or silence mobile phones

Voting:

Voting may be undertaken by way of a roll call and each Member should verbally respond For, Against, Abstain. The vote will be noted and announced by the Democratic Services Officer.

Alternatively, votes may be taken by general affirmation if it seems that there is agreement amongst Members. The Chairman will announce the outcome of the vote for those participating and viewing online.

Apologies for absence

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

MINUTES

Tuesday, 4th April, 2023

Present: Cllr M D Boughton (Chairman), Cllr V M C Branson, Cllr M A Coffin, Cllr D A S Davis, Cllr D Keers, Cllr P J Montague and Cllr K B Tanner.

In attendance: Cllr M A J Hood was also present pursuant to Access to Information Rule No 23.

Virtual: Cllrs Mrs S Bell, Mrs A S Oakley and M R Rhodes participated via MS Teams and joined the discussion when invited to do so by the Chair in accordance with Access to Information Rule No 23.

An apology for absence was received from Councillor R P Betts.

PART 1 - PUBLIC

CB 23/36 DECLARATIONS OF INTEREST

Councillor M Boughton declared an Other Significant Interest in the agenda item relating to Voluntary and Community Sector Grants on the grounds that he was a representative appointed by the Council to sit on the Board of the Citizen's Advice Bureau. He withdrew from the meeting and did not participate in the discussion on this matter and did not vote on any proposals.

CB 23/37 MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 7 March 2023 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

EXECUTIVE KEY DECISION

CB 23/38 IMPLICATIONS OF NPPF CONSULTATION ON LOCAL PLAN

Decision Notice D230030CAB

Consideration was given to the recommendation of the Housing and Planning Scrutiny Select Committee on 21 March 2023 (HP 23/4).

RESOLVED: That

- (1) the implications of the proposed 'Levelling-up and Regeneration Bill: Reforms to National Planning Policy', as set out in Annex 1, be noted;
- (2) the Borough Council progressed the Local Plan under the current arrangements, as outlined in Option 1 in the report, and;
- (3) a new Local Development Scheme with more detailed financial implications be brought to a future meeting of the Housing and Planning Scrutiny Select Committee in Summer 2023.

EXECUTIVE NON-KEY DECISIONS**CB 23/39 OUTCOMES AND ACHIEVEMENTS OF THE IT STRATEGY AND DIGITAL STRATEGY**

Decision Notice D230031CAB

The report focused on informing Members of the impact the Council's IT and Digital strategies have had on the organisation over the last 4 year period. Both strategies were customer-centric and aligned to underpin the Council's ambition to improve the customer experience in terms of quality and the efficiency of the services provided.

The report highlighted the measurable outcomes against the overall vision set out in the strategies.

It was noted that these outcomes exemplified the pragmatism and foresight adopted by the Borough Council which had enabled ambitious and transformative strategies to be implemented in such a short timescale.

Work on developing new Strategies for a further period was underway and a draft would be brought to Members for consideration in due course.

RESOLVED: That

- (1) the outcomes and achievements of the IT Strategy 2018-2023 and the Digital Strategy 2019-2023 be noted; and
- (2) a new Corporate IT and Digital Strategy be developed and presented for consideration to a future meeting of the Cabinet during 2023.

CB 23/40 COMMUNITY DEVELOPMENT GRANT SCHEME

Decision Notice D230032CAB

The report of the Chief Executive set out details of the Community Development Grant Scheme and sought approval to launch in April 2023. An allocation of £165,269 from the UK Shared Prosperity Fund would be used to fund this community grant scheme over a two year period.

Careful consideration was given to the funding priorities for 2023/24, the grant application process and the legal, financial and value for money implications. It was also recognised that the application process had been designed to minimise risk, with assessments based on set criteria.

RESOLVED: That the Community Development Grant Scheme, as detailed in the report, be endorsed.

CB 23/41 BLUE BELL HILL COMMUTER CAR PARK

Decision Notice D230033CAB

The joint report of the Director of Street Scene, Leisure and Technical Services, Cabinet Member for Technical and Waste Services and Cabinet Member for Community Services provided details of the current issues at Blue Bell Hill commuter car park and sought Member's instructions as to future arrangements.

The site was acquired in December 2003 from Kent County Council and included two covenants aimed at restricting the use of the site, the first stating that Tonbridge and Malling Borough Council was not to use the land for any purpose other than as a 'public commuter car park. Prior to the pandemic, the site was successfully operated as a commuter car park serving a number of private bus services that operated to London, but since the pandemic, the income from the car park had naturally declined, therefore the current operating model for the car park was not an efficient use of resources and was considered to be unsustainable.

Furthermore, there were significant concerns in respect of anti-social behaviour on the site and the noise and general nuisance which related to vehicles was a major concern to local residents who continued to report issues.

After careful consideration of the financial and value for money implications and the ongoing anti-social behaviour, Cabinet

RESOLVED: That

- (1) the Blue Bell Hill commuter car park be closed and the site secured to prevent any pedestrian and vehicular access; and

- (2) future opportunities for alternative use of the site be explored with Kent County Council.

CB 23/42 VOLUNTARY AND COMMUNITY SECTOR GRANTS

Decision Notice D230034CAB

The report of the Chief Executive reviewed and noted progress against Service Level Agreements for ongoing grants and considered future funding in respect of Citizens Advice North and West Kent.

A summary of each organisations progress achieved against the objectives set out in their Service Level Agreements were attached at Annexes 1, 2, 3 and 4 for information.

After careful consideration of the legal, financial and value for money implications, Cabinet

RESOLVED: That

- (1) the good progress and support provided to residents from Involve, Imago, the Mediation Schemes and Age UK Sevenoaks and Tonbridge be noted; and
- (2) based on the good progress and the support provided to residents from CANWK grant funding of £95,000, as set out in the report, be agreed for the financial year 2023/24.

CB 23/43 TMBC OWNED SITES - LOCAL PLAN

Decision Notice D230035CAB

Consideration was given to the recommendation of the Finance, Regeneration and Property Scrutiny Select Committee on 14 March 2023 (FRP 23/4).

RESOLVED: That all sites set out at Annex 1 to the report, be considered as unavailable for development when formally responding to the letter from the Local Planning Authority, once received, regarding TMBC owned sites identified in the Urban Capacity Study.

CB 23/44 S106 MATTERS

Decision Notice D230036CAB

The report of the Director of Planning, Housing and Environmental Health provided an updated S106 Protocol and new monitoring structure for S106 monies for consideration. In addition, an update on the recently published Infrastructure Delivery Statement was provided.

Careful consideration was given to the recommendation of the Overview and Scrutiny Committee on 26 January 2023 (OS 23/6), the legal, financial and value for money implications and the risk assessment. Consideration was also given to the representations submitted by Kent County Council following further discussion. However, it was noted that this level of detail was not required in the amended Protocol and there were no changes recommended to the Protocol that was agreed in principle by the Overview and Scrutiny Committee.

RESOLVED: That

- (1) the revised S106 Protocol and process, including the new monitoring structure be approved; and
- (2) the recently approved and published Infrastructure Funding Statement 21/22 be noted.

MATTERS SUBMITTED FOR INFORMATION

CB 23/45 DECISIONS TAKEN BY CABINET MEMBERS

Details of the Decisions taken in accordance with the rules for the making of decisions by executive members, as set out in Part 4 of the Constitution, were presented for information.

CB 23/46 MINUTES OF PANELS, BOARDS AND OTHER GROUPS

The Minutes of the Joint Transportation Board of 6 March 2023 were received and noted.

CB 23/47 DECISIONS TAKEN UNDER EMERGENCY OR URGENCY PROVISIONS

Details of the Decisions taken in accordance with emergency and/or urgency provisions were presented for information.

CB 23/48 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

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

DECISIONS TAKEN IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**EXECUTIVE KEY DECISION****CB 23/49 NEW LEASE 20-28 MARTIN SQUARE, LARKFIELD**

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

Decision Notice D230037CAB

Careful consideration was given to proposals for a new lease at 20-28 Martin Square, Larkfield. The proposed terms of the lease were detailed in the report and five options in respect of the maisonettes were presented for consideration.

RESOLVED: That

- (1) Officers be instructed to investigate options 4 and 5, set out in 1.4.4 of the report, in relation to two maisonettes currently included within the lease and the findings reported to the Cabinet Member for Finance, Innovation and Property; and
- (2) authority be delegated to the Cabinet Member for Finance, Innovation and Property to approve the final terms of the lease to Alliance Property Holdings, specifically in relation to the inclusion or exclusion of the maisonettes and the level of rent, once the maisonettes appraisal has been completed.

The meeting ended at 8.43 pm

TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

06 June 2023

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

Part 1- Public

Executive Key Decisions

1 **CAR PARKING FEES AND CHARGES – HAYSDEN COUNTRY PARK - OUTCOME OF PUBLIC CONSULTATION**

1.1 Summary

This report considers the objections and comments received during the statutory consultation period relating to proposed off-street parking charge changes at Haysden Country Park in Tonbridge

1.2 Introduction

1.2.1 At the November meeting of Cabinet, Members considered a number of proposals for revision to the Council's fees and charges for services. One of the elements agreed by Cabinet was an increase in parking charges for users of Haysden Country Park.

1.2.2 At this meeting of Cabinet on 8th November 2022 it was agreed that the proposed charges would be approved for consultation in accordance with the requirements of Statutory Regulations. To enable the charges to be introduced a new off-street Traffic Regulation Order is required.

1.2.3 Where there is a statutory process a local authority should comply with the process as laid out. In the case of the proposed car parking charges this is under the Road Traffic Regulation Act 1984, following the procedure set out in the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996. Regulation 8 of the 1996 Regulations requires a 21 day consultation period.

1.2.4 This report covers proposals for the changes to tariffs in the Council's Haysden Country Park car park.

1.3 Consultation

1.3.1 The statutory consultation was carried out between 6th January and 29th January 2023.

1.3.2 The proposed charges considered in this report are outlined in the Formal Consultation Notice, shown at **Annex 1**.

1.3.3 The statutory consultation process followed a number of steps inviting comments or objections as follows:-

- Notices were placed in each car park by each pay and display machine;
- Adverts were placed in the Kent Messenger;
- Letters were sent to each Parish/Town Council and Borough Council Member;
- Letters were sent to statutory consultees.
- Emails were sent to all current Haysden Country Park Season Ticket holders.
- Consultation documents were placed “on-deposit” for inspection at the Council Offices in Kings Hill and Tonbridge Castle.

The consultation documents were also placed on the Council’s website. In line with the Council’s new Digital Strategy respondents were able to make comments online.

1.3.4 During the consultation period 4 responses were received.

1.3.5 There were two responses from Members of the Council at this time, who are no longer Council Members. One response was from ex-Cllr Luker, commenting;

“Looking at the income generated and the damage to trading centres in the Borough I feel that however deemed necessary any increase would be detrimental to shop and businesses and their continuing viability.

I am aware of some large employers in town struggling as staff have no access to parking and because of shift patterns erratic public transport cannot get to work putting their continued presence in jeopardy, not good for town centres”

1.3.6 The other Member response was from ex-Cllr Branson, commenting on the print layout in the tables, rather than about the proposal itself.

1.3.7 There were two responses from members of the public. The first public response raised a number of maintenance related issues that have been forwarded to Leisure Services to address, but also commented:

“The parking permit has gone up more than inflation over the past 3 years, and we haven’t had full use of the Barden Lake / Haysden Lake Country Park for at least a year now, so hard to justify the new £65 charge.”

1.3.8 The second public response related to the increase in charge:

“I have a season ticket for Haysden Country Park that expires in March 2023.

The one I had from 2021-2022 cost £40, the current one was £50 but the proposal below says an increase of £5 but to £65. Please can you clarify this?

I understand an increase but going from £40 to £65 in two years seems excessive.”

1.3.9 In response, the Season Ticket holder’s previous permit was purchased before the previous price change was applied in July 2023, so was at the lower rate.

1.3.10 The redacted consultation responses are included in **Annex 2**

1.3.11 Given the context of the parking charges proposals, it is recommended that Cabinet note the responses received and set aside the objections.

1.4 Legal Implications

1.4.1 The consultation on the proposed parking charges followed the requirements of statutory regulations as detailed in sub-sections 1.1.1 and 1.1.2 of the report.

1.5 Financial and Value for Money Considerations

1.5.1 The proposed charges were reviewed within the context of a set of guiding principles, the cost of the parking service to the Council and ongoing investment in the parking management service. It is anticipated that the new charges will be introduced in late July 2023.

1.6 Risk Assessment

1.6.1 The estimated additional income outlined in the report to Cabinet was modelled on the basis that future parking patterns and demand match current activity.

1.7 Equality Impact Assessment

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

1.7.2 Blue Badge holders can park free of charge in the Council’s car parks for up to 23 hours. 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.

1.8 Policy Considerations

1.8.1 Asset Management

1.8.2 Community

1.8.3 Customer Contact

1.9 Recommendations

1.9.1 It is **RECOMMENDED** that Cabinet:-

- i) Set aside the objections to the proposed charges to the off-street parking charges, as detailed in the report.
- ii) Approve the appropriate Traffic Regulation Order be made to facilitate the variation of the off-street parking charges to come into effect as soon as practical.

Background papers:

Nil

contact: Andy Bracey
Parking Manager

Annex 1 – Formal Consultation notice

Annex 2 – Redacted consultation responses



**THE TONBRIDGE AND MALLING BOROUGH COUNCIL
(OFF-STREET PARKING PLACES)
ORDER 2023**

Notice is hereby given that Tonbridge & Malling Borough Council intends to make the above Order under Sections 32 and 35 of the Road Traffic Regulation Act 1984, the effect of which will be as per the Council's existing Off-Street Parking Places Order, save for the following changes;

Parking Charges

Country Parks

Group 14.1, covering Haysden Country Park

- an increase of 20p (to £2.00) to the "up to 4 hour" tariff
- an increase of 50p (to £4.50) for the "over 4 hour" tariff
- an increase of £5 (to £65) for 12 month car park season tickets

Group 14.2, (covering Leybourne Lakes)

No longer used

A copy of the draft Order and the Statement of Reasons for proposing to make the Order may be inspected during normal working hours at the offices of Tonbridge and Malling Council Offices, Kings Hill, West Malling or at Tonbridge Castle and also at the Kent County Offices, Sessions House, County Hall, Maidstone, Kent.

The proposed Order may also be viewed on www.tmbc.gov.uk/offstreetcharges

Anyone wishing to support these proposals, or object to them, should write stating reasons, and quoting the name of the Order, by no later than 29th January 2023.

If you have any questions concerning this notice, require further information or have difficulty in reading this notice, please contact, during normal office hours, the Parking Office tel: (01732) 844522, email: parking.office@tmbc.gov.uk or by post to;

The Parking Office, Tonbridge & Malling Borough Council,
Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ.

Dated 6th January 2023

Julie Beilby
Chief Executive

For enquires relating to these proposals please contact Tonbridge & Malling Borough Council on 01732 844522.

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From: [Brian Luker](#)
To: [Joanne Sonnex](#); [All Councillors](#)
Cc: [Andy Edwards](#); [Andy Bracey](#)
Subject: Re: Off-street parking fees and charges in the Borough of Tonbridge & Malling & Parking enforcement changes at Leybourne Lakes Country Park
Date: 05 January 2023 13:38:35

Hi all

Looking at the income generated and the damage to trading centres in the borough i feel that hoe ever deemed necessary any increase would be detrimental to shop and businesses and there continuing viability, i am aware of some large employers in ton struggling as staff have no access to parking and because of shift patterns erratic public transport cannot get to work putting there continued presence in jeopardy, not good for town centres

Regards brian

Sent from [Outlook for iOS](#)

From: Joanne Sonnex <Joanne.Sonnex@tmbc.gov.uk>
Sent: Thursday, January 5, 2023 1:15:10 PM
To: [REDACTED]
Cc: Andy Edwards <Andy.Edwards@tmbc.gov.uk>; Andy Bracey <Andy.Bracey@tmbc.gov.uk>
Subject: re: Off-street parking fees and charges in the Borough of Tonbridge & Malling & Parking enforcement changes at Leybourne Lakes Country Park

Sent with permission of my Director – On behalf of Andy Bracey, Parking Manager

Dear Councillors,

Off-street parking fees and charges in the Borough of Tonbridge & Malling

As part of the Borough Council's review of fees and charges for it's services, the Council is proposing alterations to off-street parking charges in the Haysden Country Park, along with changes to permit and season ticket prices.

This requires a change to the Council's Off-Street parking Traffic Regulation Order, and with this in mind we are now consulting on the changes to the Order.

A copy of the Notice of intention to make the Order is attached.

Due to the size of the documents, details of the proposals, the statement of reasons and the draft Traffic Regulation Order can be viewed on the Borough Council's website www.tmbc.gov.uk/offstreetcharges, however, paper copies of the proposals are available on request.

Additionally, all of the consultation documents are available 'on deposit' and may be inspected during normal working hours at the following locations, however, staff at those locations may not be able to answer technical queries.

Tonbridge & Malling BC Offices Gibson Drive Kings Hill West Malling Kent ME19 4LZ	Tonbridge & Malling BC Offices Tonbridge Castle Castle Street Tonbridge Kent TN9 1BG	Kent County Council Sessions House County Hall Maidstone Kent ME14 1XQ
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I should be grateful to receive any comments in writing (so they can be considered by the Councillors) by 29th January 2023 so that the issue can be reported to the next

available meeting of the Council's Cabinet. If there is no response, I shall assume you have no objections.

On an associated issue;

Leybourne Lakes Country Park

Tonbridge & Malling Leisure Trust manage Leybourne Lakes Country Park and have decided to change the operation of the car park, introducing parking enforcement by a private parking company. This enables the use of Automatic Number Plate Recognition systems at the entrance and exit for parking enforcement.

As part of the changes the **TMBC Country Park season tickets will no longer be valid** in the Leybourne Lakes Country Park car park from 26th January 2023.

Details of the new parking arrangements will be available from the Leisure Trust through their website www.tmactive.co.uk

Andy Bracey FIHE
Parking Manager
Street Scene, Leisure & Technical Services

A note about how your personal data is used: As your councillor, I am the “data controller” of any personal data you provide to me. I will use this personal data to enable me to deal with your query or matter. This may also require me to share your personal data with Tonbridge & Malling Borough Council to make sure your query gets handled appropriately. If you have any questions about how your personal data is used, please let me know. For full details about your data rights and about how I will process your personal data please see the Councillors’ privacy notice which can be found [here](#)

From: [Vivian Branson](#)
To: [Andy Bracey](#)
Subject: FW: Off-street parking fees and charges in the Borough of Tonbridge & Malling & Parking enforcement changes at Leybourne Lakes Country Park
Date: 08 January 2023 10:43:50

From: Vivian Branson
Sent: 08 January 2023 10:42
To: Joanne Sonnex <Joanne.Sonnex@tmbc.gov.uk>; andy.bracey@tmbc.gov.uk
Subject: RE: Off-street parking fees and charges in the Borough of Tonbridge & Malling & Parking enforcement changes at Leybourne Lakes Country Park

Hi

In the tables on the scale of charges, it looks as if they have all slipped a line.

Vivian

From: Joanne Sonnex <Joanne.Sonnex@tmbc.gov.uk>
Sent: 05 January 2023 13:15
To: [REDACTED]
Cc: Andy Edwards <Andy.Edwards@tmbc.gov.uk>; Andy Bracey <Andy.Bracey@tmbc.gov.uk>
Subject: re: Off-street parking fees and charges in the Borough of Tonbridge & Malling & Parking enforcement changes at Leybourne Lakes Country Park

Sent with permission of my Director – On behalf of Andy Bracey, Parking Manager

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Tonbridge & Malling BC Offices Gibson Drive	Tonbridge & Malling BC Offices Tonbridge Castle	Kent County Council Sessions House County Hall
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Kings Hill West Malling Kent ME19 4LZ	Castle Street Tonbridge Kent TN9 1BG	Maidstone Kent ME14 1XQ
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I should be grateful to receive any comments in writing (so they can be considered by the Councillors) by 29th January 2023 so that the issue can be reported to the next available meeting of the Council's Cabinet. If there is no response, I shall assume you have no objections.

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Details of the new parking arrangements will be available from the Leisure Trust through their website www.tmactive.co.uk

Andy Bracey FIHE
Parking Manager
Street Scene, Leisure & Technical Services

A note about how your personal data is used: As your councillor, I am the “data controller” of any personal data you provide to me. I will use this personal data to enable me to deal with your query or matter. This may also require me to share your personal data with Tonbridge & Malling Borough Council to make sure your query gets handled appropriately. If you have any questions about how your personal data is used, please let me know. For full details about your data rights and about how I will process your personal data please see the Councillors’ privacy notice which can be found [here](#)

From: [Technical Services](#)
To: [Victoria Sargent](#)
Subject: RE: Haysden Country Park
Date: 17 January 2023 13:47:09

I will log it, and assign to Chris Fox, Leisure as this is not a bridge that we deal with. It may be a PROW bridge in which case Chris can tell them to contact KCC.

Thanks
 Sally

From: Victoria Sargent <Victoria.Sargent@tmbc.gov.uk>
Sent: 17 January 2023 09:22
To: Technical Services <Technical.Services@tmbc.gov.uk>
Subject: FW: Haysden Country Park
Importance: High

Hello Sally,

Please can you take a look at the email below for me.

Is this something you would log and reply to?

Or should it be sent to Leisure Services (don't know who in that department) to deal with her queries and also copied to the Haysden consultation folder re: her comments about the proposed price change.

Or other suggestion?

Thank you for your help with this.

Vicky

From: [REDACTED] >
Sent: 17 January 2023 08:58
To: Parking Office <parking.office@tmbc.gov.uk>
Cc: [REDACTED]
Subject: Fw: Permit renewal reminder - [REDACTED]
Importance: High

Good morning

Before I renew my parking permit at HAYSDEN COUNTRY PARK, I wonder if you could please tell me when

a/ the new bridge by the Barden Lake will be re-installed

b/ the works will be completed & the barriers taken away so we can use the whole walk around Haysden Lake

The parking permit has gone up more than inflation over the past 3 years, and we haven't had full use of the Barden Lake / Haysden Lake Country Park for at least a year now, so hard to justify the new £65 charge.

Regards

From: DoNotReply+TonbridgeandMallingBoroughCouncil@paysmarti.co.uk
<DoNotReply+TonbridgeandMallingBoroughCouncil@paysmarti.co.uk>

Sent: 10 January 2023 02:34

To: [REDACTED]

Subject: Permit renewal reminder - [REDACTED]

Dear [REDACTED]

This is a reminder email to inform you that the following permit or season ticket expires on [REDACTED].

Permit type: Country Park Season Ticket

Permit number: [REDACTED]

Vehicle Registration: [REDACTED]

Permit charges are shown on our website and can be viewed via this link:

[View permit charges](#)

Season ticket charges are shown on our website and can be viewed via this link:

[View car park season ticket charges](#)

You can renew your permit/season ticket from today. However, you will not be able to renew it after 28 January 2023. If you later require a permit/season ticket for the vehicle, a new permit application would be required.

How to renew your permit

1. [Log in to your account](#)
2. Click on the "My permits" icon.
3. Click on the green renewal button (a circle made of two arrows). This takes you to a partially populated form.
4. If the details shown are correct, click on the green "next" button to proceed to the next screen. Disregard point 5 if the details are correct.
5. If the details are incorrect, change them before clicking on the green "next" button at the bottom of the screen.
6. The next screen shows a summary of your permit renewal. At the bottom of this screen click to view the *terms and conditions* (which opens in a new window). You will need to agree to the terms and conditions and then click "Proceed".
7. The permit/season ticket will be issued when you have made the required payment. Confirmation of the new permit/season ticket details will be sent by the automated system.

If you have any queries regarding the renewal of your permit, please do not hesitate to contact us by email at parking.office@tmbc.gov.uk or by phoning on 01732 876034.

Yours sincerely,

The Parking Office
Tonbridge & Malling Borough Council

Please note this message is generated automatically from an email address which cannot accept replies. If you have any questions, please forward your enquiry quoting the permit number to parking.office@tmbc.gov.uk.

This email has been scanned by TMBC before delivery to your mailbox. Please click [here](#) to report this email as spam and help train the filter.

From: [REDACTED]
To: [Parking Office](#)
Subject: FW: Changes to car parks where country parks season tickets are valid & Parking Consultation
Date: 06 January 2023 10:42:08

Good morning,

I have a season ticket for Haysden Country Park that expires in March 2023.

The one I had from 2021-2022 cost £40, the current one was £50 but the proposal below says an increase of £5 but to £65. Please can you clarify this? I understand an increase but going from £40 to £65 in two years seems excessive.

Thanks

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: DoNotReply+TonbridgeandMallingBoroughCouncil@paysmarti.co.uk
<DoNotReply+TonbridgeandMallingBoroughCouncil@paysmarti.co.uk>

Sent: 06 January 2023 02:42

To: [REDACTED]

Subject: Changes to car parks where country parks season tickets are valid & Parking Consultation

This message originated from outside of the organisation.

[REDACTED],

As part of the Borough Council's review of fees and charges for its services, the Council is proposing to increase off-street parking charges in the Haysden Country Park.

The proposed changes are as follows:

Haysden Country Park

- an increase of 20p (to £2.00) to the "up to 4 hour" tariff
- an increase of 50p (to £4.50) for the "over 4 hour" tariff
- an increase of £5 (to £65) for 12 month car park season tickets

A copy of the draft Order and the Statement of Reasons for proposing to make the Order may be inspected during normal working hours at the offices of Tonbridge and Malling Council Offices, Kings Hill, West Malling or at Tonbridge Castle.

The proposed Order may also be viewed on www.tmbc.gov.uk/offstreetcharges

Anyone wishing to support these proposals, or object to them, should write stating reasons, and quoting the name of the Order, by no later than 29th January 2023.

Any agreed price change would be implemented in April 2023.

Leybourne Lakes Country Park

Tonbridge & Malling Leisure Trust manage Leybourne Lakes Country Park and have decided to change the operation of the car park, introducing parking enforcement by a private parking company. This enables the use of Automatic Number Plate Recognition systems at the entrance and exit for parking enforcement.

As part of the changes the TMBC Country Park season tickets will no longer be valid in the Leybourne Lakes Country Park car park from 26th January 2023.

If you do not want a season ticket that is only valid in the Haysden Country Park, please ensure you cancel your season ticket via your permit account on 26 January 2023.

Cancellation requests are effective immediately and you cannot submit a cancellation request from a future date. It is important that you cancel the season ticket promptly when you no longer require the season ticket to maximise the refund that will be due to you. Please note that partial refunds are not issued back to the payment card used to purchase the permit. When an online cancellation request is received, we will email you and request your bac details; the email will be sent from parking.office@tmbc.gov.uk

If you experience any difficulty cancelling your season ticket using the automated system, please email us at parking.office@tmbc.gov.uk

Details of the new parking arrangements will be available from the Leisure Trust through their website www.tmactive.co.uk

Kind regards,

Parking Team

This email has been scanned by TMBC before delivery to your mailbox. Please click [here](#) to report this email as spam and help train the filter.

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TONBRIDGE & MALLING BOROUGH COUNCIL

CABINET

06 June 2023

Joint Report of the Chief Executive and Director of Finance and Transformation

Part 1- Public

Executive Non Key Decisions

1 REVENUE AND CAPITAL OUTTURN 2022/23

In accordance with the Council's Financial Procedure Rules we present a report and accompanying information detailing actual Revenue and Capital Outturn for the year ended 31 March 2023 and subsequent adjustments made in light of the Outturn position.

1.1 Introduction

- 1.1.1 A detailed revenue and capital outturn position for the year 2022/23 is provided in the Revenue and Capital Outturn Booklet attached at **[Annex 1]** which has been compiled in liaison with Chief Officers, including, where appropriate, explanatory notes of variations between revised estimates and outturn. Variations between the original and revised estimates for 2022/23 were highlighted in the notes to the Annual Estimate papers presented to Members during the 2023/24 budget cycle.
- 1.1.2 In accordance with the Council's Constitution the Statement of Accounts which shows the outturn in the format specified by the Code of Practice on Local Authority Accounting in the United Kingdom 2022/23 will be presented to the **Audit Committee** for **approval**. The Director of Finance and Transformation is to present an unaudited copy of the Statement of Accounts to the Audit Committee on 24 July.

1.2 Overall Revenue Position

- 1.2.1 Cabinet is advised that the contribution to the General Revenue Reserve is £949,685, some £432,835 more than the Revised Estimate figure of £516,850. This after having set aside additional reserve movements as explained in paragraph 1.2.3.
- 1.2.2 The variance prior to the adjustments detailed above of £981,835 can be attributed to, amongst other things, above profile performance on investment returns due to the earlier and continued rise in interest rates and our major operational income streams most notably planning application fees, garden waste and car parking. This is partially offset by the under recovery of income on the

recycling performance payments and business rates and increased costs associated with bad debt provisions and housing benefits. See paragraph 1.2.4 for further detail.

1.2.3 We have, as part of the closedown process, undertaken a review of the specific earmarked reserves held by the Council. As a result of this review and in liaison with Management Team, and referred to above, Cabinet is asked to note and endorse:

- Setting aside an additional £300,000 to Building Repairs to meet amongst other things the estimated one-off repairs to the Tonbridge Gatehouse Roof.
- The transfer of £249,000 to the Leisure Trust Reserve representing pension payments the Council is responsible for over the next triennial period.

1.2.4 As mentioned above, the contribution to the General Revenue Reserve is £949,685, some £432,835 more than the Revised Estimate figure of £516,850. The principal reasons for the variance is given in the table below.

Description	Revised Estimate 2022/23 £	Provisional Outturn 2022/23 £	Variation £
Building Repairs Reserve	750,000	1,050,000	300,000
Leisure Trust Reserve		249,000	249,000
Recycling Performance Payment	(686,000)	(508,018)	177,982
Business Rates Retention Scheme	(2,113,120)	(2,023,996)	89,124
Bad Debt Provision	50,000	137,084	87,084
Housing Benefits	14,600	101,020	86,420
Recruitment & Training	173,000	122,373	(50,627)
Summons Costs Recovered	(300,000)	(351,565)	(51,565)
New Burdens Grants	(235,900)	(303,193)	(67,293)
Garden Waste Collection Fees	(900,000)	(973,686)	(73,686)
Parking Fees & Charges	(2,953,000)	(3,039,666)	(86,666)
Planning Application Fees	(940,000)	(1,096,099)	(156,099)
Investment Income	(951,900)	(1,764,655)	(812,755)
Other Net Changes	19,304,869	19,181,115	(123,754)
Total	11,212,549	10,230,714	(432,835)

1.2.5 A more detailed analysis of the outturn position is to be found in the attached Revenue and Capital Outturn Booklet.

1.3 Capital Plan

1.3.1 Members will note a Capital Plan spend net of specific government grants and other contributions of £784,000 against a budget provision of £1,567,000. Factors that contributed to the net underspend are given below.

- Capital renewals budgets totalling £715,000 with actual capital renewals expenditure totalling £193,000. Capital renewals provisions reflect predictions as to when assets will need to be replaced. Underspend can largely be attributed to a lower than anticipated spend on capital renewals at our leisure facilities; and in respect of information technology.
- The very nature of capital expenditure and funding can see the rescheduling, reprofiling and review of future budget provision. Scheme budget provisions that are to be rescheduled, reprofiled or subject to review include the Temporary Accommodation, Pembury Road, Tonbridge adaptation works – in year underspend £83,000; works at both Tonbridge Racecourse Ground – in year underspend of £133,000; and Electric Vehicle Charging points £33,000.

1.3.2 A more detailed analysis of the outturn position is to be found in the attached Revenue and Capital Outturn Booklet.

1.4 Treasury Management and Investment Strategy Review

1.4.1 Updates to both the Prudential Code and Treasury Management Code were published by the Chartered Institute of Public Finance and Accountancy (CIPFA) in December 2021 and uphold a key principle that borrowing primarily for return on investment is not permissible.

1.4.2 The Treasury Management Code requires an annual review report of the previous year to be presented and endorsed by Members. A copy of the annual review report for the year 2022/23 is attached at **[Annex 2]**.

1.4.3 As this is a **technical document**, if Members have any questions, could we please ask that you contact **Donna Riley on extension 6381** in advance of the meeting.

1.5 Balances and Reserves

1.5.1 **[Annex 3]** Table 1 shows the movement on the Special Projects Reserve.

1.5.2 **[Annex 3]** Table 2 details the movement on Other Earmarked Reserves.

1.5.3 **[Annex 3]** Table 3 gives details of some revenue adjustments agreed by the Director of Finance and Transformation during the closedown process.

1.5.4 The Council is required to have regard to the level of its balances and reserves before making decisions concerning its finances. The Council's General Fund

working balance is set at £1,250,000 and this sum is considered appropriate for an authority of our size and scale. The position in respect of the Council's General Revenue Reserve is given below.

General Revenue Reserve		
	£	£
Balance at 1 April 2022		7,661,621
Contribution to / (from) Reserve		949,685
Balance at 31 March 2023		8,611,306

1.5.5 The Medium Term Financial Strategy anticipated a General Revenue Reserve balance at 31 March 2023 of £8,178,000.

1.6 Audit Committee

1.6.1 As mentioned earlier, an unaudited copy of the Statement of Accounts for 2022/23 is to be presented to the Audit Committee for approval on 24 July. The Accounts reflect the revenue and capital outturn position as detailed in this report and accompanying information, together with the subsequent adjustments as appropriate.

1.7 Medium Term Financial Strategy / Savings and Transformation Strategy

1.7.1 The focus of attention in 2023/24 must be to identify and deliver this year's savings target of £500,000 ideally before the start of 2024/25. Whilst this is not an easy ask and potential difficult choices to be made, it is at least something that is in our own hands. **Cabinet may wish to consider setting a timetable for this.**

1.8 Legal Implications

1.8.1 There are a number of legislative requirements to consider as we move through the closedown process, and prepare and publish the Statement of Accounts.

1.9 Financial and Value for Money Considerations

1.9.1 The budget year 2023/24 and review and update of medium term financial planning assumptions now the focus of attention.

1.9.2 The positive outturn position is clearly welcome, but does not unfortunately change what is a difficult and challenging financial outlook. The latest projected funding gap stands at £1.7m, plus a further £200k in respect of the rationalisation of office accommodation which is already built into the MTFs, notwithstanding the assumption that income and expenditure impacted by Covid-19 will largely return to levels pre the pandemic over the short to medium term.

1.9.3 Progress on meeting this year's savings and transformation contribution of £500,000 along with the initiative already built into the Medium Term Financial Strategy but yet to be delivered, the scaling back of office accommodation, to be reported to Cabinet during the year as appropriate.

1.10 Risk Assessment

1.10.1 The compilation and presentation of the revenue and capital outturn forms part of the closedown process, leading to the preparation and publication of the Statement of Accounts which is a statutory document. Failure to prepare and publish the Accounts within the statutory timescale and in accordance with the Regulations could adversely affect the Council.

1.10.2 The Council's financial sustainability at increased risk following the pandemic and more recently the invasion of Ukraine and its adverse impact on global economic conditions.

1.11 Equality Impact Assessment

1.11.1 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.

1.12 Policy Considerations

1.12.1 Budgetary and policy framework is relevant to all areas of the Council's business.

1.13 Recommendations

1.13.1 Cabinet is requested to:

- 1) Note and endorse the Revenue and Capital Outturn for the year 2022/23.
- 2) Note and endorse the action taken following a review of specific earmarked reserves set out at paragraph 1.2.3.
- 3) Note and endorse the Treasury Management and Investment Strategy Review 2022/23 [**Annex 2**].
- 4) Give consideration to a timetable for the programme of savings and transformation contributions in order to ensure the target of £500,000 is achieved by the start of the financial year 2024/25.

Background papers:

contact: Sharon Shelton

Nil

Julie Beilby
Chief Executive

Sharon Shelton
Director of Finance and Transformation

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Tonbridge and Malling Borough Council

Treasury Management Annual Report 2022/23

1.1 Introduction

1.1.1 This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activity and the actual prudential and treasury indicators for 2022/23. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

1.1.2 During 2022/23 the minimum reporting requirements were that full Council should receive the following treasury reports:

- an annual strategy in advance of the year;
- a mid-year review; and
- an annual review following the end of the year describing the activity compared to the strategy (this report).

In addition, treasury management updates have been presented to each meeting of the Audit Committee throughout the 2022/23 financial year. Treasury performance is also included in the Financial Planning and Control reports to Cabinet or the Finance, Regeneration and Property Scrutiny Select Committee.

1.1.3 Changes in the regulatory environment place a much greater onus on Members for the review and scrutiny of treasury management policy and activities. This report is important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by Members.

1.1.4 This Council also confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Audit Committee before they were reported to full Council.

1.2 Treasury Position 31 March 2023

1.2.1 At the beginning and the end of 2022/23 the Council's debt and investment position was as follows:

	31 March 2022 £m	Rate / Return %	Average duration Days	31 March 2023 £m	Rate / Return %	Average duration Days
Variable rate debt:						
Overdraft	0.0	-	-	0.0	-	-
Total debt	0.0	-	-	0.0	-	-
Fixed rate investments:						
Cash flow surpluses	0.0	-	-	0.0	-	-
Core cash	21.0	0.69	120	23.0	4.49	147
Variable rate investments:						
Cash flow surpluses	22.1	0.52	5	19.6	4.15	10
Core cash	3.0	0.15	95	3.0	4.30	95
Sub-total	46.1	0.62	63	45.6	4.33	85
Medium term investments:						
Multi-Asset Income Funds	4.3	3.87	-	4.3	4.10	-
Long term investments:						
Property Funds	5.0	3.17	-	5.0	3.44	-
Total investments	55.4	0.82	-	54.9	2.60	-

1.2.2 There has been a downward movement in year due to reduction in Short Term Creditors including Government Grants received in advance being paid during 2022/23, which has been offset by the increase in Grants and Contributions in advance held in Long Term Liabilities.

1.3 The Strategy for 2022/23

1.3.1 The treasury management strategy for 2022/23 was based on the November 2021 forecast and assumed bank rates would increase to 1.25% over the next three years. In actuality, energy costs continue to sit at unprecedented levels; the conflict in Ukraine is ongoing and inflationary pressures have remained elevated. Upward inflationary pressures have seen the Bank of England's Monetary Policy Committee opting to apply stepped increase to the Bank Rate of either 0.25% or 0.50% throughout 2022/23. Bank Rates is expected to continue to rise in early 2023/24 before dropping back in late 2024.

1.3.2 This has provided the Council with the challenge of proactively investing surplus cash and maintaining the appropriate balance between cash for liquidity purposes while pursuing opportunities to lock in deposits at favourable rates.

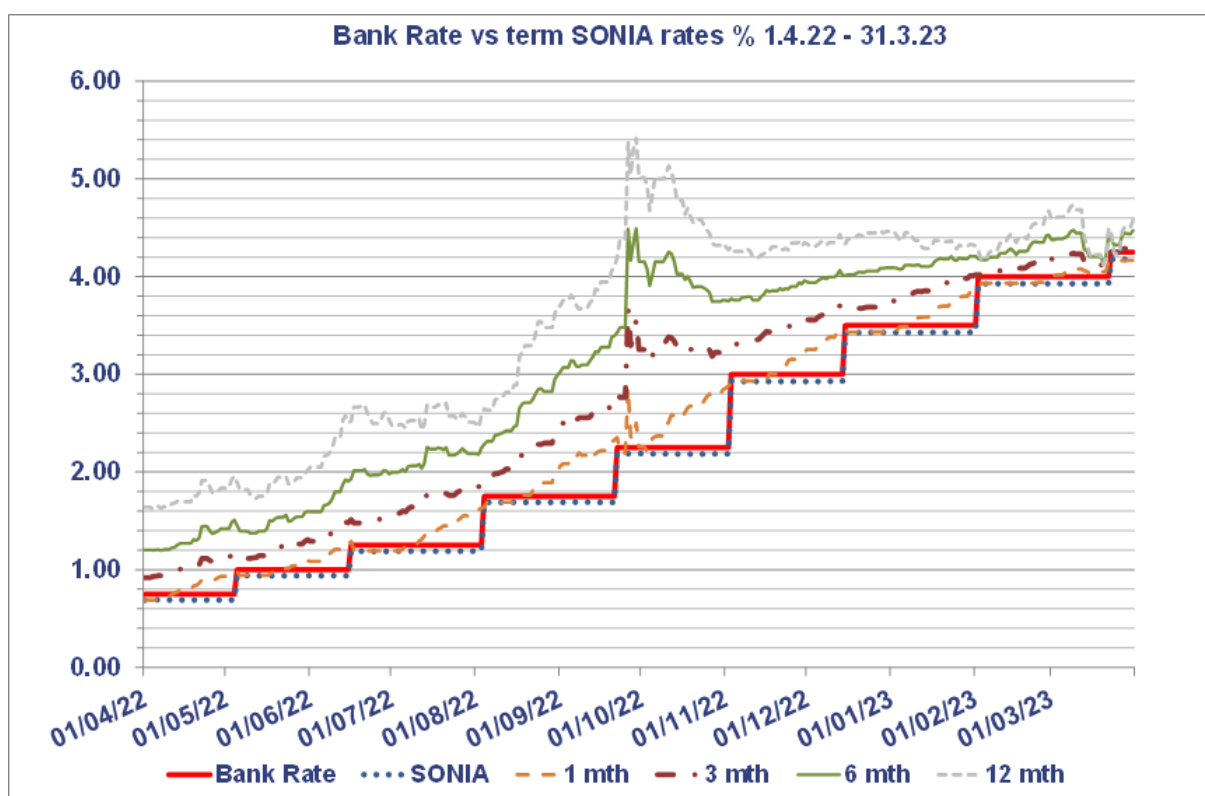
1.3.3 While the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme market stress and economic conditions.

1.4 Investment Rates in 2022/23

1.4.1 Investment returns picked up throughout the course of 2022/23 as central banks, including the Bank of England, realised that inflationary pressures were not transitory, and that tighter monetary policy was needed.

1.4.2 Starting April at 0.75%, Bank Rate continued to move up in stepped increased of either 0.25% or 0.5%, reaching 4.25% by the end of the financial year, with the potential for a further one or two increases in 2023/24.

1.4.3 Bank Rate and investment returns across durations of up to 12 months are depicted in the graphs below.



1.5 Investment Outturn for 2022/23

- 1.5.1 The Council's investment policy sets out the approach for choosing investment counterparties and is based on credit ratings provided by the three main credit rating agencies. This is supplemented by additional market information including credit rating outlooks and credit default swap data (CDS). The 2022/23 Annual Investment Strategy was approved by Council in February 2022 and was subjected to a mid-year review in September 2022. In undertaking the review, no changes were made to the Council's minimum counter-party credit requirement (typically Fitch A-, F1 unless UK state owned) or counter-party exposure limits (maximum of 20% of funds per financial institution). Subject to constraints, discretion to extend investment duration for UK regulated financial institutions by up to six months over the Council's external treasury advisor's suggested duration was also retained.
- 1.5.2 **Cash flow investment.** In 2022/23 cash flow surpluses averaged £32.4m and earned an average rate of return of 2.29%. The benchmark used to compare performance was 2.25%. Cash flow surpluses arise from the timing difference between the receipt of monies (from council tax, business rates, grants, etc.) and its subsequent payment (to Government, precepting authorities, housing benefit recipients, suppliers, staff, etc.). Cash flow surpluses are required to meet regular payment obligations and are invested in bank deposit accounts and money market funds which allow next day access. The opportunity to invest for longer durations and generate additional yield is taken when cash flow surpluses permit.
- 1.5.3 **Core cash investment.** In 2022/23 core cash averaged £26.0m and earned an average rate of return of 2.59%. The benchmark used to compare performance was 2.73%. Core cash comprises the authority's revenue and capital reserves. Unlike cash flow, core cash is not required to meet regular payment obligations and is available to invest for longer durations including durations exceeding one year. This added flexibility allows core cash to generate a better return relative to cash flow surpluses.
- 1.5.4 **Medium-term investment.** In recent years multi asset (diversified income) funds have grown in popularity. Like property funds, multi asset funds aim to generate returns over and above inflation and thus preserve spending power.
- 1.5.5 A total of £3m was initially invested equally across three funds in July and August, with a further £1.25m invested in November 2021 across two of the funds with the proceeds from the sale of River Walk offices. Additional multi asset fund investments may be made in the future as resources become available from asset disposals and other windfalls.
- 1.5.6 In 2022/23 the investment in multi asset funds generated dividends of £174,311 which represents an annualised return of 4.10%.
- 1.5.7 As at 31 March 2023, the capital investment has depreciated in value by £550,104. The value of multi asset diversified income funds at 31 March stood at £3.70m. Members are reminded that our multi asset diversified income funds

are medium term investments (5+ years) and the funds applied to them are not required to meet day to day spending commitments.

- 1.5.8 **Long-term investment.** Of the different types of long-term investment (equities, bonds, and commercial property), investment in property funds was considered best suited to meet the Council's more immediate funding need: a sustainable, stable income stream.
- 1.5.9 This does not however, preclude consideration of an alternative investment opportunity that meets the Council's strategic priorities and objectives, achieves value for money and delivers a financial return commensurate with the Council's risk appetite. Each such opportunity to be considered on a case-by-case basis as appropriate.
- 1.5.10 At the start of the year £5m was invested in property investment funds and no further sums were invested during the year. Investment was spread across three funds to ensure, as far as is possible, stability of annual income and capital growth over time. Additional property fund investments may be made in the future as resources become available from asset disposals and other windfalls.
- 1.5.11 In 2022/23 investment in property funds generated dividends of £172,216 which represents an annualised return of 3.44%.
- 1.5.12 Property funds issue and redeem primary units at a buy and sell price with the difference between the two prices reflecting the costs associated with buying and selling property (legal and other fees, stamp duty, etc.). The price spread varies from fund to fund but is typically in the region of 8% (6% on entry to a fund and 2% on exit). Where units are traded on a secondary market the impact of the spread can be reduced and delays in the purchase or redemption of units avoided. The table below compares the sale value of each investment if sold to the fund manager with the initial purchase price.

Property fund (Primary = units in the fund purchased from the fund manager. Secondary = units purchased from another investor at a discount. Date = first month the investment attracted dividends)	Purchase price (a) £	Sale value at date of purchase (b) £	Sale value March 2023 (c) £	March sale value above (below) purchase price (c-a) £
LAPF (Primary, July 2017)	1,000,000	922,200	914,835	(85,165)
Lothbury (Primary, July 2017)	1,000,000	927,700	819,780	(180,220)
Hermes (Secondary, Oct 2017)	1,000,000	939,000	951,190	(48,810)
LAPF (Primary, June 2018)	1,000,000	922,200	877,145	(122,855)
Lothbury (Secondary, July 2018)	1,000,000	973,000	803,980	(196,020)
Total	5,000,000	4,684,100	4,366,930	(633,070)

1.5.13 As at 31 March 2023, the capital investment has depreciated in value by £633,070. Members are reminded that our property fund investments are long-term (10 years) and the funds applied to them are not required to meet day to day spending commitments.

1.5.14 **Summary.** Investment performance for the year 2022/23 is summarised in the table below:

	2022/23 Average Balance £m	Return %	2022/23 Interest/ dividends earned £	2022/23 Revised Estimate £	Variance Better (worse) £
Cash flow surpluses	32.4	2.29	741,297	218,000	523,297
Core cash	26.0	2.59	676,831	410,900	265,931
Medium term investment	4.3	4.10	174,311	153,000	21,311
Long term investment	5.0	3.44	172,216	170,000	2,216
Total	67.7	2.6	1,764,655	951,900	812,755

1.5.15 The overall performance of the Authority's investments bettered the revised estimates by £812,755 (£1,367,555 when compared to the 2022/23 original estimates).

1.6 Compliance with the Annual Investment Strategy

1.6.1 The Annual Investment Strategy aims to limit the Council's exposure to investment risks by prescribing: minimum counterparty credit criteria; maximum exposure limits in respect of sovereigns, counterparties, and groups of related counterparties; the type of investment instrument that can be used; and investment duration limits. Throughout the period April 2022 to March 2023 the requirements set out in the Annual Investment Strategy for 2022/23, as approved by Council in February 2022, were complied with. No liquidity issues were experienced resulting in nil borrowing throughout 2022/23.

1.7 Treasury and Prudential Codes of Practice

1.7.1 Updates to both the Prudential Code and Treasury Management Code were published by the Chartered Institute of Public Finance and Accountancy (CIPFA) in December 2021 and uphold a key principle that borrowing primarily for return on investment is not permissible.

1.7.2 Also re-emphasised that the risks associated with investment in '**non-financial assets** which are held primarily for financial returns' are properly evaluated, reported, subject to scrutiny and managed over time. The Council has no material non-financial investments.

- 1.7.3 The requirements of both the Treasury Management and Prudential Codes of Practice published by CIPFA have been considered and reflected as appropriate in this annual review.

Financial Services
May 2023

Prudential and Treasury Indicators

1 Prudential Indicators	2021/22 Actual £'000	2022/23 Original £'000	2022/23 Actual £'000
Capital expenditure	2,251	3,681	2,496
Ratio of financing costs to net revenue stream	-6.91%	-4.69%	-23.95%
Net borrowing requirement:			
Brought forward 1 April	nil	nil	nil
Carried forward 31 March	nil	nil	nil
In year borrowing requirement	nil	nil	nil
Capital financing requirement as at 31 March	nil	nil	nil
Annual change in capital financing requirement	nil	nil	nil
Incremental impact of capital investment decisions:			
Increase in Council Tax (Band D) per Annum	£0.05	£0.06	£0.06

2 Treasury Management Indicators	2021/22 Actual £'000	2022/23 Original £'000	2022/23 Actual £'000
Authorised limit for external debt:			
Borrowing	nil	7,000	nil
Other long-term liabilities	nil	nil	nil
Total	nil	7,000	nil
Operational boundary for external debt:			
Borrowing	nil	4,000	nil
Other long-term liabilities	nil	nil	nil
Total	nil	4,000	nil
Actual external debt	nil	nil	nil
Upper limit for fixed rate exposure over one year at year end	nil	0 – 60%	nil
Upper limit for variable rate exposure under one year at the year end	22,131 (40.0%)	40 – 100%	19,620 (35.5%)
Upper limit for total principal sums invested for over 365 days	9,250 (16.7%)	60%	9,250 (16.7%)

3 Maturity structure of new fixed rate borrowing during 2022/23	Upper limit %	Lower limit %
Under 12 months	100	nil
Over 12 months	nil	nil

TABLE 1

Special Projects Reserve	Revised £	2022/23 Outturn £	Variance £
Contribution to/(from) in Year			
Domestic Abuse Act Grant	24,250	30,821	6,571
Housing Survey	(18,200)	(18,207)	(7)
Peer Review	(12,850)	(10,072)	2,778
Waste & Street Scene Initiatives	(3,750)	(3,782)	(32)
Movement in Year	(10,550)	(1,240)	9,310

TABLE 2

Other Earmarked Reserves	Revised £	2022/23 Outturn £	Variance £
Contribution to/(from) in Year			
Asset Review	(60,000)	(45,347)	14,653
Budget Stabilisation	(919,100)	(868,910)	50,190
Business Rates Retention Scheme	(6,837,550)	(6,735,864)	101,686
Climate Change	(193,500)	(178,824)	14,676
Community Development	(5,550)	(5,559)	(9)
Democratic Representation	(11,650)	(11,660)	(10)
Economic Development	(5,150)	(5,192)	(42)
Election Expenses	32,350	(12,417)	(44,767)
Homelessness	(26,450)	(42,448)	(15,998)
Invest to Save	(104,500)	(79,488)	25,012
Planning Services	(574,150)	(316,910)	257,240
Road Closures	(7,350)	(7,362)	(12)
Training	0	36,691	36,691
Transformation	5,400	182,714	177,314
Movement in Year	(8,707,200)	(8,090,576)	616,624

TABLE 3

Revenue Adjustments	Revised £	2022/23 Outturn £	Variance £
Expenditure / (Receipts) in Year			
Rechargeable Works Admin.	-	5,289	5,289
Miscellaneous Cash	-	(5,865)	(5,865)
Other	-	(1,842)	(1,842)
Movement in Year	-	(2,418)	(2,418)

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RISK MANAGEMENT

Item AU 23/15 referred from Audit Committee of 17 April 2023

The report of the Management Team provided an update on the risk management process and the Strategic Risk Register.

RECOMMENDED: That the updates to the Strategic Risk Register since the last iteration with particular emphasis on those risks categorised as 'RED' be noted.



***Referred to Cabinet**

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TONBRIDGE & MALLING BOROUGH COUNCIL

AUDIT COMMITTEE

17 April 2023

Report of the Management Team

Part 1- Public

Matters for Recommendation to Cabinet

1 RISK MANAGEMENT

An update on the risk management process and the Strategic Risk Register.

1.1 Introduction

- 1.1.1 The Risk Management Strategy sets out the Council's risk management objectives and details the roles and responsibilities of officers, Members and the Council's partners in the identification, evaluation and cost-effective control of risks.
- 1.1.2 The Council's risk management arrangements are designed to ensure that risks are reduced to an acceptable level or, where reasonable, eliminated thereby safeguarding the Council's assets, employees and customers and the delivery of services to the local community. Examples of risk include budget deficit, cyber/data loss, environmental and reputational.
- 1.1.3 The Council endeavours to pursue a forward-looking and dynamic approach to delivering services to the local community and will not be averse to taking a degree of commercial risk. However, it will always exercise a prudent approach to risk taking and decisions will be made within the parameters of the Council's internal control arrangements, i.e. Constitution, Procedural Rules, etc. These arrangements will serve to ensure that the Council does not expose itself to risks above an acceptable level.
- 1.1.4 The current Risk Management Strategy was endorsed by this Committee in January and subsequently adopted by Full Council on 21 February 2023.

1.2 Risk Management Escalation Process

- 1.2.1 Effectively risks are assessed/scored in terms of their likelihood/impact.
- 1.2.2 Any risk evaluated as 'High Risk' (score of 15 or above) will be deemed by the Council to be beyond 'risk tolerance' and to have exceeded its 'risk appetite' and will be escalated immediately. Such risks should be added to the service's risk register and discussed at the earliest opportunity within the Service Management

Team (SMT) to inform a decision as to whether this should be escalated to Management Team by the respective Service Director. Management Team should then consider whether the risk is significant enough for inclusion in the Strategic Risk Register and action this if relevant. A record should be maintained of risks discussed at both SMTs and Management Team and the outcome of those discussions.

- 1.2.3 Similarly risks identified as “Medium Risk” may be escalated to the appropriate SMT for advice and to ensure they are kept fully aware of the current risks being faced. Risks determined as “Low Risk” should be managed within the service team. It is recommended that SMTs consider periodic review or moderation processes for Service Risk Registers to ensure they are happy with the scores risks have been given and confirm whether there are ‘Medium’ or ‘Low’ risks they wish to consider further.

1.3 Strategic Risk Register

- 1.3.1 The Strategic Risk Register (SRR) is considered to be a ‘live’ document and is updated, as often as is required, by the Management Team. An update of the current strategic risks and how they are being managed as at the time of writing is appended at **[Annex 1]**.

- 1.3.2 The risks categorised as **RED** at the time of the January meeting is given below.

- 1) Financial position/budget deficit
- 2) Economic Stability
- 3) Corporate Strategy and Savings and Transformation Strategy
- 4) Local Plan
- 5) Organisational Development including recruitment and retention/skills mix
- 6) Compliance with legislation (*with particular reference to the new Voter ID legislation and requirements which where emerging*)
- 7) Homes for Ukraine Scheme
- 8) Waste Services
- 9) Implementation of the Agile software system

- 1.3.3 Since January, the risk of Voter ID has been moved into the “Elections” risk heading and the risk is no longer felt to be red.

- 1.3.4 Also, since January the assessed risk on Waste Services with proposed longer term changes in service delivery has been revised.

1.3.5 Therefore, at the time of writing this report the risks categorised as RED are:

- 1) Financial position/budget deficit
- 2) Economic Stability
- 3) Corporate Strategy and Savings and Transformation Strategy
- 4) Local Plan
- 5) Organisational Development including recruitment and retention/skills mix
- 6) Homes for Ukraine Scheme
- 7) Implementation of the Agile software system

1.3.6 Members are asked to note the updates in red font since the last iteration of the Register.

1.4 Ongoing Risks and Risks Identified by Service Management Teams and Management Team

1.4.1 To give Members some reassurance as to the effectiveness of risk management outcomes from the risk management escalation process are reported to the meetings of this Committee unless that is there is something that needs to be brought to Members' attention in the interim.

1.4.2 A schedule of ongoing risks and risks identified by Service Management Teams and Management Team since the last report to this Committee in January is appended at **[Annex 2]**.

1.5 Legal Implications

1.5.1 There is a Health and Safety requirement for effective risk management to be in place and the Strategy supports this requirement.

1.5.2 There is also a requirement in the Accounts and Audit Regulations that accounting control systems must include measures to ensure that risk is appropriately managed.

1.6 Financial and Value for Money Considerations

1.6.1 Financial issues may arise in mitigating risk which will be managed within existing budget resources or reported to Members if this is not possible.

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

1.7 Risk Assessment

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

1.8 Equality Impact Assessment

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

1.9 Policy Considerations

- 1.9.1 Risk management is relevant to all areas of the Council's business.

1.10 Recommendations

- 1.10.1 Members are asked to **NOTE** the updates to the Strategic Risk Register since the last iteration with particular emphasis on those risks categorised as **RED**.

Background papers:

contact: Sharon Shelton

Nil

Sharon Shelton

Director of Finance and Transformation on behalf of the Management Team

No	Risk Title	Risk Type	Consequences	Date identified	Likelihood Score	Impact score	Overall risk score	Current Mitigation	Desired Likelihood Score	Desired Impact score	Desired risk score	Actions required to ensure mitigation remains	Links to Corporate Objectives / Strategies	Lead on behalf of Management Team	Review Date
1	Safeguarding and PREVENT	S, R	<p>Significant impact should a child, young person or adults at risk come to harm, including radicalisation and child sex exploitation, and TMBC are unable to demonstrate appropriate processes were in place.</p> <p>Coronavirus has increased support to vulnerable individuals.</p>	01/04/2017	3	4	12	<p>The responsibility for safeguarding is with the Chief Executive, rather than an individual service and a review implemented.</p> <p>Audit Review undertaken, identifying areas of weakness to be address, progress to date with positive direction noted.</p> <p>Training delivered to all Hackney Carriage and Private Hire Drivers.</p> <p>Secure Database in place, with secure access, for recording of safeguarding concerns and referrals onto other agencies</p> <p>Community Hub telephone contact line remains available and support can be re-established for any urgent need or in the event of further lockdowns and/or tighter restrictions.</p>	3	4	12	<p>Continue to refer Safeguarding concerns to appropriate agencies where necessary and also raise with partners at the weekly CSU meetings. Undertake actions from the latest Safeguarding Audit and update Safeguarding Policy.</p>	Safeguarding Policy	Chief Executive	As required
2	Financial position/budget deficit	F, R	<p>Financially unstable organisation. Failure to deliver a balanced budget, detrimental impact on quality of service, increased intervention.</p> <p>Failure to maximise New Homes Bonus (for as long as it exists).</p> <p>Coronavirus pandemic had significant economic implications for the Council, businesses and residents.</p> <p>Current economic climate due to escalating inflation has significant economic implications for the Council, businesses and residents</p>	01/04/2017	4	4	16	<p>The Council provides an annual statement (as a minimum) on the following areas;</p> <p>Treasury Management and Investment Strategy.</p> <p>Robustness of estimates and adequacy of reserves.</p> <p>Effective monitoring control procedures.</p> <p>Savings and Transformation Strategy (STS) reviewed and updated.</p> <p>Unqualified Audit and Value for Money Opinion contained with Annual Audit Letter.</p> <p>Medium Term Financial Strategy (MTFS) updated and shared regularly with Cabinet to keep members aware of current financial situation.</p> <p>Business Rates income monitored. Decision taken with partners for TMBC to re-join the Kent pool for 2023/24</p> <p>Local government finance settlement for 23/24 better than expected. However beyond 24/25 uncertainty remains</p> <p>Energy prices liability with Leisure Trust being managed as a service fee - funding provided from Budget Stabilisation Reserve</p>	3	3	9	<p>Areas of potential savings yet to be identified and prioritised, with commitment to delivery of those selected.</p> <p>Commissioning of service reviews via MT to identify potential areas of transformation and savings.</p> <p>Review of key strategic assets to be completed, including office accommodation.</p> <p>O&S Committee establish work programme to continue to identify potential savings.</p> <p>Continue to provide regular reports to Cabinet and work to identify potential sources of saving/income generation.</p> <p>Continued tight rein on essential spend only to protect Council finances.</p> <p>Fair Funding Review awaited, as is Business Rates Retention Review. Noted via Policy statement December 2022 that fair Funding or Business Rates reset will not be in the next 2 years. Respond to consultations when available.</p> <p>Three key financial risks were highlighted to Members: namely Waste, Homelessness and Local Plan. All three have significant financial implications for the Council in different ways. Consultants were engaged in respect of Homelessness to find ways of reducing cost and finding more efficient ways of delivering the mandatory function. Discussions with Waste contractor continue with regards to performance and garden waste. Resubmission of local plan has been reported to Members and decisions made about way forward. The additional costs were factored into budget reports from 22/23.</p> <p>Use of reserves likely over Medium Term in order to support revenue budget but it is imperative that savings are identified and delivered.</p>	<p>Vision- to be a financially sustainable Council. Taking a business-like approach.</p>	Director of Finance and Transformation	May-23

No	Risk Title	Risk Type	Consequences	Date identified	Likelihood Score	Impact score	Overall risk score	Current Mitigation	Desired Likelihood Score	Desired Impact score	Desired risk score	Actions required to ensure mitigation remains	Links to Corporate Objectives / Strategies	Lead on behalf of Management Team	Review Date
3	Economic Stability	F	<p>Financial impact and effect on the economy as well as uncertainty around current EU legislation, i.e. what replaces it, could have a significant financial impact and lead to legislative changes impacting on finance and resources. A number of key threats to business continuity including: border delays and congestion impacts on the Kent road network creating difficulties for local businesses, TMBC staff and potential air quality issues; loss of KCC staff e.g. welfare/social services support; potential loss of TMBC waste contract workforce, general increase in costs as imports become restricted.</p> <p>Coronavirus pandemic has significant economic implications for businesses and residents.</p> <p>Current high rates of inflation likely to have wider impact on community and businesses</p>	01/04/2017	4	4	16	<p>Kent-wide working to understand, plan for and react to pressures.</p> <p>Regular review of;</p> <p>MTFS reflecting economic factors</p> <p>Treasury Management and Investment strategies.</p> <p>All staff equipped to be able to work from home and deliver public services. Staff working under transitional working arrangements until Sept 2022 when future of office space/working arrangements will be determined</p> <p>Delivery of Household Support funds in liaison with KCC</p>	3	4	12	<p>Council continuing to work with Kent Resilience forum and County Partnership groups as needed</p> <p>Keep Business Impact assessments under review.</p> <p>Business continuity planning updated to ensure smooth running of services to public.</p> <p>Further government energy support schemes being delivered by Council from March 2023</p> <p>Household Support Fund tranche 3 approved by Cabinet December 2022 rolled out</p>	N/A - external risk.	Chief Executive / Director of Finance and Transformation/ Management Team	May-23
4	Corporate Strategy and Savings and Transformation Strategy	F, R, S	<p>Failure to meet objectives and/or make savings, including those arising from the planned West Kent Waste Partnership. Impact on quality of service, budget overspends, salami slicing, etc. staff motivation impacted and increased risk of fraud or error.</p> <p>Coronavirus pandemic has significant economic implications for the Council, businesses and residents.</p>	01/04/2017	4	4	16	<p>STS reviewed and updated in line with review of MTFS. With regular reports to update MT and Members</p> <p>Following the Peer Challenge Review (PCR), a draft Corporate Strategy was produced and benefited from staff consultation in November 2022 and Cabinet and O&S consideration ahead of going out to public consultation in Jan-Feb 2023. The findings from this consultation, along with aligned KPIs and draft Action Plan went to Cabinet in March 2023 and is scheduled to go to O&S in April 2023. It is currently envisaged that this will go back to Cabinet and O&S in May 2023.</p> <p>Businesses - all Covid-19 grant schemes and Welcome Back Fund initiatives were successfully completed by the end of March 2022.</p> <p>Budget report to Cabinet Feb 22 included update of MTFS and STS. Approved Feb 22. During Budget setting Feb 22, Members reminded of the need to firstly deliver on the already identified savings initiatives within the timescales set in the MTFS. MTFS being updated further to reflect current inflationary pressures which are potentially widening the funding gap. Further reports made to Cabinet. Budget for 23/24 underway</p>	3	3	9	<p>Areas of potential savings to be formally identified and prioritised, with commitment to delivery of those selected.</p> <p>Commissioning of in service reviews via MT to identify potential areas of transformation and savings. MT considering employment of fixed term transformation resource to assist in identification and delivery of efficiencies</p> <p>Strategic asset management review to deliver new income .</p> <p>O&S programme to be supported in order to deliver savings to contribute to STS.</p> <p>Delivery of the savings targets is PARAMOUNT for the financial stability of the Council.</p>	The current Corporate Strategy - to be a financially sustainable Council focusing on ensuring good value for money, continuously reviewing how our services are provided and funded, focusing our available resources where they will have most beneficial impact, and maximising commercial opportunities. Taking a business-like approach.	Chief Executive / Director of Finance and Transformation/ Management Team	May-23

No	Risk Title	Risk Type	Consequences	Date identified	Likelihood Score	Impact score	Overall risk score	Current Mitigation	Desired Likelihood Score	Desired Impact score	Desired risk score	Actions required to ensure mitigation remains	Links to Corporate Objectives / Strategies	Lead on behalf of Management Team	Review Date
5	Local Plan	F, R	Lack of sound legal footing for Plan through inadequacies in evidence base, legal advice or process, including duty to cooperate. Leading to widespread public concern, or risk of failure at Examination. External factors or widespread planning reforms leading to delays to timetable, reputational risks around plan-making and impacts on development management processes through protracted period with no up-to-date plan. Absence of corporate or external co-ordination leading to a lack of infrastructure to support future development.	01/04/2017	4	4	16	Members are updated via informal email updates and reports to the Housing & Planning Scrutiny Select Committee Reg 18 concluded in late 2022 Members examining options for progression - HPSSC March 2023, with an aim to have a revised LDS to Members in June/July 2023 Proposed informal engagement with members on emerging spatial strategy in Spring 2023	3	3	9	Regular review of Government policy announcements that may impact on delivery, including housing standard methodology and WMS relating to Planning Ongoing engagement with Counsel Ongoing engagement with Members Regular analysis of budget position Regular analysis of programme - within Policy team on a weekly basis, reporting to Head of Planning/DPHEH bi-weekly.	Local Plan assists in economic growth, delivering the supply of future housing and addressing affordability. Procedures set by National Government	Director of Planning, Housing and Environmental Health	Jun-23
6	Organisational development inc. staff recruitment and retention/skills mix. Impact of loss of capacity caused by recruitment difficulties upon delivery of corporate objectives. Increase in rate of inflation and consequent pressure on level of pay award.	F, R, S	Lack of resources or the right skills to deliver required outcomes, loss of key professionals/senior officers due to pay constraints and pressures, reduced staff morale and quality of work, leading to financial loss, reputational damage and detrimental impact on staff wellbeing.	01/04/2017	4	4	16	Review of staff resources and skills via service reviews. Organisational structure reviews are part of S&TS to achieve efficiency, coordinated service delivery and reflect changing legislative and policy requirements and priorities.	3	4	12	Succession planning along with Development of further skills and expertise through strategies such as shared services and specialist Commissioning. Engagement of external consultants and specialists where required. Resilience and rationalisation of existing structures. Recruitment and retention strategy to be reviewed by MT. Pay award for 2023/24 5% for all staff, from April 2023. Backdated 5% to Jan 23 for scales 1-6 Structural reviews approved by Members on an ongoing basis. HR staff recruited with specialist experience in recruitment. This was demonstrated with a revised methodology for the recruitment of the DPEHH and Head of IT. Transitional arrangements to encourage development opportunities where appropriate. Workforce Strategy approved by General Purposes Committee in June 2022	HR Strategy Savings and Transformation Strategy	Director of Central Services and Deputy Chief Executive/ Chief Executive	May-23
7	Health and Safety	F, R, S	Significant reputational impact should a service user, officer, member or contractor come to harm and TMBC are unable to demonstrate appropriate processes were in place.	01/04/2017	3	4	12	Lone working policy and service based practices to be continuously monitored. Health and Safety considered by management at weekly SMT meetings. Staff involvement with Health & Safety Group Ongoing review undertaken to react to potential key risk areas. Organisational learning and response to national events. Incident and near miss reporting. Coronavirus information being given to staff regularly based on public health advice and guidance and, where appropriate, Risk Assessments to be shared with staff and Union.	2	3	6	Embedding and dissemination of good practice through staff briefings. Corporate Health and Safety Group (chaired by DPHEH) identifying cross organisational issues with feedback to Management Team and Health and Safety Officer. All services have reviewed all their Health & Safety local Procedures in particular Lone working and service specific risk assessments. Staff survey on H&W completed spring 2021, results reviewed and a future survey will be incorporated into general staff survey approach Corporate Health & Safety Policies and procedures are up to date and reviewed regularly which all staff can access. Continuing focus on risk assessment process including reviews as a result of Coronavirus pandemic. Further staff wellbeing survey to focus on working at home and wellbeing.	Staff wellbeing and customer care underpin the Council's fundamental service and corporate objectives	Director of Planning, Housing and Environmental Health	Mar-23

No	Risk Title	Risk Type	Consequences	Date identified	Likelihood Score	Impact score	Overall risk score	Current Mitigation	Desired Likelihood Score	Desired Impact score	Desired risk score	Actions required to ensure mitigation remains	Links to Corporate Objectives / Strategies	Lead on behalf of Management Team	Review Date
8	Compliance with legislation inc. new GDPR requirements	F, R	Failure to meet legislative requirements or statutory obligations may result in loss of personal data, financial penalties and/or damage to the Council's reputation.	01/04/2017	3	4	12	<p>The Council has a nominated Data Protection Officer.</p> <p>Assessment of Legal implications included within all reports to Members. GDPR requirements are addressed by two officer groups, Information Governance Group and Procurement OSG, which includes Legal representation.</p> <p>CPD and Professional Monitoring offered to all staff</p> <p>The Council has undertaken both Corporate Governance and GPDR reviews / audits.</p> <p>Legal Services give sign off of key corporate projects</p>	2	3	6	<p>The Council continues to disseminate new legislative requirements to both Officers and Members. Officers ensure that professional update training is undertaken. Members received GDPR training in July 2018, with all officers completing e-learning on GDPR by May 2018.</p> <p>Revised constitution approved by Members in July 2019. Further amendments submitted since that date to Council as and when required. Governance changes approved in April 2022 led to further revisions to Constitution.</p> <p>Additional GDPR and Cyber Awareness Training undertaken by all staff and members, completion date of October 2019.</p>	c	Director of Central Services and Deputy Chief Executive	As required

No	Risk Title	Risk Type	Consequences	Date identified	Likelihood Score	Impact score	Overall risk score	Current Mitigation	Desired Likelihood Score	Desired Impact score	Desired risk score	Actions required to ensure mitigation remains	Links to Corporate Objectives / Strategies	Lead on behalf of Management Team	Review Date
9	Cyber Security	F, R	Loss of data and legislative breach, leading to financial penalties and reputational impact.	01/04/2017	3	4	12	<p>The Council has; Information Security Policy deployed via Policy Management System.</p> <p>Implemented network security measures including access controls.</p> <p>Considered cyber insurance. Established an Information Governance Group. Appointed a Member Cyber Champion.</p> <p>Rolled out Cyber awareness training to all staff and Members via eLearning.</p> <p>Deployed 'Next generation' Palo Alto firewall technology for improved visibility and control. Deployed software solution to identify potential confidential data held on file servers. Deployed DLP software at email egress point.</p> <p>Implemented secure email in accordance with NCSC guidelines. Maintained dual level firewall security with the KPSN gateway being primary and the Council's own firewalls secondary. Implemented Solarwinds Security Event Manager.</p> <p>1 member of IT team obtained Certified Information Systems Security Professional (CISSP) qualification October 2020.</p> <p>Implemented cloud backup and DR facilities to improve resilience; and embedded cyber security into DR and BCP processes.</p> <p>Continued to monitor Cybersecurity alerts via LGA Cyber Security email; through membership of NLAWARP and CISP; and attending information sharing events such as Kent Connects Information Security Group.</p> <p>Cloud based web and email filtering has been deployed to improve availability and resilience.</p> <p>Completed firewall ruleset review following migration to Cloud to ensure our configuration is in line with best practice guidelines.</p> <p>Carried out phishing simulation exercise as first phase of awareness training for staff and members, to highlight areas of risk and to identify training needs. Subsequent online training sent out to all staff and members.</p> <p>Carried out phishing training quiz for all staff as second phase of phishing awareness campaign. Quiz was extended to Members although take-up has not been as successful. Further training to be targeted.</p> <p>Developed and deployed wallpaper/ lock screen to all TMBC laptops and PCs, with cyber security reminder to further reduce risk by increasing awareness.</p> <p>Head of IT appointed Senior Information Risk Owner (SIRO) from October 22. This role has responsibility for information and data risk and protection.</p> <p>Obtained Cyber Essentials accreditation in November 2022, demonstrating that our technical controls are designed to defend against the most common cyber threats.</p>	3	3	9	<p>The Council has; Prioritised the resources (both financial and staff) to ensure relevant updates and security mitigations are carried out in a timely manner.</p> <p>Scheduled annual IT Health Check (ITHC), quarterly PCI scans, and monthly vulnerability scans, feeding into remediation plans. July 2022 PCI scan passed. Investigating and resolving detected security issues from latest ITHC 8/8/22 - 12/8/22. Next ITHC August 2023.</p> <p>Regular email messages are sent out to all staff and Members on cyber security vigilance.</p> <p>Continuing to investigate emerging threats and cyber alerts, communicating with 3rd party suppliers to check compliance/obtain security updates and implementing mitigations as required to reduce likelihood of compromise.</p> <p>Training for IT staff on security aspects of Cloud environment is underway.</p> <p>Investigating further improvements to DR capability with specific regard to recovery from cyber incidents.</p> <p>Ensuring new staff have been invited to undertake training cyber security training. Further training and audits will follow to ensure the Council is as aware and prepared as possible to respond to potential cyber attacks.</p> <p>Evaluated NCSC approved cyber security training for Members. Procurement underway.</p> <p>NCSC approved cyber security training has been evaluated and made available via the Council's new LMS.</p> <p>A further and more in-depth phishing training package, to highlight specific risks and increase staff awareness, has been deployed to all staff and progress is currently being monitored. Completed by 50% of staff as at 6/3/23.</p> <p>Continued ongoing development training to ensure that knowledge is kept up to date.</p> <p>We are currently working towards Cyber Essentials Plus accreditation to independently verify the Council's cyber defences and highlight areas for improvement.</p>	IT Strategy	Director of Finance and Transformation	Jun-23

No	Risk Title	Risk Type	Consequences	Date identified	Likelihood Score	Impact score	Overall risk score	Current Mitigation	Desired Likelihood Score	Desired Impact score	Desired risk score	Actions required to ensure mitigation remains	Links to Corporate Objectives / Strategies	Lead on behalf of Management Team	Review Date
10	IT Infrastructure	F, R	Failure to adequately invest resulting in inability to keep pace with technological change, leading to systems that are not fit for purpose to meet organisational need.	01/04/2017				<p>IT Strategy has been reviewed, updated and extended to 2023 (previously 2018-2022) with linkage to MTFs and Savings and Transformation and Digital Strategy.</p> <p>Invest to save opportunities and funding identified and projects have been initiated.</p> <p>Digital Strategy - developed and approved by Members in July 2019.</p> <p>Replacement of legacy business systems and greater use of digital alternatives (cloud based) projects have been initiated.</p> <p>Disaster Recovery solution (cloud based) has been implemented.</p> <p>All staff are able to work remotely via laptops and secure 'always-on' VPN.</p> <p>iPads and required software rolled out to Councillors, MT Members, Senior Management and in-field Staff.</p> <p>Data quality policy has been introduced to ensure improvement and efficiency can be achieved.</p> <p>Introduced Microsoft Teams for virtual meetings for members and staff.</p> <p>Implemented hybrid media conferencing solutions for on-site and remote workers.</p> <p>Multi-factor authentication solution enabled for remote access to O365 to improve security and business continuity.</p> <p>Migrated Telephony to the Cloud to improve business continuity and functionality.</p> <p>Multi-media Cloud based Contact Centre management solution implemented to improve functionality, availability and business continuity.</p> <p>Migrated production environment from on-premises to Cloud to improve and sustain business continuity and service availability.</p> <p>New CMS solution and website implemented to improve digital engagement for residents and businesses.</p> <p>Implemented cross-region Cloud backups for the new Cloud production environment to improve resilience.</p> <p>Implemented 'My TMBC' mobile app facilities to enable proactive and responsive engagement with residents and businesses in parallel with the Council's new website.</p> <p>Implemented corporate/enterprise document management system.</p> <p>VPN migrated to Cloud and Multi-factor authentication implemented for remote access over VPN to improve security and business continuity.</p> <p>All staff migrated to Office 365 to improve flexibility and reliability.</p>	3	4	12	<p>Active engagement of Officer and Member Groups in the implementation of digital agenda and changes to the Website format and content.</p> <p>Mobile working solution for in-field workers currently being developed and undergoing field testing.</p> <p>Further development of corporate/enterprise document management system and expansion in usage across the Council is being planned.</p> <p>Further development of the multi-media Cloud Contact Centre solution, to exploit state of the art technology and features to improve customer experience in line with current industry standards, is currently in development. Use of AI bots for automation of switchboard is anticipated to go live March/April</p> <p>Following a review of backup processes and Disaster Recovery arrangements for Cloud production environment, evaluation of potential solutions and a POC, procurement of an immutable backup solution is underway to improve resilience to cyber-attack.</p> <p>Varonis 365 POC for GDPR requirements taking place in Q3.</p> <p>Review of wired and wireless network infrastructure, in line with planned Gibson Building accommodation changes, has commenced.</p> <p>Planning migration from Server 2012 R2 in line with EOL notification. To be completed by end of Q2 2023/24.</p> <p>MFD equipment and associated print management software re-procurement is underway. Delivery anticipated Q4/Q1.</p> <p>Implementation of Agile Applications cloud based solution as a replacement for IDOX DMS, Uniform and TLC is underway to provide a cost-effective and modern service delivery platform.</p> <p>Review of end user IT equipment is underway to inform future device policy.</p> <p>Digital Strategy and IT Strategy currently under revision.</p>	IT Strategy	Director of Finance and Transformation	Jun-23

No	Risk Title	Risk Type	Consequences	Date identified	Likelihood Score	Impact score	Overall risk score	Current Mitigation	Desired Likelihood Score	Desired Impact score	Desired risk score	Actions required to ensure mitigation remains	Links to Corporate Objectives / Strategies	Lead on behalf of Management Team	Review Date
11	Business Continuity and Emergency Planning	F, R, S	Failure to provide statutory service or meet residents' needs resulting in additional costs, risk of harm and reputational impact. Impact/pressures on services and resources. Failure to ensure proper safeguards to prevent or to respond adequately to a significant disaster/event e.g. terrorist attack at a large scale public event or fire.	updated January				The Council has in place; Business Continuity Plan. Corporate Business Continuity Risk Register Emergency Plans Disaster Recovery Plans Inter-Authority Agreements Mutual Aid Agreement Partnership agreement with Kent Resilience Team. Emergency Planning Support Officer. Duty Emergency Coordinator System and Duty Officer System introduced to provide greater resilience. Covid Secure rest centre plan has been developed	3	4	12	Emergency planning documentation undergoing constant review and key aspects exercised on an annual basis. Increase % of staff trained in roles identified in the Emergency Plan Training organised by Kent Resilience Team . Business Continuity working group established to review and update existing Plan. Updated plan to be considered by Management Team and tested by a training exercise. Duty Officer rota in place to support Duty Emergency Coordinators out of hours. All staff fully trained before commencing duties. Out of Hours Manual reviewed and regularly updated. DSSLTS sits on Kent Resilience Forum Strategic Board. Actions taken in response to the Covid 19 pandemic will be reviewed and lessons learnt for the future. Any approved changes will be reflected in the Corporate Business Continuity Plan. Business Continuity Group including all members of Management Team meets twice weekly to oversee and coordinate response to pandemic. Annual Emergency planning review to be reported to Management Team. Pandemic response dealt with as emergency through Kent Resilience Forum. Reports regularly presented to Cabinet. More detailed reports covering Review Reorientation and Recovery presented to relevant Advisory Boards. Training courses are being delivered in a Covid safe manner for roles within the Emergency Plan. Recruitment into roles in the Emergency Plan is ongoing. Emergency Planning Officer's hours increased to full time during pandemic. Virtual Emergency Management systems are being developed to allow a virtualised Emergency Control Room and data handling.	Business continuity underpins the delivery of the Council's essential services	Director of Street Scene, Leisure & Technical Services	May-23
12	Devolution	F, R, S	Uncertainty about future operating models and changes / opportunities in responsibilities or service provision leading to financial pressures, impact on quality of services, reputational damage.	01/04/2017				Continual scanning of national / regional and Kent wide agenda by CE / Corporate Services manager. Participation in county wide debate via Joint Kent Chief Execs and Kent Leaders meetings. Update DEC 18 - County wide devolution discussions have been formally ceased. Horizon scanning and continued participation in Kent Leaders and CE meetings is ongoing. County Deal discussions are invited and Kent Leaders are giving preliminary considerations albeit that there is no agreed view at this stage.	3	3	9	White Paper on Devolution is to be published in the Autumn. Analysis of this will be a priority action. This is now replaced by the anticipated "Levelling Up" prospectus in 2022	External risk/national issue	Chief Executive	As required
13	Partnerships inc. shared services	F, R, S	Reliance on partners to deliver key services, including private sector companies. Could include specific partnership or shared service models such as the Leisure Trust and risks around service delivery and impact on staff morale / retention if base moves from TMBC. Potential resistance to shared services / partnerships impacting on ability to deliver Savings & Transformation Strategy. Private sector partnerships failing having consequences for service delivery. Coronavirus pandemic has significant economic implications for the Council, businesses and residents.	01/04/2017				Regular liaison meetings with partners. Partnership Agreements in place and reviewed as appropriate. Good communication with staff. Officers maintain awareness of issues relating to private sector partners and plans formulated for service delivery in the event of failure via business continuity. Contractors and partners are impacted by the pandemic. The Council is liaising and supporting major partners to ensure that key services can continue. Discussions with TMLT on a weekly basis. Budget established to support during lockdown and reopening under social distancing/Covid conditions. Partnership work and liaison with key voluntary sector groups will continue via the Local Strategic Partnership meetings and community development meetings in priority wards.	3	3	9	Strengthening of the West Kent Partnership, including joint delivery of economic initiatives through the UKSPF and REPF. New Waste Services Contract in partnership with Urbaser, TWBC and KCC commenced 1st March 2019. Formal Inter Authority Agreement and Partnership Agreement in place. Ground Maintenance Contract extended in light of good performance of contractor. KCC will be undertaking Audit and Fraud function from 1 October 2021 on a newly agreed delegated functions arrangement. As previously report to Audit Committee and Cabinet, this arrangement will provide greater resilience and breadth of experience/knowledge. The Council is working within guidance issued by Cabinet Office "Guidance on responsible contractual behaviour in the performance and enforcement of contracts impacted by the Covid-19 emergency" and Procurement Policy Notes to support contractors and suppliers. The Council will continue to administer the grants to key voluntary sector bodies, with progress to be reported annually. Additional Government grants as a result of the response to the pandemic (Emergency Assistance Grant and Covid Winter Grant) will be promoted to local voluntary sector organisations and applications for funding will be agreed.	Savings and Transformation Strategy	Chief Executive	As required

No	Risk Title	Risk Type	Consequences	Date identified	Likelihood Score	Impact score	Overall risk score	Current Mitigation	Desired Likelihood Score	Desired Impact score	Desired risk score	Actions required to ensure mitigation remains	Links to Corporate Objectives / Strategies	Lead on behalf of Management Team	Review Date
14	Welfare reform inc. Housing need	F, R, S	<p>Safeguarding impact on TMBC residents due to reduction in benefits, introduction of UC and increase in applications for DHP, etc. Failure to adequately understand and meet housing needs and return unsuitable properties to use leading to increase in homelessness or occupation of unsuitable homes. Financial impact of increased emergency accommodation and failure to maximise new homes bonus.</p> <p>Coronavirus pandemic has significant economic implications for the Council, businesses and residents.</p> <p>Ukrainian refugee temporary resettlement program - We are awaiting full guidance on Local Authority responsibilities. Kent Resilience Forum are acting as lead.</p>	01/04/2017	4	3	12	<p>Cross sector working (e.g. welfare reform group) to identify issues and solution.</p> <p>Providing advice to residents on welfare and housing issues, or signposting to relevant providers.</p> <p>Working with partners to identify land and funding opportunities.</p> <p>Working with Registered Provider Partners to ensure needs of residents are being met.</p> <p>Working with owners to bring long term empty properties back into use.</p> <p>New initiatives for Temporary Accommodation, including purchase of flats and properties to be converted.</p> <p>commissioned consultancy work in respect of Homelessness function (TA)</p> <p>Concessionary charges for key services. EQIA assessment of key decisions included in all Board reports.</p> <p>HRA implications assessed and GPC agreed new posts to deliver service which have been recruited to.</p> <p>Universal Credit rolled out Nov 18 for Tonbridge & Maidstone Job Centres. Signposting now to UC rather than HB for new working age claimants.</p> <p>CTR Scheme approved for 23/24. Government council tax support of up to £25 being credited to bills for those on lower incomes</p> <p>Household Support fund tranche allocated by KCC Dec 22 and payments in train</p> <p>Councils asked to administer further energy support schemes on behalf of government</p> <p>New housing panel in place to work alongside RPs in considering best use of available properties. TMBC joined British Red Cross as a partner for severe hardship cases</p>	3	3	9	<p>Improved working with TA providers leading to more guarantees of available accommodation and developing a TA Procurement Strategy</p> <p>Improved working with main housing provider to identify trends/specific cases across borough to jointly agree approach to preventing homelessness using housing provider mechanisms, DHP payments and homeless prevention funding where needed.</p> <p>New temporary accommodation purchased in Pembury Rd. HMO refit works concluding and looking at management options for late 2022</p> <p>Continue to facilitate Welfare Reform group and widen participation from external partners so as to ensure best support for those affected by welfare reforms in T&M.</p> <p>work with Kent councils collaboratively to ensure grants and support targeted to those most in need</p> <p>Complete delivery of newest energy rebate schemes</p> <p>Deliver District responsibilities of Ukrainian resettlement scheme.</p> <p>Deliver payments in respect of latest Household support fund in liaison with KCC,</p>	Promoting Fairness - acting transparently at all times and being accountable for what we do, and promoting equality of opportunities. Embracing Effective Partnership Working - achieving more by working and engaging effectively with a wide range of local partners from the private, public, voluntary and community sectors.	Director of Finance and Transformation/ Director of Planning, Housing and Environmental Health	Jun-23
15	Political factors including stability of political leadership and decision making	F, R	Decisions required to achieve objectives including corporate strategy and savings and transformation may not be made and therefore required savings not achieved.	01/04/2017	3	3	9	<p>Significant focus on temporary accommodation and in borough provision as well as framework agreement with private providers.</p> <p>Close liaison with Leader, Deputy Leader and Cabinet in developing the Savings & Transformation Strategy.</p> <p>Clear and comprehensive reports to support Members in making appropriate decisions to support the S&TS.</p>	3	3	9	<p>Member briefings and training sessions.</p>	Underpins delivery of overall strategy and Savings and Transformation.	Chief Executive	As required

No	Risk Title	Risk Type	Consequences	Date identified	Likelihood Score	Impact score	Overall risk score	Current Mitigation	Desired Likelihood Score	Desired Impact score	Desired risk score	Actions required to ensure mitigation remains	Links to Corporate Objectives / Strategies	Lead on behalf of Management Team	Review Date
16	Flooding	F, R, S	Impact on resources to support emergency planning, financial impact due to damage, loss of resources, etc. Residents and staff put at risk of harm. Impact on key flood risk areas - Tonbridge, Hildenborough, East Peckham and Aylesford.	01/04/2017	3	4	12	Working with partners through the Medway Flood Partnership (including EA/KCC/LEP) to secure funding and implement flood defence schemes which will reduce risk of future flooding, including LEHES and property resilience works at East Peckham. Assistance provided to Parish/Town Council's to help develop local Flood Plans. Team of Volunteer Flood Wardens in place.	3	4	12	Work with partner organisations via Kent Resilience Forum and the Medway Flood Partnership continuing. Council Officers dial into Severe Weather Advisory Group meetings. Regular attendance at KRF training sessions. Ongoing support for Tonbridge Flood Group. Funding allocated in Council's Capital Plan to support works to Leigh Flood storage area which will be completed by 2025. £20,000 from Business Rates Retention Pilot Reserve approved for Natural Flood Management Schemes in the Borough (Leybourne Lakes and Ightham Mote)	Emergency Plan Contingencies Act 2004 Kent Emergency Response Framework West Kent Partnership and Medway Catchment Partnership	Civil Director of Street Scene, Leisure & Technical Services	May-23
17	Homes for Ukraine Scheme	F, R, S	Districts are required to undertake home assessments for potential host households to support Ukrainian refugees fleeing the conflict. Increased workload expected as likelihood of breakdown in housing arrangements as we have exceeded the 6 month mark. Requests for rematches are increasing and there is a risk of homelessness and duty to place in T.A. therefore work needs to be undertaken to facilitate rematches and/or support into private rented sector. This is an escalating risk given the longevity of the hosting arrangements.	01/09/2022	4	4	16	Some reserve host families have been identified but larger families pose a bigger risk.	3	4	12	Additional support into Private Rented Sector. Review of current arrangements for support and navigation for Ukrainian's into more sustainable housing and work are being reviewed with KCC with a view to more direct intervention.		Chief Executive	As required
18	Waste/ Recycling Contract	F, R, S	Failure to provide new service and deliver described outcomes in accordance with contract timescales and health and safety obligations. Significant reputational risk. Risk of challenge from tenderers. Failure to achieve financial targets for garden waste and performance payments scheme linked to changes in collection and disposals methods explained below and links to finance above. Coronavirus pandemic has significant economic implications for businesses and residents. Future sustainability of contract. Risk associated to the outcome of current government consultations on three waste aspects (Collection Consistency, Garden Waste and Extended Producer Responsibilities). Potential for alteration to levels and mechanisms for Council income associated to these areas including, but not restricted to, KCC Performance Payments and Garden Waste Subscriptions, this links to the Council's long term financial stability	01/07/2018	3	4	12	Partnership arrangement with TWBC, with allocation of key tasks. Internal Project Group reporting regularly to MT and Members. Joint Member meeting established with TW's to guide strategic approach External advice sought from specialists on key decisions including Legal. New inter authority agreement with KCC encourages improved recycling performance and shares risks and rewards. IT, Communications and Operations identified as crucial work streams and individual working groups established to manage and implement these work areas. Waste services have been affected by pandemic and national HGV shortage. Agreed with contractor to temporarily ceasing collection of garden waste, Saturday freighter and bulky waste booking system for a period of time to allow focus on recycling and general waste. Garden Waste and bulky booking has resumed. With regard to garden waste collections, residents will have subscriptions extended to compensate. New GW subscriptions were reinstated on 4.04.22. Street cleansing was not suspended but has been impacted as other services have taken priority. Council recently approved supplementary payments, financial support in relation to vehicle leasing. This will enable re-rounding to progress leading to improved service. Consultations currently being monitored through the KRP and updates being channelled through the Kent Chief Executives meetings	3	3	9	Continuation of Partnership working with TW's and monitoring through established Steering Group. Continuation of Member working group to steer strategic approach. Contract monitoring and the firm use of remedies to improve performance including the contractual default procedure. CE's continuing to liaise with Urbaser to discuss future sustainability of the contract. Monitor and phase roll out to flats and any impact of other frontline collections. Reports on progress submitted to appropriate meetings/committees	Delivery of cost effective service to meet customer needs.	Director of Street Scene, Leisure & Technical Services	Sep-23
19	Implementation of Agile system	F, S	Service impacts from level of staff time required to develop the Agile product for use as operating system.	01/11/2022	4	4	16	Programme of liaison meetings with Agile in place including Board and weekly catch ups	2	2	4	Further escalation of issues to Agile CEO	Digital Strategy	Director of Planning, Housing and Environmental Health	May-23

No	Risk Title	Risk Type	Consequences	Date identified	Likelihood Score	Impact score	Overall risk score	Current Mitigation	Desired Likelihood Score	Desired Impact score	Desired risk score	Actions required to ensure mitigation remains	Links to Corporate Objectives / Strategies	Lead on behalf of Management Team	Review Date
			Significant level of concern from staff about implementation process results in a lack of confidence in implementation, which will adversely impact service delivery and record keeping					Internal meetings with staff, managed by IT Project Coordinator Issues log in use Issues escalated to Agile management				Weekly review of project plan and considerations of service impacts required to meet go live programme - to be reported into MT on a regular basis			

No	Risk Title	Risk Type	Consequences	Date identified	Likelihood Score	Impact score	Overall risk score	Current Mitigation	Desired Likelihood Score	Desired Impact score	Desired risk score	Actions required to ensure mitigation remains	Links to Corporate Objectives / Strategies	Lead on behalf of Management Team	Review Date
20	Elections	R	Failure to comply with legislation, miscounts and significant reputational impact.	14/12/22	3	4	12	<p>Ensure experienced staff are in place, corporate team reviewing activity and monitoring progress.</p> <p>Local and Parish Elections are being held May 2023. High risk due to changes being introduced from Elections Bill. Mitigations include experienced Team undertaking training in new requirements, regular review and implementation meeting with RO and all DROs. Acquisition of training module for all elections staff. Regular review of all guidance as issued.</p>	2	4	8	<p>Broadening of staff skills and experience to build resilience.</p> <p>Discussions on core staffing for Elections and use of more IT modules to reduce workload and progress digital transformation. Increase in temp staff resources to mitigate demand.</p> <p>MT horizon scanning on any increased chance of snap General Election. RO and DRO's assessing risks. Risk has diminished at the moment.</p>	Statutory requirement	Chief Executive	May-23

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Ongoing Risks and Risks Identified by Service Management Teams and Management Team

	Risk Identified	Background	Removed or ongoing	Reason for removal / ongoing
Chief Executive and Central Services	Larkfield Leisure Centre	All showers are currently open. Last set of samples in August came back all clear bar one reading, which is to be resampled.	Ongoing	Ongoing. Following negative sampling results, biocide levels are being decreased and the effects monitored. If positive samples occur then it may result in a financial risk in terms of having to undertake further works on site
	Homes For Ukraine Scheme	Moved to Strategic Risk Register		
	UKSPF Programme	Having had our T&M Investment Plan approved by DLUHC, implementation of projects required over the next few years (up to March 2025)	Ongoing.	Need to keep under review to ensure that delivery on track so that future years funding is not compromised (based on annual funding award)
	Gibson Building	Cabinet agreed in Sept 2022 that the main offices of the Council should remain located at Kings Hill and that Officers should investigate the feasibility of progressing option 4 set out in the report.	Ongoing.	Need to keep under review to ensure that changes in office accommodation deliver value for money and deliver identified savings.
	Elections	Introduction of Elections Bill changes, including Voter ID	Ongoing.	Cost implication, which is unknown at present and also possible impact on staffing levels, with staff not wanting to work due to increased responsibility. New software and programmes, everything is changing this time and taking a lot longer to undertake.
Finance and Transformation	Elections	Changes to Ward and Parliamentary boundaries	Ongoing.	Increased work load to implement changes and more complex for running future Parliamentary elections, due to sharing constituencies with other authorities.
	IT Security (formerly COCO Compliance)	Review of IT Infrastructure identified several areas of weakness for IT standards compliance	Ongoing	Number of risk removed, expected that remaining risks, once removed, will allow full compliance.
	Economic Stability	Economic issues surrounding Council Finances	Ongoing	Part of Strategic Risk Register.
	Council Tax and NNDR Billing	Potential delay in distribution of Bills due to on going Postal Worker strike issues	Ongoing	Bills are prepared early in March in order to ensure timely delivery to households.
	Recruitment of staff	Recent resignations will cause vacancies in several sections, and therefore could lead to service delays	Ongoing	Reports to GP approving staffing changes and recruitment has commenced to vacant posts.
	Computer Server failure	Weekend failure of server for Revenues and Benefits Software.	Removed	Rebuild of server ongoing (Monday 20th). Risk to public perception as no access to Citizen Access and updation of system data prior to year end roll over. System Restored 21st March
	Supported Accommodation	Change in KCC approach for care need could have impact on ability to recover Housing Benefit Subsidy	Ongoing	Meetings arranged to assess full impact to district councils

Ongoing Risks and Risks Identified by Service Management Teams and Management Team

		Risk Identified	Background	Removed or ongoing	Reason for removal / ongoing
Page 68 Planning, Housing and Environmental Health	Temporary Accommodation (TA)	TA consultancy review undertaken Dec 2021, actions implemented in 2022. Cost of living crisis potentially impacting on maintaining average levels of TA.		Ongoing	TA costs remain high, as does level of need.
	Temporary Accommodation (TA)	Personal injury claims		Ongoing	Updated inspection regime being developed by officers.
	Food & Safety	Increased risk of food complaints/poisoning. Additional resources to manage backlog of inspections.		Ongoing	During the Covid-19 crisis the ceasing/reduction in the food hygiene inspection regime may result in food safety issues. There will also be a backlog of food safety inspections due to restrictions on visiting/businesses closed. Agreed catch up programme in place utilising COMF funding.
	Increased number of planning appeals/inquiries	Application determination timescales not being met, more speculative development, creates reputational risks and increases likelihood of appeals		Ongoing	Volume and complexity of applications coming forward in parallel with local plan progression and given current uncertainties in timescales for adoption. MT agreed agency planning funding for short term. Head of Planning conducting service review summer 2022
	Staffing challenges in Planning services	Ongoing recruitment and retention difficulties in the sector and in T&M specifically. Several recruitment campaigns carried out.		Ongoing.	MT has agreed that the Workforce Strategy will look at recruitment and retention in Summer 2023.
	Local Plan	Reg 18 carried out in Autumn 2022. Changes to NPPF and proposed changes to system via LURB published December 2022. Assessing options for delivery of a Local Plan.		Ongoing	Members to make a decision on a revised Local Development Scheme in Summer 2023

Ongoing Risks and Risks Identified by Service Management Teams and Management Team

Risk Identified	Background	Removed or ongoing	Reason for removal / ongoing
Legionella	Problem identified in LLC Dry change showers.	Ongoing	See issues covered under Central Services.
Bridge inspections	Bridges on Council owned land identified as service risk. Internal Officer Group established and bridge audit progressed. Identified as Service Pressure Aspiration. Revenue budget approved to inspect and repair bridges over 2 years and annual inspections to be progressed. Structural assessments being undertaken.	Ongoing	Second year programme of work currently being progressed. Further survey undertaken and report to be analysed. Remembrance Garden and Maintenance bridges reassessed to check if structurally stable. Remembrance Garden bridge confirmed safe for 5-7 yrs, Maintenance bridge confirmed safe for 3-5 years. Structural assessment being undertaken re Haysden Country Park bridge replacement.
Bluebell Hill Car Park	Ongoing anti-social behaviour	Ongoing	Gate installed and locked over the weekend to restrict access to the site. Anti social behaviour continues and Cabinet will consider the potential closure of car park, which will provide opportunity for longer term review of asset.
Pay & Display machines	Continual issues with contractor, G4S in terms of money collection.	Ongoing	Considering alternative options as very few companies in market place willing to undertake work.
TAGA dispute	Allotment holder taking legal action against TAGA.	Ongoing	Leisure Services seeking Legal Services advice regarding potential to support TAGA which is a voluntary run organisation operating allotments on the Councils behalf.
Utilities costs	Significant energy price increases at leisure centres is resulting in financial cost to the Council under the risk sharing agreement in the Management Agreement with the Trust.	Ongoing	Trust providing regular updates via Strategic/Service Fee meetings - cost of swim charges increased to help contribute to additional cost, energy saving initiatives being investigated and implemented and central government being lobbied. Government recently announced support package within the Budget statement.
Tonbridge Swimming Pool / Larkfield Leisure Centre	Low supply of chemicals for treating pools available across Europe. May lead to closures.	Ongoing	Trust exploring all opportunities to secure supply. Alternative means of cleansing investigated by Property Services and order placed for new system. Funded through BRREP and contribution from Leisure Trust.
Tonbridge Castle	Resident complaint regarding resurfacing material for path not being suitable for wheelchair access.	Complete	Risk assessment undertaken. Loose stone cleared and signage added.. Additional coat of bonding applied to path. DDA audit being undertaken. Formal complaints procedure completed through all 3 stages - referred to Ombudsman.
Business Continuity & Emergency Planning	The current structure of the LRF and legislation has been added to. The Kent Resilience Forum is undergoing a review with significant changes to how the Kent Resilience Team will provide support and guidance to Local Authorities. The UK Government has also recently published a new 'UK Government Resilience Framework'. Further guidance is expected but the theme is around increasing locally led resilience and planning at the LA level.	Ongoing	Need to track new guidance and review how we contribute and participate in the Kent Resilience Forum. We also need to be able to ensure that we maintain a fit-for-purpose organisation to enable suitable response.

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Agenda Item 8

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

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TONBRIDGE AND MALLING BOROUGH COUNCIL

JOINT TRANSPORTATION BOARD

MINUTES

Monday, 6th March, 2023

Present: County Cllr H Rayner (Chair), Cllr R P Betts, Cllr D A S Davis, Cllr M Taylor, Cllr D Thornewell, County Cllr Mrs S Hohler, County Cllr M Hood, County Cllr S Hudson and County Cllr P Stepto.

(Note: As Borough Councillor R I B Cannon was unable to attend in person and participated via MS Teams they were unable to vote on any matters).

In attendance: Councillor R V Roud was also present pursuant to Council Procedure Rule No 15.21.

Mr Owen Baldock and Mrs W Palmer were also present on behalf of the Kent Association of Local Councils (KALC).

Virtual: Mr David Gaunt (KALC) and Councillors Mrs J A Anderson, P A Bates, V M C Branson, R I B Cannon, Mrs A S Oakley, M R Rhodes, T Shaw, K B Tanner and Mrs M Tatton participated via MS Teams and joined the discussion when invited to do so by the Chair in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors P J Montague (Vice-Chair), R I B Cannon, County Cllr Mrs T Dean and County Cllr A Kennedy.

PART 1 - PUBLIC

JTB 23/1 NOTIFICATION OF SUBSTITUTE MEMBERS

There were no substitute Members for this meeting.

JTB 23/2 DECLARATIONS OF INTEREST

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

JTB 23/3 MINUTES

RESOLVED: That the Minutes of the meeting of the Joint Transportation Board held on 21 November 2022 be approved as a

correct record and signed by the Chairman, subject to the following amendment:

- Minute JTB 22/27, Proposed Single Yellow Line Waiting Restrictions – Oldbury Lane, whereby the recommendation to be amended to read ‘Old Lane Junction A25 Only’.

MATTERS SUBMITTED FOR INFORMATION

JTB 23/4 INVOLVEMENT IN HIGHWAY ASPECTS OF PLANNING APPLICATIONS

Members received the report of the Cabinet Member for Highways and Transport, Kent County Council which advised of involvement in the highway aspects of planning applications.

There was in depth discussion and a number of concerns were raised, including the confidentiality of pre-application advice and non-disclosure under a Freedom of Information request due to the potential effect on the commercial viability of the site and that the response of the Highways Authority on planning applications could not take into account assumptions or opinions of the local community.

Members questioned whether Kent County Council officers considered comments submitted via the Local Planning Authority by members of the public, Members and other organisations; whether a Parish Council could claim costs associated with the engagement of a highways engineer whose opinion contradicted that of Kent County Council officers; and if due regard was given to heavier vehicles, parking requirements, off road parking and garage sizes when a planning application was considered. Members were advised that comments raised at the meeting would be responded to by Kent County Council officers.

JTB 23/5 ACTIVE TRAVEL UPDATE

The report of Kent County Council Highways and Transportation provided an update on Kent County Council’s Active Travel agenda.

During discussion, Members believed that there could be improved connections between public right of ways and questioned the likelihood of funding to reconstruct the collapsed section of the Medway Towpath, Aylesford and sought details of any data analysis undertaken to determine the popularity of the link. Furthermore, Members asked how funding for the development of a Local Cycle and Walking Infrastructure Plan would be used.

JTB 23/6 HIGHWAYS FORWARD WORKS PROGRAMME 2022/23 AND 2023/24

The report of the Kent County Highways, Transportation and Waste summarised schemes programmed for delivery in 2022/23 and provided an update on Road, Footway and Cycleway Renewal and Preservation Schemes (Appendix A), Drainage Repairs and Improvements (Appendix B), Street Lighting (Appendix C), Transportation and Safety Schemes (Appendix D), Developer Funding Works (Appendix E), Bridge Works (Appendix F), Traffic Systems (Appendix G) and the Combined Members Grant (Appendix H).

Members sought an update on the developer funded works for junction improvements at London Road/New Road, East Malling and associated land ownership issues; and the proposed additional cleansing and CCTV survey to expand the survey area between New Road and new Hythe Lane to address the flooding issues. Furthermore, reassurance was sought that the programmed machine resurfacing works on the A25 Borough Green would be undertaken on 5 June 2023 and would not be postponed further.

MATTERS FOR CONSIDERATION IN PRIVATE**JTB 23/7 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.18 pm

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Executive Decisions Record - April 2023

Decision Number	Title	Cabinet Member	Date of Decision	Date Published	Call-in period ends	Called in	Scrutiny Committee Consideration	Referred back to Cabinet	Referred back to Council	Council referred to Cabinet	Date Decision Effective
D230029MEM	Kings Coronation Bank Holiday Waste Collection	Cabinet Member for Waste and Technical Services	3.04.23	04.04.23	13.04.23						14.04.23
D230030CAB	Implications of NPPF Consultation on Local Plan	Cabinet	4.04.23	6.04.23	17.04.23*						18.04.23
D230031CAB	Outcomes and Achievements of IT Strategy and Digital Strategy										
D230032CAB	Community Development Grant Scheme										
D230033CAB	Blue Bell Hill Commuter Car Park										
D230034CAB	Voluntary and Community Sector Grants										
D230035CAB	TMBC Owned Sites - Local Plan										
D230036CAB	S106 Matters										
D230037CAB	Lease for Martin Square										
D230038MEM	Debts for Write Off	Cabinet Member for Finance, Innovation and Property	05.04.23	06.04.23	17.04.23*						18.04.23
D230039MEM	Application for Discretionary Rate Relief	Cabinet Member for Finance, Innovation and Property	05.04.23	06.04.23	17.04.23*						18.04.23
D230040MEM	Response to DLUHC Technical Consultation - Stronger Performance of Local Planning Authorities	Cabinet Member for Strategic Planning and Infrastructure	06.04.23	12.04.23	19.04.23						20.04.23
D230041MEM	Homelessness Prevention Grant - additional funding	Cabinet Member for Housing	18.04.23	19.04.23	26.04.23						27.04.23
D230042MEM	Agile - Project Management Funding	Cabinet Member for Finance, Innovation and Property	19.04.23	19.04.23	26.04.23						27.04.23
D230043MEM	Discretionary Rate Relief	Cabinet Member for Finance, Innovation and Property	20.04.23	21.04.23	28.04.23						29.04.23
D230044MEM	Application for Discretionary Rate Relief	Cabinet Member for Finance, Innovation and Property	21.04.23	24.04.23	02.05.23						03.05.23

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Decision pending	Call in period	Key Decision	Private	Urgent
	Subject to call in			

URG - outside of budget and policy framework

*reflects Easter Holiday

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Agenda Item 10

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

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Agenda Item 11

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 12

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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