

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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

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

7 June 2023

To: MEMBERS OF THE PARISH PARTNERSHIP PANEL
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Parish Partnership Panel to be held in the Council Chamber, Gibson Drive, Kings Hill on Thursday, 15th June, 2023 commencing at 7.30 pm.

Members of the Panel should attend in person wherever possible. Those Members of the Panel who cannot attend in person have the opportunity to participate online. Other Members of the Council are encouraged to participate online.

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

Yours faithfully

JULIE BEILBY

Chief Executive

AGENDA

- | | | |
|----|-------------------------------------|-------|
| 1. | Guidance on the Conduct of Meetings | 5 - 6 |
| 2. | Terms of Reference | 7 - 8 |

Part 1 - Public

3. Appointment of Chair and Vice Chairs

To confirm Borough Council appointments and to seek nominations for a vice-chairman from the Parish Councils.

4. Apologies for absence

5. Notification of Substitute Members 9 - 10

6. Minutes 11 - 16

To confirm as a correct record the Minutes of the meeting of the Parish Partnership Panel held on 9 February 2023.

7. Update on action identified in the last Minutes

Matters raised in Advance of the meeting

Details of the matter to be raised should be provided in writing or by email to committee.services@tmbc.gov.uk at least 10 working days before the meeting. This is so that a response can be provided on the evening of the meeting. Only one question may be submitted by a parish council due to the time limitations.

8. Tonbridge and Malling Seniors Forum (TAMS)

The Chair of TAMS, Sue Curtis, to provide a presentation promoting activities of the organisation and advise of upcoming events.

9. Local Election Results 17 - 18

Returning Officers Certificate attached for information.

10. Update on Waste Contract and Fly Tipping 19 - 30

The Cabinet Member for Transformation and Infrastructure to address issues raised by the Kent Association of Local Councils (Tonbridge and Malling) and parish councils.

11. Planning Update

The Director of Planning, Housing and Environmental Health to provide a verbal update on the progress of the Local Plan and s106 matters.

12. Any Other Business

To consider any other issues raised at the meeting. Any answers, actions and/or outcomes may be provided at the next meeting of the Parish Partnership Panel.

DISTRIBUTION

Borough Council Representatives

Cllr R W Dalton (Chair)
Cllr Mrs M Tatton (Vice-Chair)
Cllr Mrs S Bell
Cllr R P Betts
Cllr B Banks
Cllr P Boxall
Cllr M A Coffin
Cllr S Crisp
Cllr S M Hammond
Cllr D Harman
Cllr P M Hickmott
Cllr M Taylor
Vacancy

Parish and Town Council Representatives

Addington
Aylesford
Birling
Borough Green
Burham
Ditton
East Malling and Larkfield
East Peckham
Hadlow
Hildenborough
Ightham
Kings Hill
Leybourne
Mereworth
Offham
Platt
Plaxtol
Ryarsh
Shipbourne
Snodland
Stansted
Trottscliffe
Wateringbury
West Malling
West Peckham
Wouldham
Wrotham

County Councillors

Trudy Dean - KCC, Malling Central
Sarah Hohler - KCC, Malling North
Sarah Hudson - KCC, Malling Rural East
Andrew Kennedy - KCC, Malling North East
Harry Rayner - KCC, Malling West

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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 to 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:

- Meetings of the Panel will alternate between 'in person' or online meetings. Please check the agenda as this will set out the meeting venue.
- Members of the Panel should attend in person wherever possible those meetings that are to be held in person.
- Those Members of the Panel who cannot attend in person have the opportunity to participate online.
- Other Members of the Council are encouraged to participate online.
- Officers can participate in person or online.

Before formal proceedings start there will be a sound check of Members/Officers in the room. This is to ensure that those participating online can hear those in the meeting room and confirms attendance.

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

PANELS TO ADVISE THE EXECUTIVE

The Council has adopted the following scheme for Panels:	
1.	The rules set out in Part 4 (Council and Committee Procedure Rules) of the Constitution shall, so far as applicable, apply to the advisory panels, save that meetings of the bodies marked ['Private'] in the tables shall not be subject to the Access to Information Procedure Rules.
2.	Advisory panels may be chaired by a member of the Executive and their purpose is to advise the Executive in connection with specific projects or to act as liaison bodies with other organisations and partners.
3.	(a) The following tables set out the titles, terms of reference and membership of the advisory panels.
	(b) Except where otherwise indicated, the membership of the advisory panels shall be politically balanced.
4.	(a) The advisory panels marked [P] in the table will be programmed to meet at least twice per year.
	(b) The advisory panels marked [NP] in the table will not be programmed to meet, but meetings will be convened as and when necessary for the efficient discharge of business. It will be for the Leader to determine if a meeting is necessary in consultation with the Chair of the relevant advisory panel.
	(c) Where a matter falls to be reported to an advisory panel for which meetings are not programmed the matter may, with the concurrence of the chair of the advisory panel concerned, be reported to a meeting of an appropriate programmed advisory panel or board.

Table 1: Advisory Panels

Title:	Parish Partnership Panel [P]
Membership:	14 Members; not politically balanced.
Quorum:	N/A
Terms of Reference:	A vehicle for the exchange of information, consultation and a structured dialogue between the Borough Council and the parish councils in the Borough.

Title:	Tonbridge Community Forum (previously Tonbridge Forum) [P]
Membership:	14 Members representing Tonbridge wards*; not politically balanced. * Cage Green & Angel, Higham, Hildenborough, Judd, Trench and Vauxhall
Quorum:	N/A
Terms of Reference:	A vehicle for the exchange of information, consultation and a structured dialogue between the Borough Council and those Tonbridge-based organisations with a shared interest in enhancing the well-being of the town through the identification of problems and joint working towards solutions.

Parish Partnership Panel

	Conservative	Liberal Democratic	Green	Ind. Kent Alliance	Labour
1	Matt Boughton		Kath Barton		Angus Bennison
2	Robert Cannon				Wayne Mallard
3	James Lark				
4	Alex McDermott				
5	Colin Williams				

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TONBRIDGE AND MALLING BOROUGH COUNCIL

PARISH PARTNERSHIP PANEL

MINUTES

Thursday, 9th February, 2023

Present: Cllr R W Dalton (Chair), Cllr Mrs J A Anderson, Cllr R P Betts, Cllr M A Coffin, Cllr Mrs F A Kemp, Cllr B J Luker, Cllr M R Rhodes and Cllr M Taylor.

Together with Addington, Aylesford (2nd Vice-Chair), Birling, Borough Green, Ditton, East Malling and Larkfield, East Peckham, Hadlow, Hildenborough, Ightham, Offham, Platt, Plaxtol, Shipbourne, Stansted Parish Councils and County Cllr Mrs S Hohler, County Cllr S Hudson and County Cllr H Rayner

Councillors T Bishop, M Boughton D A S Davis, M A J Hood and J R S Lark were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs M Tatton (Vice-chair), Mrs S Bell and A P J Keeley

PART 1 - PUBLIC

PPP 23/1 MINUTES

RESOLVED: That the Minutes of the meeting held on 3 November 2022 be approved as a correct record and signed by the Chairman.

PPP 23/2 UPDATE ON ACTION IDENTIFIED IN THE LAST MINUTES

- **Minute Number PPP 22/24 – Update on Climate Change Strategy**

The Chair advised that an update on the Borough Council's Climate Change Strategy originally requested by the Kent Association of Local Councils (KALC) (Tonbridge and Malling) was no longer required and this item had been removed from the agenda.

PPP 23/3 ELECTION BILL CHANGES

The Chief Executive and Director of Finance and Transformation, in their roles as Returning Officer and Deputy Returning Officer, advised of the recent changes arising from the Election Bill and summarised the implications for the local elections in May 2023.

The three changes to be made in advance of the election related to mandatory voter identification, accessibility and the number of subscribers for candidates. There were no changes to postal votes and the verification process remained the same.

Electors would have to show an approved form of photo identification before voting. This could be either a driving licence, passport or immigration document. There were a number of documents that could be used as voter identification and more information was available from the Elections Office. If electors could not provide one of the required forms of identification as set out in legislation, they would be able to apply for a free Voter Authority Certificate from their Elections Returning Officer.

The process for managing voter identification at polling stations was summarised and it was noted that the final details were still to be refined. It was also explained that poll cards would now be in the form of a letter in a buff envelope due to the level of detail required.

There was a national campaign to publicise the introduction of voter identification together with information on the Borough Council website and social media channels.

Reference was also made to the legal obligation to take reasonable steps to support voters with disabilities and to facilitate access to polling stations for wheelchair users. A polling station review had been undertaken and the Returning Officers were confident that Tonbridge and Malling met this obligation.

There had also been a significant change in the number of subscribers required when seeking nomination for a parish council election. To encourage more people to stand individuals only required a proposer and a seconder.

Finally, Members were reminded that following the local election the Borough Council would have a reduced number of elected Members (down to 44 from 54). The Notice of Election would be published on 13 March 2023 and the nominations period would run from 14 March to 4 April 2023. A briefing session for potential candidates and agents was arranged for 1 March 2023.

The Panel asked that contact details to apply for Voter Authority Certificates and a copy of the presentation be provided out of meeting. Concerns in respect of any potential postal strike and implications for postal votes and delivering poll cards were raised. At the current time there were no plans in place to deal with this scenario although there would be a national position if this arose.

Parish/Town Councils were asked to communicate the changes to their residents. If there were any concerns raised when canvassing these should be directed to the Elections Office as soon as possible.

PPP 23/4 PLANNING ENFORCEMENT STRUCTURE AND REGULATIONS

In response to a matter raised by KALC in advance of the meeting, the Cabinet Member for Strategic Planning and Infrastructure (Cllr D Davis) outlined the recent changes to Planning Enforcement within the Borough Council.

Details of the changes had been considered by the [Overview and Scrutiny Committee on 6 October and approved by Cabinet on 8 November 2022](#). As a result of these proposals, there was increased staffing to support enforcement activity. Unfortunately, recruitment into planning roles remained challenging. The impact of not having an adopted Local Plan on recruitment was also recognised.

The Cabinet Member outlined the Borough Council's role in enforcement and advised that any action had to be taken under planning law as set out by Government. All investigations required good evidence which sometimes took a while to gather.

Any specific concerns in respect of enforcement should be raised with planning enforcement officers. However, the Cabinet Member welcomed the opportunity to discuss any concerns out of meeting.

Reference was made to submitting responses to planning applications and all were encouraged to use the planning portal.

Finally, Aylesford Parish Council asked how the requirement for developers to reduce the carbon footprint of new houses could be enforced by the Borough Council. It was explained that climate change/biodiversity measures would be reviewed as part of the application process. The enforcing of building regulations was not the role of the planning enforcement team and came under the remit of the Building Control team.

PPP 23/5 LOCAL PLAN UPDATE

The Cabinet Member for Strategic Planning and Infrastructure (Councillor D Davis) advised that the Regulation 18 consultation in respect to the Local Plan and the associated Interim Sustainability Appraisal had finished on 3 November 2022. The Housing and Planning Scrutiny Select Committee of 6 December 2022 had reviewed the high-level summaries and statistics of the responses received and the key themes identified. Further detailed analysis would be presented to a future meeting of the Housing and Planning Scrutiny Select Committee.

A majority of the comments were in response to the Local Plan rather than the Interim Sustainability Appraisal and the key matters raised had been noted by the Housing and Planning Scrutiny Select Committee in December. The Panel was advised that the call for sites process had been reopened alongside the Regulation 18 Consultation and a further 52 potential new sites had been identified (once duplicates had been removed).

Particular reference was made to recent announcements made by the Secretary of State for Levelling Up, Housing and Communities indicating new measures in the Levelling Up and Regeneration Bill, which could have implications for housebuilding targets, the Green Belt and the duty to co-operate as there was an emphasis on local decision making.

It was reported that the Borough Council's response to the National Planning Policy Framework (NPPF) consultation would be considered by Cabinet at its meeting on 14 February 2023 and the papers were now available on the Borough Council's [website](#).

The potential for consultation on the 52 additional sites identified in the revisited Call for Sites exercise was discussed. However, this was dependent on the final detail of the Bill and whether the Regulation 18 consultation should be revisited or Regulation 19 consultation should commence. The Borough Council were proceeding with caution on planning for a Regulation 19 consultation in Autumn 2023 with the Local Plan adopted in summer 2024.

The main areas to be addressed were better engagement with residents and improved infrastructure to support any additional housing. There were also significant pressures on the housing register and temporary accommodation. Whilst the need for new houses in Tonbridge and Malling was recognised it needed to be balanced with infrastructure constraints. The lack of a Local Plan and a five year housing land supply meant that the Borough Council were in a difficult position in respect of planning applications.

PPP 23/6 ANY OTHER BUSINESS

(1) Date of next meeting

Members were advised that due to the local Elections in May 2023, the next meeting of the Panel was provisionally scheduled for 15 June. The programme of meetings for 2023-2025 was due to be considered and endorsed in principle by Council in April and dates would be confirmed as soon as possible.

Anyone wishing to submit items for a future meeting should do so as soon as possible and these would be considered for the next available meeting.

(2) Tonbridge and Malling Newsletter

The representative of KALC welcomed the introduction of a regular newsletter and parish/town councils were encouraged to promote this to residents.

(3) Access to Committee papers

Members were reminded that all parish/town councils received an email notification on the publication of agenda papers. These were sent direct to the parish/town clerk for onward cascade to parish councillors.

The Principal Democratic Services Officer also reminded Members that they could subscribe to updates via the committee management area on the [website](#).

The meeting ended at 9.17 pm

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RETURNING OFFICERS CERTIFICATE

Election of Councillors - 4 May 2023

I hereby certify that the following persons were duly elected as councillors at the ordinary election of borough councillors held on 4 May 2023 to hold office until 2027:

Ward	First Name	Last Name	Party
Aylesford North & North Downs	Roger	Dalton	Conservative
	Dave	Davis	Conservative
	Alex	McDermott	Conservative
Aylesford South & Ditton	Rob	Cannon	Conservative
	Steve	Hammond	Conservative
	Colin	Williams	Conservative
Birling, Leybourne & Ryarsh	Bill	Banks	Liberal Democrat
	Paul	Boxall	Liberal Democrat
Borough Green & Platt	Wendy	Palmer	Independent Alliance (Kent)
	Mike	Taylor	Independent Alliance (Kent)
Bourne	Steve	Crisp	Green
	James	Lark	Conservative
Cage Green & Angel	Anna	Cope	Green
	Robert	Oliver	Green
	Bethan	Parry	Green
East Malling, West Malling & Offham	Trudy	Dean	Liberal Democrat
	Roger	Roud	Liberal Democrat
	Michelle	Tatton	Liberal Democrat
East Peckham, West Peckham, Mereworth & Wateringbury	Matt	Boughton	Conservative
	Sarah	Hudson	Conservative
Higham	Lee	Athwal	Green
	Dennis	King	Conservative
Hildenborough	Kath	Barton	Green
	Mark	Rhodes	Conservative

Ward	First Name	Last Name	Party
Judd	George	Hines	Green
	Mark	Hood	Green
Kings Hill	Christopher	Brown	Conservative
	Dan	Harman	Conservative
	Kim	Tanner	Conservative
Larkfield	Timothy	Bishop	Liberal Democrat
	Anita	Oakley	Liberal Democrat
	David	Thornwell	Liberal Democrat
Pilgrims with Ightham	Robin	Betts	Conservative
	Martin	Coffin	Conservative
Snodland East & Ham Hill	Sue	Bell	Conservative
	Wayne	Mallard	Labour
Snodland West & Holborough Lakes	Angus	Bennison	Labour
	Paul	Hickmott	Labour
Trench	Adem	Mehmet	Conservative
	Keith	Tunstall	Conservative
Vauxhall	Garry	Bridge	Liberal Democrat
	James	Clokey	Liberal Democrat
	Frances	Hoskins	Liberal Democrat
Walderslade	Des	Keers	Conservative

Julie Beilby
Returning Officer
17 May 2023

BRIEFING NOTE

PARISH PARTNERSHIP PANEL

15 JUNE 2023

Reponses to questions asked by KALC Tonbridge & Malling, as per email received by TMBC's Democratic Services team on 12 May 2023

This briefing note is being provided in advance of the PPP meeting, and Cllr Martin Coffin, as the Portfolio Holder for Transformation & Infrastructure and whose remit includes the Waste & Street Cleaning Contract, will take any relevant questions at the PPP meeting on 15 June 2023

1. An update on the Urbaser Contract with specific details on Road Cleaning and Litter picking Schedules for Parishes

Regarding the Urbaser Contract, attached is a report on the Contract's Key Performance Indicators which is to be considered by the Community & Environment Scrutiny Select Committee on 14 June. This data included within this report for each Key Performance Indicator is for the period April 2022 to March 2023, with comparative data for April 2021 to March 2022, together with percentage variance when compared with the 2021/22 performance. The exceptions are for those relating to recycling & composting performance, where the data for April 2022 to December 2022 is the most recent audited data available. These are shown in comparison with the same period in 2021, again with the percentage variance.

Street cleansing issues are addressed in the report at paragraphs 1.2.7 to 1.2.9 inclusive.

Regarding the specific details on Road Cleaning and Litter Picking Schedules, officers can confirm the following:

The Council's Street Cleaning Schedule, follows guidelines set out in a national code of practice and is based on categories of types of land, and on their intensity of use. The four main categories set out in the Code of practice are:

- *Category 1 High Intensity Use (busy public areas)*
- *Category 2 Medium intensity of use (everyday areas, including most housing areas occupied by people most of the time)*
- *Category 3 Low intensity use (lightly trafficked areas that do not impact on most people's lives most of the time)*
- *Category 4 Areas with special circumstances (situations where issues of health & safety & reasonableness are dominant considerations when undertaking environmental maintenance work)*

Each category is further broken down into sub-categories, for example:

- *Category 1:*
 - *a) Town Centre and busy areas; important seasonal hotspots (seasonal); including busy footpaths*
 - *b) Peripheral shopping areas; central public car parks; central recreation areas; town centre residential roads*
- *Category 4:*
 - *a) Low use recreational areas; public open spaces*
 - *b) Strategic routes with a persistent litter problem*
 - *c) Other strategic routes & rural main roads*
 - *d) Country lanes & rural footpaths – medium intensity*
 - *e) Country lanes & rural footpaths – low/medium intensity*
 - *f) Country lanes & footpaths – low intensity*

For each sub-category or zone, a cleansing frequency is allocated, appropriate to the nature of the category and intensity of use as set out on the code of practice. As such, for example, Category 1 (a) & (b) areas are cleansed daily. Category 4 (c) areas are cleansed every four weeks and Category 4 (f) are cleansed once a year.

Cleansing operations usually consist of a combination of litter picking, manual sweeping and mechanical sweeping (street sweepers) depending on the nature of the area, and whether it includes roads, footways, footpaths, car parks, etc. In some cases, such as roads where the speed limit is above 40 mph, traffic management measures have to be put in place in order for the cleansing works to be carried out safely, again adhering to national legislation & guidelines. This does make some cleansing operations particularly problematic in high risk areas such as high-speed rural roads and dual carriageways.

The categories & frequencies were stipulated in the original contract tender documents, and the submitted schedule is regularly reviewed and updated particularly when new roads are formally adopted by Kent Highways as these then usually become the responsibility of TMBC to cleanse. The schedule also includes the emptying of litter & dog waste bins. Again the frequency of emptying can vary – in these cases from daily to weekly - depending on the intensity of usage and location of each bin.

Cleansing works are regularly spot checked by officers in the Waste Services team to ensure that works have been carried out to standard. However, it should be noted that the street sweeping schedule can be disrupted due to a number of reasons such as staff availability, vehicle maintenance, roadworks, urgent cleansing work requirements, bad weather, etc. If a TMBC Waste Services Officer visits the location in advance of scheduled works and assesses that there is no requirement for those works at the scheduled time, the cleaning crew may be diverted to locations which are more in need of cleansing works.

Any enquiries about street cleansing should be dealt with by using the online report forms at www.tmbc.gov.uk/forms/littering or by contacting the Waste Services team by email at waste.services@tmbc.gov.uk.

2. An update on Fly tipping in the Borough

Fly tipping data is provided in the attached report in the table at 1.2.2 and in paragraphs 1.2.11 to 1.2.12 inclusive. Although the report shows a comparison of total fly tip reports with other Kent districts, officers have here provided data of fly tips reported to the Council in 2022/23, broken down by area and compared with data from 2021/22:

LOCATION	TOTAL 2021/22	TOTAL 2022/23
Tonbridge	152	161
Snodland	55	75
East Malling	46	65
Blue Bell Hill	67	46
Wrotham	47	45
Aylesford	35	42
West Malling	32	40
Larkfield	46	38
Hildenborough	25	31
Hadlow	23	28
Burham	24	22
Mereworth	17	19
Stansted	15	19
Walderslade	42	19
Kings Hill	12	18
Wouldham	18	17
Borough Green	18	15
Addington	4	14
East Peckham	18	14
Leybourne	10	13
Wateringbury	10	13
West Peckham	11	13
Offham	4	12
Ditton	1	10

Trottscliffe	17	10
Ightham	15	8
Plaxtol	13	8
Ryarsh	5	7
Birling	13	5
Platt	10	5
Shipbourne	8	3
Holly Hill	6	1
Grand Total:	819	836

The 12-month enforcement pilot referred to in the attached report at 1.2.12 is the subject of a separate report to the Community & Environment Scrutiny Select Committee on 14 June, in which the performance of the pilot in the first six months has been reviewed.

TONBRIDGE & MALLING BOROUGH COUNCIL

COMMUNITY AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

14 June 2023

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

Part 1- Public

Matters for Information

1 WASTE CONTRACT - KEY PERFORMANCE INDICATORS

To report on performance of the Waste Contract against a suite of Key Performance indicators.

1.1 Background

1.1.1 As part of the ongoing monitoring & management of the Waste Contract, currently delivered by Urbaser, a suite of Key Performance Indicators is measured and areas for improvement identified. This is in addition to day-to-day management of the contract through site inspections; health & safety checks; spot checks on crews; and morning, midday, and end of day updates on collection progress.

1.1.2 As recommended by Members of this Committee on 7 July 2022, and subsequently approval by Cabinet on 7 September, the Overview & Scrutiny – Cabinet Protocol established that the Scrutiny Work Programme will have, as a standing item, Key Performance indicators relating to the service areas covered by each Scrutiny Select Committee. A corporate suite of KPIs to cover all service areas is also being reported to meetings of each relevant Scrutiny Select Committee.

1.2 Key Performance Indicators

1.2.1 The data included within this report for each Key Performance Indicator is for the period April 2022 to March 2023, with comparative data for April 2021 to March 2022, together with percentage variance when compared with the 2021/22 performance. The exceptions are for those relating to recycling & composting performance, where the data for April 2022 to December 2022 is the most recent audited data available. These are shown in comparison with the same period in 2021, again with the percentage variance.

1.2.2 Narrative for key issues is provided below this table:

Description	April 2021 - March 2022	April 2022 – March 2023	%age Variance in Performance
Completion of scheduled collections (%age of rounds completed on scheduled collection day)	88.7%	97.8%	+10%
Missed Collections – total number of reports	14,954	13,217	-12%
Missed Collections - % of jobs not actioned within SLA - (24 hrs)	100%	100%	0%
Formal complaints – (inc. Intents to default) - Refuse & Recycling	525	274	-48%
Formal complaints – (inc. Intents to default - Street Cleaning	128	214	+67%
Complaints (inc. missed collections, bin returns, pull outs, etc.) – total number	15,765	13,957	-12%
Green Box Requests – total number	3,026	3,565	+18%
Green Box requests - %age of jobs not actioned within SLA - (5w/days)	41%	27%	-34%
Bin Requests (inc. new properties, replacements & repairs) – total number	6,227	9,760	+57%
Bin Requests (inc. new properties, replacements & repairs) - % of jobs not actioned within SLA - (5 w/days)	59%	37%	-37%
Bulky Collections (inc. fridges/freezers) – total number	2,838	3,660	+29%
Bulky Collections (inc. fridges/freezers) - % of jobs not actioned within SLA - (scheduled collection date)	18%	19%	+6%
Fly Tipping – total number of incidents reported	819	836	+2%

	April-Dec 2021	April-Dec 2022	%age Variance in Performance
Recycling Performance – total % of waste recycled or composted	45.46%	49.36%	+9%
Recycling Performance - % of waste recycled	21.94%	21.49%	-2%
Recycling Performance - % of waste composted	23.52%	27.87%	+19%
Total waste collected (tonnes)	36,995	37,489	+1%
Kerbside Collections:			
Recycling (tonnes)	16,815	18,504	+10%
Food waste (tonnes)	2,640	2,033	-23%
Garden waste (tonnes)	6,061	8,416	+39%
Refuse - black bin (tonnes)	20,180	18,984	-6%

1.2.3 Members will recall that in 2021 there was significant disruption to collections, caused by staffing issues experienced by Urbaser due to the national shortage of HGV drivers and the ongoing impacts of Covid at that time. Such was the disruption that recycling collections had to be suspended for a collection cycle in June, and subsequently garden waste collections were suspended from late July 2021. These issues are reflected in the “Completion of scheduled collections” performance of 88.7% (excluding Garden Waste from late July) in the 2021/22 reporting period, compared with 97.8% in 2022/23 following the reinstatement of the Garden Waste service. The 2022/23 performance was adversely impacted by the bad weather experienced in late 2022. Performance in April 2023 has averaged 99.5% daily completion of rounds.

1.2.4 The overall number of individual missed collection reports has reduced by 12% when compared with the previous year. Given that there are around 514,000 scheduled refuse, recycling, food waste & garden waste collections in each month, there would have been approximately 6,168,000 scheduled for this reporting period. This equates to a missed collection rate of 0.21% in 2022/23 compared with 0.24% in 2021. We will continue to work with Urbaser to further reduce the rate of missed collections, particularly for vulnerable residents on our assisted collection service, and for repeat misses at the same property.

- 1.2.5 The %age of missed collections completed within the SLA is difficult to assess, as currently the back-office system does not always recognise when missed collections have been completed by the same crew who missed it on the collection day, or if they have been completed by a different “missed collection” crew. Urbaser are currently looking into this issue with the systems, but until this is resolved, TMBC will continue to report using the data that is available.
- 1.2.6 The number of formal complaints relating to collections has also continued to reduce compared with last year, from 44 per month to 23 per month. These complaints will include issues such as poor bin placement, spillage of waste, repeat missed collections, behaviour of crew, alleged mixing of waste, etc. The client team will continue to carry their schedule of proactive monitoring & spot checks and ensure that Urbaser also monitor “hot spot” properties.
- 1.2.7 Now that collections have generally stabilised, Urbaser have been instructed to refocus on some of the other aspects of the contracted services such as street cleansing, litter & dog waste bins, delivery of containers within the contract SLAs, and the closing down of completed service requests in a timelier manner.
- 1.2.8 The number of formal complaints relating to street cleaning issues has increased from 11 to 19 per month. The main issues reported have been about unemptied litter & dog waste bins, of which TMBC service 1,150 and 600 across the borough respectively. One of the main causes for litter & dog waste bins being missed is when Urbaser have a staff change on the regular emptying routes. Any staff covering these works were not as familiar with the locations as the usual staff and were regularly missing bins which did not have a specific location attached to their worklist, particularly when bins are located on footpaths, recreation grounds and the Country Parks, for example.
- 1.2.9 In order to assist in addressing this issue, officers have now allocated a “What 3 Words” location to the majority of the bins. This app can then be used to pinpoint the exact location of the bins when they are scheduled to be emptied, as well as used by residents to report any overfull or damaged bins. The dog waste collection vehicle now has a dedicated member of staff on it, who is also training another operative on the round to ensure continuity when one is off. The trained bin installing operative has also now been released from some of his other duties and is now able to keep on top of new or replacement bins that are raised through an Additional Works instruction.
- 1.2.10 Due to the number of bin requests increasing, particularly over the last year with new builds being completed, Urbaser are currently bulking up bin orders to deliver them by area, including carrying out deliveries on Saturdays. This includes each month’s Garden Waste bin requests from new subscribers. This is considered more efficient than carrying them out in order of the request being made, which leads to increased mileage & driving time. As such, some deliveries have to be

made outside of the current SLA. Due to the significant increase in the numbers of containers being ordered since the start of the contract, Urbaser are currently in the process of employing a third-party contractor to assist in deliveries & retrieval of containers.

- 1.2.11 Members will note that the number of incidents of fly tipping has seen a small overall increase compared with the previous year. In the first three quarters of 2022/23, there had been an average reduction of around 10% compared with the previous year, but in March 2023 there was an increase compared with March 2022. Although TMBC continues to have one of the lowest levels of fly tipping in Kent, it remains a significant issue for both Members & residents particularly in “hot spot” areas.

Authority	Total Incidents
Tunbridge Wells Borough Council	721
Sevenoaks District Council	801
Tonbridge and Malling Borough Council	836
Dover District Council	985
Ashford Borough Council	1177
Swale Borough Council	1547
Folkestone and Hythe District Council	1666
Dartford Borough Council	1995
Gravesham Borough Council	2148
Thanet District Council	2278
Maidstone Borough Council	2391
Canterbury City Council	2750

- 1.2.12 Since mid-October 2022, a third-party contractor has been employed on a 12-month pilot basis to carry out fly tipping & littering investigations & enforcement action. A review of their performance to date is being reported separately to this meeting. Officers will continue to work with local partners such as the Police, KCC’s Intelligence Unit and fellow district councils to deliver further initiatives aimed at deterring fly tippers, educating residents about their Duty of Care responsibilities to ensure their waste is disposed of legally and increasing the number of enforcement activities, such as Operation Assist where waste carriers are stopped, and their documentation checked. Such initiatives in the borough have previously resulted in the seizure of vehicles, issuing of Fixed Penalty Notices and act as a deterrent through the awareness of increased levels of enforcement. For example, on the latest Operation Assist on 24 April 2023, one unlicensed scrap metal carrier had their vehicle seized, notices issued for lack of waste carrier documents and a referral made to Licensing Services for potential action for breach of scrap metal regulations. Another scrap metal collector was issued notices for the production of relevant documents (subsequently received) and another referral to Licensing. Six stops resulted in intelligence reports being

logged with KCC's Intel Unit which collates & shares information about potential offenders with all other Kent district councils.

- 1.2.13 The KPIs relating to tonnages of refuse & recycling can only be reported for April to December 2022 as at the time of writing this report Officers had yet to receive the Quarter 4 data from the Waste Disposal Authority, Kent County Council. However, it is pleasing to note that there has been an increase in the percentage of waste collected for recycling or composting compared with the same period in 2021/22. In order to help maintain this level of performance and to improve it, further promotional & engagement activities will be implemented in addition to those already taking place & planned for the future.
- 1.2.14 Members will note that food waste tonnages have also dropped significantly, as have refuse bin tonnages. This would indicate that although residents continue to use the separate food waste collections as opposed to using black bins for food waste, there is likely to be less food waste being generated. Experience elsewhere would appear to show that as food waste becomes more visible to residents by them separating it from general waste, awareness of the amount being thrown away increases and affects residents' behaviours in a positive manner. The economic situation is also likely to be impacting on food waste arisings, as well as other material streams. This will continue to be monitored as these factors are likely to impact on recycling performance not just in Tonbridge & Malling but elsewhere in Kent and nationally.

1.3 Legal Implications

- 1.3.1 The measuring & monitoring of Key Performance Indicators complies with the legal obligations of the Waste Contract with Urbaser. The continued monitoring of recycling & composting performance will assist in delivering the Council's obligations set out in the legally binding Inter-Authority Agreement between the Council and Kent County Council (KCC).

1.4 Financial and Value for Money Considerations

- 1.4.1 The monitoring & management of the performance of the Waste Contractor, Urbaser, will assist in delivering value for money for the Council and its residents.
- 1.4.2 Improved recycling & composting performance, and reductions in black bin waste will assist in maximising the potential of the Performance Payments received from KCC.

1.5 Risk Assessment

- 1.5.1 Contractual performance is monitored at varying frequencies and varying levels, from the three daily update briefings to monthly Operational and Steering meetings.

1.6 Policy Considerations

1.6.1 Community

Background papers:

Nil

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Robert Styles

Director of Street Scene, Leisure and Technical Services

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