

# 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](mailto:committee.services@tmbc.gov.uk)

21 June 2023

To: MEMBERS OF THE OVERVIEW AND SCRUTINY COMMITTEE  
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Overview and Scrutiny Committee to be held in the Council Chamber, Gibson Drive, Kings Hill on Thursday, 29th June, 2023 commencing at 7.30 pm.

Members of the Committee 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.

Yours faithfully

JULIE BEILBY

Chief Executive

## A G E N D A

- |    |                                     |        |
|----|-------------------------------------|--------|
| 1. | Guidance on the Conduct of Meetings | 5 - 6  |
| 2. | Terms of Reference                  | 7 - 10 |

## **PART 1 - PUBLIC**

3. Apologies for absence
4. Notification of Substitute Members 11 - 12
5. Declarations of interest 13 - 14

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.

6. Minutes 15 - 18

To confirm as a correct record the Minutes of the meeting of the Overview and Scrutiny Committee held on 6 April 2023.

7. Any Executive Decisions which have been 'called in' 19 - 20

### **Matters for Recommendation to the Council**

8. Member Call In Protocol - Development Management 21 - 28

This report seeks Member endorsement of a retitled and amended Member Call In Protocol – Development Management.

### **Matters for Decision under Delegated Powers**

9. Housing Associations Performance Framework - Scoping Report 29 - 34

The scoping report of the Director of Planning, Housing and Environmental Health sets out a number of scoping considerations for Members to review and indicate which of these they wished to be progressed for the main report to the Committee in September 2023.

### **Matters for Information**

10. Decarbonisation and Energy Efficiency at Leisure Trust Sites 35 - 38

To provide an update on energy efficiency measures and renewable energy installations at Leisure Centre sites, and potential future options to reduce carbon emissions.

11. Key Performance Indicators 39 - 46

A number of Key Performance Indicators (KPIs) are presented to enable the Overview and Scrutiny Committee to assess and scrutinise performance.

If there are any questions regarding the KPIs provided, these should be submitted to the relevant Director/Chief Executive at least 2 days in advance of the Scrutiny Select Committee meeting in order to ensure that a suitable response can be provided at the meeting. If additional queries are raised at the Scrutiny Select Committee meeting, these will be responded to within 5 working days.

12. Record of Decisions taken by the Executive 47 - 48

The record of decisions taken during April – June 2023 are attached.

13. Work Programme 49 - 50

The Work Programme setting out matters to be scrutinised during 2023/24 is attached for information. Members can suggest future items by liaising with the Chair of the Committee.

14. Urgent Items 51 - 52

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**

15. Exclusion of Press and Public 53 - 54

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**

16. Urgent Items 55 - 56

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

## **MEMBERSHIP**

Cllr Mrs A S Oakley (Chair)

Cllr R I B Cannon (Vice-Chair) and Cllr M A J Hood (Vice-Chair)

Cllr T Bishop

Cllr C Brown

Cllr A Cope

Cllr R W Dalton

Cllr D A S Davis

Cllr D Harman

Cllr P M Hickmott

Cllr G B Hines

Cllr F A Hoskins

Cllr S A Hudson

Cllr D W King

Cllr J R S Lark

Cllr W E Palmer

Cllr D Thornewell

## **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](mailto: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](mailto: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.

## Terms of Reference – Overview and Scrutiny Committee

<b>6.</b>	<b>Overview and Scrutiny Committee</b>
<b>Size and Membership:</b> (Quorum: 4 Members of the Committee)	
To consist of 18 members and shall be politically balanced, none of whom may be a member of the Executive.	
The Overview and Scrutiny Committee will have the power to co-opt any person(s) it thinks appropriate (except for members of the Executive and officers of the Council) onto the committee, on whatever basis it thinks appropriate. Co-opted members may speak in debates but not vote. The Borough Council has approved a Scheme of Co-option as set out in Part 4, Overview and Scrutiny Procedure Rule 3.1	
The Overview and Scrutiny Committee will conduct its proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.	
<b>Terms of Reference:</b>	
The Overview and Scrutiny Committee shall discharge the following general functions	
1.	review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the Executive;
2.	make reports or recommendations to the authority or the Cabinet with respect to the discharge of any functions which are the responsibility of the Executive;
3.	review or scrutinise decisions (other than individual regulatory decisions) made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the Executive;
4.	make reports or recommendations to the authority or the Cabinet with respect to the discharge of any functions which are not the responsibility of the Executive;
5.	make reports or recommendations to the authority or the Executive on matters which affect the authority's area or the inhabitants of that area; and
6.	exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive
The power of the Overview and Scrutiny Committee under 1 above to review or scrutinise a decision made but not implemented includes power:	

7.	to recommend that the decision be reconsidered by the person who made it; or
8.	to arrange for its function under subsection 1, so far as it relates to the decision, to be exercised by the authority.
<b>Specific Functions:</b>	
<b>Policy Development and Review</b>	
The Overview & Scrutiny Committee may	
9.	assist the Council and the executive in the development of its budget and policy framework by in-depth analysis of policy issues;
10.	conduct research, community and other consultation in the analysis of policy issues and possible options;
11.	consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
12.	question members of the executive and/or committees and chief officers about their views on issues and proposals affecting the area;
13.	liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working;
<b>Scrutiny</b>	
The Overview & Scrutiny Committee may	
14.	review and scrutinise the decisions made by and performance of the executive and/or committees and council officers both in relation to individual decisions and over time;
15.	review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
16.	question members of the executive and/or committees and chief officers about their decisions and performance, whether generally in comparison with plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
17.	make recommendations to the executive and/or appropriate committee and/or Council arising from the outcome of the scrutiny process;
18.	review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the committee and local people about their activities and performance;



19.	question and gather evidence from any person (with their consent).
<b>Finance</b>	
20.	The Overview and Scrutiny Committee may exercise overall responsibility for the finances made available to it
<b>Annual Report</b>	
21.	The Overview and Scrutiny Committee must report annually to the full Council on its workings and make recommendations for future work programmes and amended working methods if appropriate.
<b>Officers</b>	
22.	The Overview & Scrutiny Committee may exercise overall responsibility for the work programme of the officers employed to support its work.
The Overview and Scrutiny Committee or a sub-committee of such a committee:	
(a)	may require members of the Executive, and officers of the authority, to attend before it to answer questions;
(b)	may require any other member of the Borough Council to attend before it to answer questions relating to any function which is exercisable by the member by virtue of section 236 of the Local Government and Public Involvement in Health Act 2007 (exercise of functions by local councillors in England); and
(c)	may invite other persons to attend meetings of the committee.
It is the duty of any member or officer mentioned in paragraphs (a) or (b) above to comply with any requirement mentioned in that paragraph. However, a person is not obliged to answer any question which the person would be entitled to refuse to answer in or for the purposes of proceedings in a court in England and Wales.	
The Borough Council has designated the Policy, Scrutiny and Communities Manager as the Scrutiny Officer for the purposes of the Local Government Act 2000.	

This page is intentionally left blank

**Overview and Scrutiny Committee**

	<b>Conservative</b>	<b>Liberal Democratic</b>	<b>Green</b>	<b>Ind. Kent Alliance</b>	<b>Labour</b>
1	Alex McDermott	Bill Banks	Lee Athwal		Angus Bennison
2	Adem Mehmet	Paul Boxall	Kath Barton		Wayne Mallard
3	Mark Rhodes	Garry Bridge	Steve Crisp		
4	Keith Tunstall	Trudy Dean	Robert Oliver		
5	Colin Williams	Roger Roud	Bethan Parry		

**Members of Cabinet cannot be appointed as a substitute to this Committee**

This page is intentionally left blank

Declarations of interest

This page is intentionally left blank

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### OVERVIEW AND SCRUTINY COMMITTEE

#### MINUTES

Thursday, 6th April, 2023

**Present:** Cllr Mrs A S Oakley (Chair), Cllr M O Davis (Vice-Chair), Cllr C Brown, Cllr R I B Cannon, Cllr R W Dalton, Cllr N Foyle, Cllr D Harman, Cllr F A Hoskins, Cllr S A Hudson, Cllr Mrs F A Kemp, Cllr D W King, Cllr J R S Lark, Cllr M Taylor, Cllr D Thornewell and Cllr M A J Hood (substitute)

**In attendance:** Councillor W E Palmer was also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors A E Clark, M C Base, H S Rogers and F G Tombolis

(Note: Cllr Rogers was unable to attend in person but listened to the debate via MS Teams).

#### PART 1 - PUBLIC

##### **OS 23/12 NOTIFICATION OF SUBSTITUTE MEMBERS**

Notification of substitute members were recorded as set out below:

- Cllr M Hood for Cllr A Clark

In accordance with Council Procedure Rules 17.5 to 17.9 these Councillors had the same rights as the ordinary member of the committee for whom they were substituting.

##### **OS 23/13 DECLARATIONS OF INTEREST**

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

##### **OS 23/14 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Overview and Scrutiny Committee held on 26 January 2023 be approved as a correct record and signed by the Chair.

**MATTERS FOR RECOMMENDATION TO THE CABINET****OS 23/15 CORPORATE STRATEGY - COMMUNITY CONSULTATION**

The report of the Chief Executive provided an overview of the Corporate Strategy Community Consultation and advised of the work undertaken to update and improve the document following feedback received from residents.

Information about the recent community consultation and the resultant proposed changes and additions to the Strategy were provided in Annexes 1 – 3. A high level Action Plan linking to the priorities set out in the Corporate Strategy was also attached at Annex 4. It was noted that in respect of the timeframe for the Strategy Cabinet had recommended a period of 2023-2027, with a review built in after two years.

Clarity was sought on a number of issues in respect of Tonbridge Sports Farm and safeguarding Key Performance Indicators (KPIs). Members were advised that any further comments related to KPIs would be considered as part of the Gap Analysis work.

**RECOMMENDED\***: That the Corporate Strategy and Action Plan, along with the aligned Key Performance Indicators (set out in Annex 3), be commended to Cabinet for approval

**\*Referred to Cabinet**

**OS 23/16 DEVELOPMENT MANAGEMENT OFFICER PROTOCOL - MEMBER CALL-IN PROTOCOL**

An amended Development Management Officer Protocol – Member Call-ins was presented for consideration. The proposed amendments were set out in 1.1.2 of the report and the amended Protocol was attached at Annex 1.

Unfortunately, due to technical issues Members were unable to receive technical advice from Officers participating online and responses to questions could not be addressed. Due to these circumstances, it was proposed by the Chair and supported by the Committee that this item be deferred and brought back to a future meeting.

**RESOLVED**: That the item be deferred due to technical issues and brought back to a future meeting of the Overview and Scrutiny Committee.



**OS 23/17 RESPONSE TO THE DLUHC TECHNICAL CONSULTATION:  
STRONGER PERFORMANCE OF LOCAL PLANNING  
AUTHORITIES SUPPORTED THROUGH AN INCREASE IN  
PLANNING FEES**

Careful consideration was given to the Borough Council's proposed response (attached at Annex 1) to the DLUHC technical consultation which sought views on improving performance of local planning authorities by increasing planning fees, building capacity and capability and introducing a more robust performance regime.

The consultation period ended on 25 April 2023 and the Borough Council had until this date to submit its response which, once approved, would be actioned through an online survey.

Members welcomed the proposed doubling of planning fees for retrospective applications.

**RECOMMENDED\*:** That:

- (1) the proposed response to the consultation, set out at Annex 1, be endorsed and submitted on behalf of the Borough Council by the Director of Planning, Housing and Environmental Health

**\*Decision taken by Cabinet Member**

**DECISIONS TO BE TAKEN UNDER DELEGATED POWERS**

**OS 23/18 SCOPING REPORT - REVIEW OF GOVERNANCE  
ARRANGEMENTS**

As a result of recommendations from an LGA Peer Review the Borough Council had adopted a new governance structure in May 2022. The report of the Chief Executive set out options to review these arrangements which had now been in place for 11 months.

A suggested focus for the next stage of the review was detailed in 1.2 of the report. Members would be invited to reflect on whether the issues identified by the Peer Review team had been addressed, what had worked well and whether there were opportunities for improvement. Any amendments or suggested changes to the existing governance arrangements would be assessed in full as part of the final review.

Due to the upcoming local elections, the Committee felt that a review should be undertaken later in the year to enable any newly elected councillors to experience a meeting cycle before assessing arrangements. Concern was expressed that the current governance arrangements didn't reflect the reduction in councillors arising from the recent boundary review. However, Members also welcomed the opportunity to identify whether improvements could be made to the

Scrutiny Select Committees structure and remove potential duplications with the main Overview and Scrutiny Committee.

Finally, it was felt that there should be further assessment on the format of Area Planning Committees and the review into governance arrangements offered opportunity for this to be revisited.

**RESOLVED:** That

(1) Subject to:

- (i) being undertaken in late 2023/early 2024; and
- (ii) the format of Area Planning Committees being considered for further assessment

the approach to a Scrutiny Review, as set out in 1.2 of the report, be endorsed and further evaluation of the issues raised be undertaken.

### **MATTERS FOR INFORMATION**

#### **OS 23/19 RECORD OF DECISIONS TAKEN BY THE EXECUTIVE**

The decisions taken by the Cabinet and Cabinet Members during January, February and March 2023 were presented for information and noted by the Committee.

#### **OS 23/20 WORK PROGRAMME**

The Work Programme setting out potential matters to be scrutinised during 2023 was noted. Members were invited to suggest future items by liaising with the Chair of the Committee.

### **MATTERS FOR CONSIDERATION IN PRIVATE**

#### **OS 23/21 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.17 pm

# Agenda Item 7

Any Executive Decisions which have been “called in”

This page is intentionally left blank

## TONBRIDGE & MALLING BOROUGH COUNCIL

### OVERVIEW AND SCRUTINY COMMITTEE

29 June 2023

#### Report of the Director of Planning, Housing and Environmental Health

#### Part 1- Public

#### For recommendation to Council

### 1 MEMBER CALL IN PROTOCOL – DEVELOPMENT MANAGEMENT

**Summary: This report seeks Member endorsement of a retitled and amended Protocol- Member Call ins.**

#### 1.1 Introduction

1.1.1 Prior to the election, a number of concerns were raised regarding the call-in protocol. Discussions on this issue had commenced via the Overview & Scrutiny Committee in April, however due to some technical issues with the officer presentation, this discussion could not be concluded.

1.1.2 The amended call-in procedure is aimed at making the process clearer for both Members and officers.

1.1.3 The proposed amendments to the call-in protocol include:

- A change in how the delegated authority to approve call-ins is worded, making it clear that although the formal delegation rests with the Director of Planning, Housing & Environmental Health, this will be subject to obtaining the prior approval of the relevant Area Committee Chair.
- More detailed instructions on how Members register a call in, to ensure that all call in requests are dealt with efficiently and effectively.
- A proposed approach to managing application issues that may impact on more than one ward.
- Clear target timescales for the stages of the process to be completed.
- A list of examples of potential proper planning reasons/ material considerations that could be used to call in an application (without which the call in would not be valid).

- Option for an email overview instead of a full briefing for simpler cases in agreement with the relevant committee chair.
- A proposed approach to ensuring consistency in decision making and information sharing with Area Committee Chairs.

1.1.4 **Annex 1** to this report sets the amended call-in protocol.

## 1.2 Legal Implications

1.2.1 s101 of the LGA 1972 permits delegation to a committee, sub-committee or officer. Therefore, the wording in the constitution needs to be amended so that the delegation continues to sit with DPHEH but subject to the prior approval of the relevant APC Chair. Ultimately, the decision must rest with an individual officer - if the dominant role in the decision is that of the APC Chair then the decision will be unlawful.

1.2.2 As the proposed protocol changes include a change in delegated authority DPHEH 100, this will require a constitutional change and therefore this report needs approval from Full Council.

## 1.3 Financial and Value for Money Considerations

1.3.1 Having comprehensive protocols in place will ensure appropriate skills and expertise are utilised in an efficient and cost-effective manner and ensure that potential legal challenges through judicial review are limited.

1.3.2 The protocol changes have the potential to increase the number of applications to committee given the extra clarity provided on processes and the new options available and each committee report has a financial implication in terms of increased officer time cost due to the nature of the publication requirements. However, this is considered acceptable to ensure the democratic process is fair and transparent.

## 1.4 Risk Assessment

1.4.1 Not having the protocols in place could delay effective decision, increase the likelihood of challenge and limit the Council's ability to make effective planning decisions.

## 1.5 Equality Impact Assessment

1.5.1 No issues raised.

## 1.6 Recommendations

1.6.1 That Members **ENDORSE** the amended protocol at **Annex 1** and **RECOMMEND** to Council that the amended text in the protocol is included in the Constitution.

1.6.2 That the Monitoring Officer be authorised to make any necessary consequential changes to the constitution.

Background papers:

contact: Hannah Parker  
Development Manager

Nil

Annex 1- Development Management Officer Protocol  
Member Call Ins

Eleanor Hoyle  
Director of Planning, Housing and Environmental Health

This page is intentionally left blank



## Annex 1

### Member Call In Protocol – Development Management

1. The constitution sets out that planning applications will be determined under authority delegated to the Director of Planning, Housing & Environmental Health (DPHEH) unless in certain prescribed circumstances, including (inter alia) where:

*1.1. Member for the relevant Ward in which the application site falls may request that the application be determined by the relevant Area Planning Committee provided that:*

*The request is made within 21 days of notification of the application to the Member; and*

*The request must include reasoned justification on proper planning grounds as agreed by the Director of Planning, Housing & Environmental Health, subject to the prior approval of the relevant Area Planning Committee Chair*

2. Notification of applications to Members will usually be via the weekly case list, which is sent electronically. It is this email notification that starts the 21 day period. The weekly list can be also found on the view and comment on planning application section of the website.

[View and comment on planning applications – Tonbridge and Malling Borough Council \(tmcb.gov.uk\)](http://tmcb.gov.uk)

3. In order to register a call in, the relevant ward Member is required to email the Development Manager, copying in the Case Officer and the Director of Planning, Housing & Environmental Health to log the call-in request. The case officer's details will appear on the weekly list.
4. As outlined above reasoned justification on proper planning grounds should be given. Examples of such reasons include but are not limited to:
  - The number, size, layout density, design, external appearance of the building
  - Height, width, depth of a development
  - Access or highway safety issues
  - Landscaping/ open space layout/location
  - Impact on the character of the area
  - Planning history of the site
  - Overlooking
  - Overbearing nature of the proposal
  - Loss of outlook
  - Loss of light
  - Impact on parking
  - Loss of privacy
  - Loss of trees
  - Loss of ecological habitats
  - Land contamination from the previous use

- Land instability
- Effects on heritage assets for example listed buildings, conservation areas and Scheduled Ancient Monuments
- Effects on the setting of heritage assets
- Effects on AONB
- Effects on the Greenbelt
- Noise and disturbances
- Flood risk

Examples of factors that cannot normally be considered as proper planning grounds:

- Land ownership
- Boundary disputes / encroachment of gutters
- Private covenants
- Damage to property
- Potential profits
- Matters covered by other legislation and over which planning has no control
- Time taken to do work
- Building techniques

5. The proper planning ground(s) should be included in the initial call-in request
6. Upon receiving a request for call in, the planning case officer will:
  - 6.1. Log the request via the recording mechanism (at present, this is the internal call-in spreadsheet)
  - 6.2. Check that the request has been made by a Member whose Ward the planning application sits within
  - 6.3. Check that the request has been made within the requisite 21 days period
  - 6.4. Share the request with the relevant Area Chair, DPHEH and Development Manager within 3 working days of receipt setting out if there is any reason as to why there are not reasoned justification on proper planning grounds. The DPHEH will then consider the request and consult with the relevant Area Chair. If the DPHEH has any concerns about the proposed call in, these should be shared with the relevant Area Chair and should a follow up discussion be required with the Ward Member, this will be organised by the DPHEH.
  - 6.5. Once a decision has been made by the DPHEH, subject to the approval of the relevant Area Chair (ideally within 3 working days of receiving the call-in request the Ward Member will be advised in writing by the case officer of the outcome of their call-in request, explaining the position should the call in not be accepted. This information should then be included in the internal record of call-ins so that the complete decision-making process is recorded.
7. Once an assessment of the case has been made, and prior to the committee report being drafted, **in all circumstances where there has been a call in,**

arrangements will be made for an informal briefing to take place with the Chair, Vice-Chair and all Ward Members (not just the member who made the call-in request). For simpler cases an email setting out the issues may be acceptable with agreement from the relevant Chair.

8. The briefing, whether in writing or a meeting, should:
  - Provide an overview of the scheme
  - Explain the relevant policy position and all material planning considerations
  - Provide a summary of representations received and
  - Explain conclusions on what the recommendation to the planning committee will be
  - Allow for Members to ask questions of officers
9. Officers will then follow up with a written briefing note summarising the discussion that took place, which should be circulated to members, copying in the Development Manager, Head of Planning, DPHEH, relevant Chair and Cabinet Member.
10. Where a member in an adjoining Ward wishes to see an application considered at committee they should;
  - 10.1. Make contact with the ward Members to ascertain whether they are intending to call the application in. Members are encouraged to work collaboratively and to consider the issues raised by adjoining Ward members and to seek a call-in via the Ward Member process
  - 10.2. If there is a legitimate reason why the Ward Member(s) are not minded to or are unable to call-in the application (for example if they consider they have a conflict of interest), then adjoining Ward Members can request that DPHEH considers the application for consideration at committee. This request must be in writing and should also include their reasons for considering that the application has a potentially significant impact on their Ward and should also explain why the Ward Members are not minded to/are unable to utilise their call-in facility.
  - 10.3. A request from an adjoining Ward Member should follow the process laid out above for Ward Member call-ins; that is to make initial contact with the case officer and Development Manager.
  - 10.4. It is expected that adjoining Ward Members will have discussed their concerns with the case officer if they require any additional information about the potential impacts of the application on their ward. Some examples of 'potentially significant impact' could include highways, where the main access to the development is in that ward or landscape, where the setting impacts of the development falls largely in the adjoining ward.

- 10.5. The relevant Area Chair should then ensure they have discussed the matter with the relevant Ward Members and seek to encourage use of the relevant Ward Member call-in provisions. If on balance they consider the application should be considered at committee, the relevant Area Chair can discuss this with the DPHEH, who may refer an application to committee under DPHEH delegated powers.
11. Such requests will then be considered via the same process as laid out above for relevant Ward Member requests. The DPHEH and Area Chair will discuss their considerations with the relevant Ward Members to ascertain their position and is required to give full consideration to the issues raised both by relevant and adjoining Ward Members in concluding whether a call-in from an adjoining Ward Member should be accepted.
12. The committee report should then be drafted in the normal way, having due regard to the particular issues that were raised during the briefing. If the call-in request is only made on the basis of a recommendation for approval and the officer view is that planning permission should be refused, the relevant Member(s) can be updated by email.
13. In order to ensure consistency in decision making, there will be a quarterly review session with the 3 Area Chairs, Cabinet Member for Development Management, Chair and Vice Chair of HPSSC, DPHEH, Head of Planning and the Development Manager to discuss call-ins made during that period and any relevant planning appeal decisions, which will now also be included as a standing item for note on Area Planning Committee agendas. The frequency of these sessions will be reviewed on an annual basis.

## TONBRIDGE & MALLING BOROUGH COUNCIL

### OVERVIEW AND SCRUTINY COMMITTEE

29 June 2023

#### Report of the Director of Planning, Housing & Environmental Health

#### Part 1- Public

#### Delegated

### 1 HOUSING ASSOCIATIONS PERFORMANCE FRAMEWORK – SCOPING REPORT

#### 1.1 Background

1.1.1 In the Council's Housing Strategy 2023-2027 Action Plan for 2022/23, there is an action to 'Engage with Registered Providers and private developers through regular strategic and management/liason meetings to ensure efficient and effective delivery of services'. The action plan goes on to talk about frequency of meetings and requiring data, including customer satisfaction information. This action will be continued into the 2023/24 Action Plan.

#### 1.2 Current position

1.2.1 The table at **Annex 1** provides information on the Registered Providers who have stock in Tonbridge & Malling. This shows that Clarion is the largest provider, by a significant margin. Other providers with over 200 units are Hyde, Moat and Southern.

1.2.2 Given the significant level of stock held by Clarion, the vast majority of engagement by officers is undertaken with them. There are monthly operational meetings to discuss cases and properties, along with attendance at team meetings in both organisations if there are specific issues to discuss. In addition to this, the Director of Planning, Housing & Environmental Health and the Head of Housing & Health have quarterly meetings with the Regional Director, which have been ongoing for a number of years. In 2023, these have been supplemented by meetings with the Group Directors at Clarion, as a reflection of the level of stock in the borough and the importance of maintaining a strong working relationship.

1.2.3 At these quarterly meetings, performance data is discussed. The last update in March 2023 provided the following key information;

- Occupancy at 97.97%
- 24 lets in January, 27 in February, 33 in March
- 140 ASB cases received January to March, 43 still active in April

- Resident satisfaction on repairs is 90.78% against 85% target
- First time fix at 95.38% against 90% target
- 99.55% emergency responsive repairs against 98% target, 100% on emergency communal repairs
- Routine and communal repairs at 90.03% against 95% target
- 60+ voids in TMBC (this is considered excessive by Clarion and an action plan is in place to resolve this).
- Contact centre (data not disaggregated for TMBC) responded to 99, 431 contacts in March
- There has been a decrease in arrears and 4 evictions in 2022/23.

1.2.4 In addition to this, Housing officers have regular communication with other providers, mainly regarding lettings and condition of properties. There is also a significant amount of communication with providers where they are involved in developing new affordable units in the borough, discussing required provision, tenure details and local lettings plans.

1.2.5 The Council has a Housing Association Liaison Panel (HALP), which comprises of 5 elected Members. In recent years, this panel has met with Clarion annually to review their activity and performance.

1.2.6 Whilst there are a number of ongoing engagement activities, there are a number of opportunities to develop and augment the existing engagement with Housing Associations and to ensure that the Council is able to monitor the activity of these key organisations in ensuring the wellbeing of our residents.

### **1.3 Scoping considerations**

1.3.1 Members are invited to consider the following scoping considerations and to indicate whether they wish these to be progressed for the main report;

- Potential data requests; Members could request data from either all or some of the Housing Associations operating in the borough, perhaps dependant on the size of their stock holding on key statistics such as repairs, voids, complaints, managed moves and development of new units. This could be done initially through agreeing a list of performance data and a letter being sent by the Cabinet Member for Housing & Finance to the agreed list of Housing Associations.
- Clarion; as the largest provider of affordable properties in the borough, Clarion's performance has by far the greatest impact on the lives of TMBC residents. As such, it is considered likely that Members will want to discuss in detail Clarion's performance data and their wider work in the borough. They

could therefore be invited to attend a meeting of Overview & Scrutiny or of the Housing Association Liaison Panel on behalf of O&S (see below) to discuss their work in borough. Again, this could be done via an invitation from the Cabinet Member for Housing & Finance.

- HALP; the role of the Panel could be reviewed to consider whether the Panel's membership should be expanded and whether they could be set a specific work programme to invite Housing Associations to meet with them. Some consideration could be given to how this Panel's work should interact both with O&S and with the Housing & Planning Scrutiny Select Committee. It is the opinion of the Director of PHEH that to have a programme of regular Member engagement with Housing Associations this may be more than could be accommodated into the HPSSC work programme, given the number of other significant Housing and Planning matters that fall within that committee's remit.
- Review of nominations agreements: many of the nominations agreements that are in place are dated and given the length of time over which they have been entered into, have a number of differences. Members may wish to consider a review of these agreements by Housing and Legal and putting in place an agreed plan for proposing and agreeing changes.

1.3.2 Members are also asked to consider whether there are any other aspects of Housing Association performance and engagement with the Council that they would like to explore.

## **1.4 Legal Implications**

1.4.1 Councils have no formal power to scrutinise Housing Associations – this lies with the Regulator of Social Housing.

1.4.2 Nominations to properties owned by Housing Associations are governed through nominations agreement between individual providers and the Council.

## **1.5 Financial and Value for Money Considerations**

1.5.1 Having an efficient and well managed social housing sector operating in the borough helps to support best use of resources. For example, timely and high-quality repairs practices are likely to result in fewer complaints and cases for the Council to investigate and meeting void turnaround timescales is likely to result in shortened stays in Temporary Accommodation when a move on is identified for those households, which in turn means lower costs to the Council.

## **1.6 Risk Assessment**

1.6.1 If the Council does not have a robust approach to monitoring the activity of Housing Associations, it could be at risk of exacerbating resident issues or missing trends of activity that are negatively impacting on the Council's financial position or the wellbeing of residents.

## **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.

## **1.8 Policy Considerations**

1.8.1 Customer Contact

1.8.2 Healthy Lifestyles

## **1.9 Recommendations**

1.9.1 Members are asked to CONSIDER the scoping considerations in this report and CONFIRM which of these they wish to see completed for or considered in the main report to O&S in September 2023.

Background papers:

contact: Eleanor Hoyle

Nil

Eleanor Hoyle

Director of Planning, Housing and Environmental Health



Provider	provider size	Total Social Stock (unweighted)	% Total Social Stock in area	% of LARP/PRP's total Social Stock	General needs self-contained units (unweighted)	% General needs self-contained units in area	% of LARP/PRP's total general needs self-contained stock	General needs bedspaces (unweighted)	% General needs bedspaces in area	% of LARP/PRP's total general needs bedspaces stock	Supported housing/ housing for older people units (unweighted)	% Supported housing/ housing for older people units in area	% of LARP/PRP's total supported housing/ housing for older people stock	Low cost home ownership (LARPs and large PRPs only - unweighted)
Tonbridge and Malling Borough Council	LARP	0	-	-	-	-	-	-	-	-	-	-	-	-
A2Dominion Homes Limited	Large	5	0.1%	0.0%	-	-	-	-	-	-	-	-	-	5
Advance Housing and Support Limited	Large	1	0.0%	0.0%	-	-	-	-	-	-	-	-	-	1
Almshouse Charity of Elizabeth Smith	Small	10	0.1%	50.0%	-	-	-	-	-	-	10	1.3%	50.0%	-
Anchor Hanover Group	Large	14	0.1%	0.0%	-	-	-	-	-	-	14	1.8%	0.0%	-
Blackburn YMCA	Small	37	0.4%	6.3%	-	-	-	-	-	-	37	4.7%	7.4%	-
Boorman's Almshouses	Small	2	0.0%	50.0%	-	-	-	-	-	-	2	0.3%	50.0%	-
Clarion Housing Association Limited	Large	7,116	73.5%	3.2%	6,398	82.4%	3.6%	1	100.0%	0.1%	316	40.2%	1.9%	401
First Priority Housing Association Limited	Small	2	0.0%	0.4%	-	-	-	-	-	-	2	0.3%	0.4%	-
Golding Homes Limited	Large	165	1.7%	1.1%	165	2.1%	1.3%	-	-	-	-	-	-	-
Home Group Limited	Large	1	0.0%	0.0%	-	-	-	-	-	-	1	0.1%	0.0%	-
Housing 21	Large	122	1.3%	0.3%	-	-	-	-	-	-	122	15.5%	0.4%	-
Hyde Housing Association Limited	Large	311	3.2%	0.6%	231	3.0%	0.6%	-	-	-	6	0.8%	0.1%	74
Legal & General Affordable Homes Limited	Small	6	0.1%	0.2%	-	-	-	-	-	-	-	-	-	6
LiveWest Homes Limited	Large	1	0.0%	0.0%	-	-	-	-	-	-	-	-	-	1
London & Quadrant Housing Trust	Large	66	0.7%	0.0%	50	0.6%	0.0%	-	-	-	-	-	-	16
Moat Homes Limited	Large	719	7.4%	2.0%	273	3.5%	1.3%	-	-	-	51	6.5%	1.5%	395
Oak Housing Limited	Small	1	0.0%	0.1%	1	0.0%	0.1%	-	-	-	-	-	-	-
Orbit Group Limited	Large	112	1.2%	0.9%	6	0.1%	2.4%	-	-	-	-	-	-	106
Orbit Housing Association Limited	Large	147	1.5%	0.2%	147	1.9%	0.2%	-	-	-	-	-	-	-
Parasol Homes Limited	Small	31	0.3%	3.3%	-	-	-	-	-	-	31	3.9%	3.3%	-
Places for People Homes Limited	Large	21	0.2%	0.0%	21	0.3%	0.0%	-	-	-	-	-	-	-
Places for People Living+ Limited	Large	4	0.0%	0.0%	-	-	-	-	-	-	4	0.5%	0.1%	-
Rapport Housing and Care	Small	131	1.4%	31.0%	-	-	-	-	-	-	131	16.6%	31.0%	-
Reside Housing Association Limited	Large	11	0.1%	0.4%	-	-	-	-	-	-	11	1.4%	0.4%	-
Sanctuary Affordable Housing Limited	Large	3	0.0%	0.0%	3	0.0%	0.0%	-	-	-	-	-	-	-
Sanctuary Housing Association	Large	72	0.7%	0.1%	71	0.9%	0.1%	-	-	-	-	-	-	1
Southern Housing Group Limited	Large	256	2.6%	0.5%	219	2.8%	0.6%	-	-	-	-	-	-	37
The Hospital of the Holy Trinity Aylesford	Small	14	0.1%	50.0%	-	-	-	-	-	-	14	1.8%	50.0%	-
The Riverside Group Limited	Large	30	0.3%	0.0%	-	-	-	-	-	-	30	3.8%	0.2%	-
Tonbridge United Charity	Small	6	0.1%	50.0%	6	0.1%	50.0%	-	-	-	-	-	-	-
Town and Country Housing	Large	182	1.9%	1.0%	129	1.7%	0.8%	-	-	-	-	-	-	53
West Kent Housing Association	Large	79	0.8%	0.5%	49	0.6%	0.4%	-	-	-	5	0.6%	0.2%	25

This page is intentionally left blank

## TONBRIDGE & MALLING BOROUGH COUNCIL

### OVERVIEW AND SCRUTINY COMMITTEE

29 June 2023

#### Joint Report of the Chief Executive and Director of Central Services

#### Part 1- Public

#### Matters for Information

### 1 **DECARBONISATION AND ENERGY EFFICIENCY AT LEISURE TRUST SITES**

**To provide an update on energy efficiency measures and renewable energy installations at Leisure Centre sites, and potential future options to reduce carbon emissions.**

#### 1.1 **Background**

1.1.1 At its meeting in July 2019 Full Council declared climate change and biodiversity emergencies, and committed to the aspiration of carbon neutral for Tonbridge and Malling by 2030. TMBC's Climate Change Strategy 2020-30 sets out areas for action, including reducing emissions from TMBC's own estate and working with the Leisure Trust to bring forward action plans to address climate change issues. More recently the Conservative Party made an election pledge for leisure facilities to be carbon neutral by 2027.

1.1.2 The current Management Agreement with the Leisure Trust includes an obligation for the Trust to use all reasonable endeavours to minimise its consumption of energy and mitigate its environmental impact. While the Trust has operational responsibility and control of the sites, the Management Agreement also makes clear the ongoing collaboration between the Council and the Trust regarding energy management systems. This has resulted in schemes being developed in collaboration primarily based on specialist external reports commissioned by the Council. Recent examples are included later in this report.

1.1.3 This report provides an up-to-date snap-shot of the scale of energy consumption and greenhouse gas emissions from the Leisure Trust, energy efficiency works carried out to date, and future projects.

#### 1.2 **Improving energy efficiency**

1.2.1 Energy consumption, energy costs and associated greenhouse gas emissions at the Council's leisure centres are significant, accounting for almost two-thirds (63%) of total greenhouse gas emissions from the TMBC estate and operations. Providing important local services, such as swimming pools, can mean energy-hungry operations, with the two sites with swimming pools (Larkfield Leisure

Centre and Tonbridge Swimming Pool) accounting for 79% of total gas consumption, and 73% of electricity use at the sites operated by the Leisure Trust. As such it is important for costs and environmental commitments that building fabrics and operational technologies are as efficient as practically possible.

- 1.2.2 Reducing energy usage while maintaining or improving service provision requires addressing the efficiency of building materials and operations. The Council has a history of helping to tackle leisure centre energy use, including investing in pool covers and variable speed drives, which help regulate the power of pumps and motors so they run more efficiently. The Council also invested in improved roof insulation at Tonbridge Swimming Pool during roofing works and in the replacement of the leisure pool hall roof at Larkfield Leisure Centre.
- 1.2.3 As ongoing policy across all Council operated buildings, when major plant and equipment is updated, the modern equivalent is always more efficient than its predecessor; and whenever a light fitting fails, an LED replacement will be installed. To accelerate reductions in electricity use for lighting at the most energy-hungry sites, the current financial year capital plan provides for the installation of LEDs throughout Tonbridge Swimming Pool and Larkfield Leisure Centre where old fittings are still present.
- 1.2.4 The Trust through its contract arrangements with Laser energy has detailed ½ hourly usage figures for both gas and electricity for its main sites. This level of access to the data allows the Trust to monitor its usage and make more educated operational decisions based on these figures. The Trust also manages energy usage through good housekeeping practices including the use of pool covers installed on its standard tank swimming pools, turning off lights in areas that are out of use and the staged turning on and off of equipment at opening and closing times in the gyms it operates. These practices are part of the standard induction process for all members of staff.

### **1.3 Renewables installations**

- 1.3.1 After efficiency measures have minimised the energy needed to meet service requirements, emissions from energy use can be reduced by fuel switching (i.e. changing from a fossil fuel to a renewable energy source). The Council has invested in renewables and heat pump technology at two Leisure Trust sites.
- 1.3.2 The Council completed the construction of a new café facility at Leybourne Lakes Country Park in June 2022, which incorporates solar panels and a water source heat pump.
- 1.3.3 At Larkfield Leisure Centre, which offers a wide range of services and accounts for 46% of Leisure Trust electricity consumption, the Council invested in a solar panel installation that was completed in February 2023. The solar array will be generating approximately 90,500 kWh and reduce emissions from the site by around 19tCO<sub>2e</sub> per year. However, this will only meet around 6% of the centre's

annual electricity consumption, indicating just how much energy leisure centres, especially those with multiple swimming pools, require to operate.

- 1.3.4 As it is not technically feasible to meet all electricity demand at sites with swimming pools through on-site solar generation, decarbonising electricity use could be achieved through moving to a renewables contract with the energy supplier. However, discussions between the Council and Leisure Trust concluded that the additional cost of a REGO (Renewable Energy Guarantee of Origin) contract was prohibitive in the context of rising energy bills and given the scale of electricity consumption at leisure sites.

## **1.4 Next steps to decarbonisation**

- 1.4.1 Further Council investment in renewables is progressing. In the current financial year there is a capital plan scheme to install solar panels on the roof at Tonbridge Swimming Pool. Following initial scoping assessments, we are working with Laser to provide a detailed survey in June 2023. Current estimates, subject to survey, suggest that solar PV could provide around 50 -60 kWp, which again would meet only a limited percentage (less than 10%) of electricity demand at the site.
- 1.4.2 In order to make significant reductions in carbon emissions at the leisure sites, a move will have to be made away from gas as the primary heating fuel. In most instances this will involve investing in some form of heat pump technology, which can be both technically challenging and costly.
- 1.4.3 Carbon descent plans for both Larkfield Leisure Centre and Tonbridge Swimming Pool recommended the installation of air source heat pumps. Following endorsement by 8 February Communities and Environment Scrutiny Select Committee, we are currently engaging with a specialist company to design these systems to get a better understanding of the potential installation cost and associated carbon reductions as well as aiming to use the designs to apply for future government grant funding.
- 1.4.4 Initial indications are that the costs of installing heat pump technologies are significantly beyond the means of the Council and/or the Leisure Trust. For example, the Carbon Descent Plan estimate for an air source heat pump at Tonbridge Swimming Pool entailed a capital cost of £1.14m. Advancing decarbonisation at the most energy-hungry, and significant carbon producing sites, therefore relies on external funding.
- 1.4.5 This year we are preparing to bid for two decarbonisation funds: the Swimming Pool fund announced in the March 2023 Budget and managed by Sports England, and the Public Sector Heat Decarbonisation Fund, which should open for the next Phase of applications in Autumn 2023. However, these grants are massively oversubscribed resulting in low success rates.

## **1.5 Legal Implications**

1.5.1 The matters raised in this report are considered to be routine, uncontroversial or not legally complex and a legal opinion has not been sought on these proposals.

## **1.6 Financial and Value for Money Considerations**

1.6.1 The projects discussed in sections 1.2 and 1.3 have been assigned funding. Planned scoping and assessment work will provide better estimates for heat decarbonisation in the coming months, after which implications for funding and value for money will be investigated and brought forward for Member's consideration at an appropriate meeting.

## **1.7 Risk Assessment**

1.7.1 TMBC has committed to aiming for carbon neutral in 2030 and councils are increasingly being assessed and held to account by external academic and voluntary organisations on their progress towards publicly stated climate and environmental goals. There is a reputational risk of inaction on tackling the most significant sources of energy consumption and carbon emissions under our influence.

1.7.2 Because of just how much energy is required to operate swimming pools it will be challenging to achieve carbon neutral buildings through retrospective enhancements to building fabric and plant and equipment. A remaining proportion of carbon emissions will most likely have to be dealt with via 'off-setting', with potential further reputational and cost implications.

## **1.8 Policy Considerations**

1.8.1 Climate Change

Background papers:

Nil

contact: Stuart Edwards and  
Carrie Spencer

Julie Beilby  
Chief Executive

Adrian Stanfield  
Director of Central Services

## TONBRIDGE & MALLING BOROUGH COUNCIL

### OVERVIEW AND SCRUTINY COMMITTEE

29 June 2023

#### Report of the Chief Executive

#### Part 1- Public

#### Matters for Information

#### 1 KEY PERFORMANCE INDICATORS

Following the Peer Challenge Review in 2022, the Council established a Corporate Performance Framework which provides visibility and a formal mechanism to track progress across a number of aspects of its work. This covering report and appendix provides data on Key Performance Indicators (KPIs) that are monitored on quarterly or annual basis and made available to the select committees on an ongoing basis.

#### 1.1 Overview of KPIs and Next Steps

- 1.1.1 The KPI dataset that is provided represents the key strategic indicators that the Council reports on to various Government departments and bodies. They are not designed to provide detailed service specific indicators.
- 1.1.2 The Overview and Scrutiny KPIs are provided in **Appendix 1**. A baseline covering April-June 2022 has been used, with the data for January-March 2023 representing the most up-to-date available statistics.
- 1.1.3 Now that the KPIs have been collated and reported on for approximately a year, there are some trends that can be identified and highlighted in this report:
- There has been a steady increase in the number of vehicle licences awarded since the baseline was recorded in June 2022.
  - Social media engagement has also been quite steady over recent months with a slight drop in the number of clicks this quarter in comparison to the last. However website content engagement has improved, My account registrations continue to increase (from a total of 28,421 in Oct-Dec 2022 to 31, 387 in this quarter) and My TMBC app downloads have also grown to 6,474.
  - Staff headcount has grown (from 252 to 256 staff) which equates to an small increase in the full-time equivalent (FTE) from 223 to 224, whilst vacancies have dropped very slightly.

- Short-term sickness absence has remained pretty much static, with medically signed off sickness absence decreasing and remaining well below the baseline figure.
- The Gender Pay Gap (mean) has increased to 22.46%, although the median has decreased slightly to below 30%.
- The handled rate for Customer Services has greatly improved since the baseline (up to 93% from 72%) with other indicators for this service remaining very high.

1.1.4 If there are any questions regarding the KPIs provided, **these should be submitted to the relevant Director/Chief Executive at least 2 days in advance of the scrutiny select committee meeting** in order to ensure that a suitable response can be provided at the meeting. If additional queries are raised at the scrutiny select committee meeting, these will be responded to within 5 working days.

1.1.5 As these statistics are collated on an annual or quarterly basis, and the scrutiny select committees are five times a year, it will not be possible to provide every meeting with new KPI information. However, it is intended to report to the upcoming select committees once the quarterly information has been produced.

1.1.6 This KPI reporting represents the first stage of a programme of activity to action the recommendation from the Peer Challenge Review. As the Corporate Strategy has developed, a gap analysis of the current KPIs has been undertaken to ensure that the indicators that are measured are those that reflect our strategic priorities. A gap analysis has been undertaken and been considered by Cabinet on 07 March 2023 and Overview and Scrutiny Committee on 06 April 2023. The current timetable indicates this analysis will go to Cabinet and Council for approval in Summer 2023. Once approved, there will be changes to some of the KPIs.

1.1.7 Future steps are likely to include;

- Providing comparator baselines for other Kent districts and other similar authorities (for example, our CIPFA grouping)
- Agreeing KPI targets relating to improvement or maintenance of service delivery standards
- Exploring opportunities for benchmarking offered by the LGA's performance management function
- Regular review of the KPIs at Management Team and Service Management Teams, especially as the Corporate Strategy evolves and is finalised, in order to ensure that there is strong alignment between the KPIs and the Corporate Strategy.



- 1.1.8 Further down the line, a technological solution, such as Power BI (which is currently being used for planning enforcement) may enable the collation of and access to KPIs to become more streamlined, with real-time, self-serve access for officers and Members. This will be explored alongside the rollout of Agile, which utilises Power BI reporting already. This is likely to provide the opportunity for more detailed statistics about individual service areas and these models will be co-developed by officers and Members.

Background papers:

Nil

contact: Jeremy Whittaker,  
Strategic Economic  
Regeneration Manager

This page is intentionally left blank

## Appendix 1 – Corporate Key Performance Indicators

	BASELINE				2022/23			2023/24				NOTES
	Value	Date	Frequency	Source	July-Sept	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sept	Oct-Dec	Jan-Mar	
<b>INDICATORS - Other</b>												
<b>Licencing</b>												
Total number of licenced drivers	590	Jun-22	Quarterly	Reports from IDOX Uniform	598	593	596					
Total number of vehicle licences	503	Jun-22	Quarterly	Reports from IDOX Uniform	535	529	538					
Total number of premises licences	389	Apr-22	Quarterly	Home Office Return	398	398	398					
<b>Communications</b>												
Social media clicks/engagement	5,178	Jul-Sept 22	Quarterly	Orlo	N/A	5,587	5,200					
Website top tasks	<ol style="list-style-type: none"> <li>Find bin collection days</li> <li>Find planning applications</li> <li>Pay council tax</li> <li>Apply for a parking permit</li> <li>Contact us</li> </ol>	Sep-22	Quarterly	Google Analytics	N/A	<ol style="list-style-type: none"> <li>My waste collection dates</li> <li>My Account</li> <li>Waste collection updates</li> <li>View/comment on planning apps</li> <li>Christmas waste collections 2022</li> </ol>	<ol style="list-style-type: none"> <li>My Account</li> <li>My waste collection dates</li> <li>View/comment on planning apps</li> <li>Waste updates</li> <li>Pay council tax</li> </ol>					

Page 43

Website content engagement	42%	Sep-22	Quarterly	Google Analytics	N/A	43.5%	86%					
Website My account Registrations	25,725	Sep-22	Quarterly	Jadu	N/A	28,421	31,387					
My TMBC app downloads	3,827	Sep-22	Quarterly	One Signal	N/A	4,847	6,474					
<b>Human Resources</b>												
Staff Numbers - Headcount	254	Sep-22	Quarterly	Chris 21 (Payroll System) Reports	N/A	252	256					
Staff Numbers - FTE	234	Sep-22	Quarterly	Chris 21 (Payroll System) Reports	N/A	223	224					
Vacant Posts (FTE)	14	Sep-22	Quarterly	Chris 21 (Payroll System) Reports	N/A	18	17					
Sickness absence (days) - Short-term	3.06	2021/2	Quarterly	Chris 21 (Payroll System) Reports	N/A	3.48	3.5					
Sickness absence (days) - Medically signed off	4.53	2021/2	Quarterly	Chris 21 (Payroll System) Reports	N/A	2.92	2.89					
Gender Pay Gap - Mean	19.80%	2021	Annually	Chris 21 (Payroll System) Reports	N/A	N/A	22.46%					
Gender Pay Gap - Median	30.60%	2021	Annually	Chris 21 (Payroll System) Reports	N/A	N/A	29.89%					

Customer Services												
% Handled rate	72%	Apr-Jun 2022	Quarterly	AW365	80%	91%	93%					
% emails responded to within 24 hours	100%	Apr-Jun 2022	Quarterly	Outlook	100%	100%	100%					
% webchat answer rate	99%	Apr-Jun 2022	Quarterly	Webchat tool	99%	99%	99%					

This page is intentionally left blank

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						03.04.23

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

URG - outside of budget and policy framework

\*reflects Easter Holiday

Executive Decisions Record - May/June 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
D230045MEM	Applications for Discretionary Rate Relief	Finance and Housing	31.05.23	31.05.23	07.06.23						08.06.23
D230046MEM	Parking Update	Transformation and Infrastructure	05.06.23	07.06.23	14.06.23						15.06.23
D230047MEM	Hadlow Parking Review - Outcomes of Informal Consultation	Transformation and Infrastructure	05.06.23								
D230048MEM	Hildenborough Parking Review - Outcomes of Informal Consultation	Transformation and Infrastructure	05.06.23								
D230049CAB	Car Parking Fees and Charges - Haysden Country Park	Cabinet	06.06.23	08.06.23	15.06.23						16.06.23
D230050CAB	Revenue and Capital Outturn 2022/23										
D230051CAB	Risk Management										
D230052MEM	Housing Standards	Finance and Housing	07.06.23	09.06.23	16.06.23						17.06.23
D230053MEM	Climate Change Monitoring and Reporting	Climate Change, Regeneration and Property	14.06.23	16.06.23	23.06.23						
D230054MEM	Catering Lease Variation - Haysden Country Park	Climate Change, Regeneration and Property	14.06.23	15.06.23	22.06.23						

Page 48

Decision pending Call in period Key Decision Private Urgent

Subject to call in

URG - outside of budget and policy framework

\*reflects Easter Holiday



## OVERVIEW AND SCRUTINY COMMITTEE

### WORK PROGRAMME 2023- 2024

**Standing items:**

- **Record of Executive (Cabinet and Cabinet Member) Decisions Taken;**
- **Record of Officer Decisions Taken (If any);**

Meeting Date	Matter for Discussion	Requested by:	Director/Officer	
14 September 2023	Local Government & Social Care Ombudsman Annual Letter	Standing item	Adrian Stanfield	
	Future of Leisure Facilities	Chair of Overview and Scrutiny Committee	Robert Styles	
	Review of Outside Bodies (Scoping Report)	Chair of Overview and Scrutiny Committee	Gill Fox	
	Key Performance Indicators	Standing item		
	Work Programme 23/24	Standing item		
16 November 2023	Review of Governance Arrangements	Chair of Overview and Scrutiny	Adrian Stanfield/Gill Fox	
	Review of Outside Bodies (Final Report)	Chair of Overview and Scrutiny Committee	Gill Fox	
25 January 2024	Budget Setting 24/25			
4 April 2024				

This page is intentionally left blank

# Agenda Item 14

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

This page is intentionally left blank

# Agenda Item 15

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**

This page is intentionally left blank

# Agenda Item 16

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

This page is intentionally left blank